

AGENDA
Board of Directors Meeting
July 7, 2021
10:15 a.m.

MEETING ACCESSIBLE VIA ZOOM AT: <https://gosbcta.zoom.us/j/98765479388>

Teleconference
Dial: 1-669-900-6833
Meeting ID: 987 6547 9388

**This meeting is being conducted in accordance with Governor Newsom's
Executive Order N-29-20**

Board of Directors

President

Curt Hagman, Supervisor
County of San Bernardino

Vice-President

Art Bishop, Council Member
Town of Apple Valley

Daniel Ramos, Mayor Pro Tem
City of Adelanto

Paul Courtney, Mayor
City of Barstow

Rick Herrick, Mayor Pro Tem
City of Big Bear Lake

Eunice Ulloa, Mayor
City of Chino

Ray Marquez, Vice Mayor
City of Chino Hills

Frank Navarro, Mayor
City of Colton

Acquanetta Warren, Mayor
City of Fontana

Darcy McNaboe, Mayor
City of Grand Terrace

Cameron Gregg, Mayor
City of Hesperia

Larry McCallon, Mayor Pro Tem
City of Highland

Rhodes "Dusty" Rigby, Council Member
City of Loma Linda

John Dutrey, Mayor
City of Montclair

Edward Paget, Vice Mayor
City of Needles

Alan Wapner, Mayor Pro Tem
City of Ontario

L. Dennis Michael, Mayor
City of Rancho Cucamonga

Paul Barich, Mayor
City of Redlands

Deborah Robertson, Mayor
City of Rialto

John Valdivia, Mayor
City of San Bernardino

Joel Klink, Council Member
City of Twentynine Palms

Carlos A. Garcia, Council Member
City of Upland

Debra Jones, Mayor
City of Victorville

David Avila, Council Member
City of Yucaipa

Rick Denison, Council Member
Town of Yucca Valley

Paul Cook, Supervisor
County of San Bernardino

Janice Rutherford, Supervisor
County of San Bernardino

Dawn Rowe, Supervisor
County of San Bernardino

Joe Baca, Jr., Supervisor
County of San Bernardino

Michael Beauchamp, Caltrans
Ex-Officio Member

Ray Wolfe, *Executive Director*

Julianna Tillquist, *General Counsel*

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

AGENDA

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Interested persons may submit Public Comments in writing to the Clerk of the Board at clerkoftheboard@gosbcta.com. Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 p.m. on July 6, 2021

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 Curt Hagman)

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

Pg. 18

Possible Conflict of Interest Issues

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

1. Information Relative to Possible Conflict of Interest

Pg. 19

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

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

CONSENT CALENDAR

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

Consent - Administrative Matters

- 2. May 2021 Procurement Report** Pg. 21
Receive the May 2021 Procurement Report.
Presenter: Jeffery Hill
This item was received by the General Policy Committee on June 9, 2021.
- 3. Budget to Actual Report for Third Quarter Ending March 31, 2021** Pg. 30
Receive and file Budget to Actual Report for third quarter ending March 31, 2021.
Presenter: Lisa Lazzar
This item was received by the General Policy Committee on June 9, 2021.
- 4. New Policy No. 10111-2, California COVID-19 Supplemental Paid Sick Leave** Pg. 40
That the Board, acting as the San Bernardino County Transportation Authority and the San Bernardino Associated Governments (SBCOG):
Approve Policy No. 10111-2, California COVID-19 Supplemental Paid Sick Leave.
Presenter: Colleen Franco
This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 9, 2021. SBCTA General Counsel has reviewed this item and the draft policy.
- 5. Approve Amendment No. 1 to Contract No. 20-1002397 with CityCom Real Estate Services, Inc. for Property and Facility Management Services** Pg. 46
That the Board, acting as the San Bernardino County Transportation Authority:
A. Approve Amendment No. 1 to Contract No. 20-1002397 with CityCom Real Estate Services, Inc., for property and facilities management services to add as-needed facility management services, with no change to the contract period of January 1, 2021 through December 31, 2023.
B. Approve a \$100,000 increase to the \$415,000 total contract amount originally approved, for a new contract value of \$515,000, and add the \$100,000 to the current contract not-to-exceed amount of \$241,440, for a new not-to-exceed amount of \$341,440 for the initial contract term.
Presenter: Ivan Ramirez
This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 9, 2021. SBCTA General Counsel, Procurement Manager and Risk Management have reviewed this item and the draft amendment.

6. SBCTA Legislative Policy Committee - Vacancy Pg. 53

Note the vacancy for a Board Member, representing the Mountain/Desert subarea to serve on the Legislative Policy Committee for the remainder of the 2021-2022 Legislative Session.

Presenter: Marleana Roman

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

7. Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report Pg. 55

Receive the Fiscal Year 2020/2021 Initiatives and Action Plan –Fourth Quarter Report.

Presenter: Raymond Wolfe

This item was received by the General Policy Committee on June 9, 2021.

Consent - Project Delivery

8. San Bernardino Valley Coordinated Traffic Signal System Program Next Steps Pg. 72

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

A. Direct staff to continue to maintain the San Bernardino Valley Coordinated Traffic Signal System (SBVCTSS) program through continued consultant support for up to \$250,000 annually for the next five years using Measure I Valley Traffic Management Systems (TMS) program funding.

B. Allocate \$1,000,000 of Measure I Valley TMS program funds to a Haven Avenue corridor pilot project.

C. Allocate \$3,000,000 and \$2,000,000 of Measure I Valley TMS program funds to be made available to East Valley and West Valley jurisdictions, respectively, through a competitive grant process to be developed by staff for implementation of a regional coordinated approach to SBVCTSS program improvements upon future Board of Directors approval.

Presenter: Timothy Byrne

This item was reviewed at the Board of Directors Metro Valley Study Session on June 10, 2021. After discussion of the item, a motion was made to modify the staff recommendation to require Board approval of the proposed competitive process for allocation of West Valley and East Valley Measure I TMS funds. The staff recommendation, as modified, was recommended for approval (18-0-0) with a quorum of the Board present.

9. Work Order No. 11 to Cooperative Agreement No. 15-1001125 with Southern California Regional Rail Authority Pg. 80

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

Approve Work Order No. 11 to Cooperative Agreement No. 15-1001125 with the Southern California Regional Rail Authority, in the amount of \$152,700, to provide rail related support services to San Bernardino County Transportation Authority, related to the Euclid Avenue Pedestrian Gates as part of the Metrolink Active Transportation Program Phase-II Project.

Presenter: Juan Lizarde

This item was reviewed and recommended for approval (18-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session Committee on June 10, 2021. SBCTA General Counsel and Risk Management have reviewed this item and the draft Work Order.

- 10. Amendment No. 1 to Cooperative Agreement No. 17-1001742 with Caltrans for contribution of State Highway Operations and Protection Program Minor Funds on the US 395 Phase I Project** Pg. 87

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

Approve Amendment No. 1 to Cooperative Agreement No. 17-1001742 with California Department of Transportation to increase the State Highway Operation and Protection Program Minor Funds contribution from \$214,000 to \$333,000 for the US 395 Phase I Project.

Presenter: Henry Stultz

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on June 18, 2021. SBCTA General Counsel has reviewed this item and the draft amendment.

Consent - Regional/Subregional Planning

- 11. Transportation Development Act Article 3 Extensions: Big Bear Lake & Fontana** Pg. 95

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

Extend deadlines for the following Transportation Development Act Article 3 Awards:

- Big Bear Lake Alpine Pedal Path Rathbun Creek Extension from 10/4/21 to 10/4/22.
- Fontana Alder Middle School Safe Routes to School from 12/31/21 to 12/31/24.

Presenter: Ginger Koblasz

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 9, 2021.

Consent - Transit

- 12. Transportation Development Act Unmet Needs Hearing for Fiscal Year 2021/2022** Pg. 99

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

A. Adopt definitions of “Unmet Transit Needs” and “Reasonable to Meet”, as identified in Attachment A.

B. Set time, date and location for Transportation Development Act Unmet Transit Needs Public Hearing.

Presenter: Nancy Strickert

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021.

- 13. Public Transit-Human Services Transportation Coordination Plan for San Bernardino County** Pg. 103

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

A. Receive information from AMMA Transit Planning regarding the Public Transit-Human Services Transportation Coordination Plan for San Bernardino County.

B. Approve the Public Transit – Human Services Transportation Coordination Plan for San Bernardino County, 2021-2025.

Presenter: Nancy Strickert

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021.

14. Fiscal Year 2021/2022 Transit Operator Allocations

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

A. Approve Fiscal Year 2021/2022 Transit Operator Funding Allocations to the City of Needles, Morongo Basin Transit Authority, Mountain Area Regional Transit Authority, Omnitrans and Victor Valley Transit Authority; and

B. Approve revisions to the transit agencies’ Short Range Transit Plans revenue assumptions to reflect the final allocation amounts.

C. Authorize the Executive Director, or his designee, to release Local Transportation Fund reserves to transit operators immediately, as needed, to help with cash flow until Coronavirus Response and Relief Supplemental Appropriations Act and American Rescue Plan Act funding becomes available to the operators. Local Transportation Fund reserves disbursed under this authority will be replenished in Fiscal Year 2022/2023 as a reduction to the amount requested.

Presenter: Nancy Strickert

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021.

15. Fiscal Year 2021/2022 State of Good Repair Program Allocations

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

A. Allocate \$4,286,414 of State of Good Repair Program – Population Share and Operator Share funding to the following projects:

- i. Engine Overhauls – Morongo Basin Transportation Authority (MBTA) - \$35,000
- ii. Shop Vehicle Replacement (MBTA) - \$39,000
- iii. Shop Equipment (MBTA) - \$15,000
- iv. Facility Facelift Repair (MBTA) – \$38,116
- v. Facilities Improvements (Mountain Transit) - \$83,923
- vi. Preventative Maintenance (City of Needles) - \$8,559
- vii. West Valley Facility Updates (Omnitrans) - \$3,037,370
- viii. Transit Center – Hesperia - Victor Valley Transportation Authority (VVTA) - \$80,530
- ix. Service Vehicles (VVTA) - \$20,000
- x. Regional Bus Replacement (VVTA) - \$490,650
- xi. Paratransit Replacement Vehicles (VVTA) - \$162,000
- xii. Metrolink Capital Maintenance - Southern California Regional Rail Authority (SCRRA) - \$276,266

B. Adopt Resolution No. 21-034 authorizing the San Bernardino County Transportation Authority Executive Director, or his designee, to submit project nominations to the California Department of Transportation for Fiscal Year 2021/2022 State of Good Repair Program funds for the projects listed above.

Presenter: Nancy Strickert

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel has reviewed this item and the Draft Resolution.

16. Omnitrans Specialized Transportation Services - Consolidated Transportation Services Agency Budget for Fiscal Year 2021/2022 Pg. 131

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

Approve the Omnitrans Specialized Transportation Services Budget for Consolidated Transportation Services Agency activities for Fiscal Year 2021/2022.

Presenter: Nancy Strickert

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021.

17. West Valley Connector-Phase I Construction Management Consultant Services Pg. 136

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

Authorize the Executive Director, or his designee, to release Request for Proposals No. 21-1002629 for Phase 1 Construction Management Consultant services for the construction of the West Valley Connector Project.

Presenter: Victor Lopez

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel and Procurement Manager have reviewed this item and will review the Request for Proposals prior to its release.

18. Redlands Passenger Rail Project– Contingency Increase to Construction Contract No. 19-1002070 and Amendment No. 3 to Construction Management Consultant Contract No. 18-1001834 Pg. 168

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

A. Allocate an additional \$6,215,541.70 in State Transit Assistance funds to the Redlands Passenger Rail Project (RPRP) to fund a retrofit of the RPRP Rail Storage and Maintenance Facility (RSMF) needed to remedy non-compliant clearances.

B. Approve an increase in the amount of contingency authorized for Contract No. 19-1002070 with Granite Construction Company for the RPRP RSMF by \$5,500,000, increasing it from \$2,863,400 to \$8,363,400, and authorize the Executive Director, or their designee, upon receipt of valid certificates of insurance, to release contingency as necessary for the completion of the project.

C. Approve Amendment No. 3 to Contract No. 18-1001834 with Lockwood, Andrews & Newnam, Inc., for Construction Management Consultant Services for the RPRP RSMF, increasing the contract amount by \$715,541.70, for a new lump sum amount not-to-exceed \$2,616,409.02.

D. Approve a Fiscal Year 2021/2022 Budget Amendment, increasing Task 0315, Transit Capital, by \$6,215,541.70 in State Transit Assistance funds.

Presenter: Victor Lopez

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel, Procurement Manager and Risk Management have reviewed this item.

19. Approval of Regional Rideshare Program Contracts

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

A. Approve Agreement No. 21-1002572 between San Bernardino County Transportation Authority (SBCTA), Riverside County Transportation Commission (RCTC), Ventura County Transportation Commission (VCTC), Orange County Transportation Authority (OCTA), and Los Angeles County Metropolitan Transportation Authority (LACMTA), for a total receivable amount of \$852,510 for Regional Rideshare Software.

B. Approve Amendment No. 1 to Contract No. 19-1002203 with Trapeze Software Group, Inc. for Regional Rideshare Software, increasing the contract price from \$350,000 to \$1,057,159; incorporating licenses for LACMTA, OCTA and VCTC into Contract; and updating insurance requirements.

C. Authorize the Executive Director, or his designee, to finalize negotiations of and, upon General Counsel’s approval as to form, execute Amendment No. 1 to Cooperative Agreement No. 20-1002371 with RCTC for Rideshare Program Implementation, removing Rideshare Software expenses incorporated into Agreement No. 21-1002572 from the Scope of Work, which reduces the receivable amount from \$200,000 to \$2,500.

D. Approve Memorandum of Understanding No. 21-1002573 between LACMTA, OCTA, RCTC, SBCTA, and VCTC to merge and consolidate the agencies’ rideshare databases.

E. Approve and authorize the Executive Director, or his designee, to execute Amendment No. 3 to Contract No. 17-1001683 with Trapeze Software Group, Inc. to update insurance requirements and to amend the number of Option Terms for a maximum not-to-exceed term of June 30, 2024.

Presenter: Nicole Soto

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel, Procurement Manager and Risk Management have reviewed this item and the draft agreements.

Consent - Transportation Programming and Fund Administration

20. Measure I 2021 Population Estimates

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

Adopt the 2021 Population Estimates in Attachment B for use in the allocation of Measure I Local Street Projects Program and Transportation Development Act funds and in the apportionment of shares of certain State and Federal funds.

Presenter: Michele Fogerson

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 9, 2021.

21. Capital Project Needs Analysis Submittals and Funding Allocations for the Measure I Valley Major Street Program/Arterial Sub-program for Fiscal Year 2021/2022

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

Approve the Project List for the Measure I Valley Major Street Program/Arterial Sub-program allocations for Fiscal Year 2021/2022 as referenced in Attachment A.

Presenter: Michele Fogerson

This item was reviewed and recommended for approval (17-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 10, 2021.

22. City of Chino Measure I Major Street Projects Program Arterial Sub-program Advanced Funding Request Pg. 250

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

Approve an advance of up to five years of the City of Chino's estimated equitable share of Measure I Valley Major Street Projects Program/Arterial Sub-program funds for various arterial widening projects in an estimated amount of \$10.5 million, to be taken from allocated but unused Arterial Sub-program funds.

Presenter: Andrea Zureick

This item was reviewed and recommended for approval (17-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 10, 2021.

23. Allocation of Transportation Development Act Funds for Fiscal Year 2021/2022 Pg. 253

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

Adopt Resolution No. 21-043 authorizing the allocation of Local Transportation Funds and State Transit Assistance Funds for Fiscal Year 2021/2022 and the transmittal of allocation instructions to the San Bernardino County Auditor/Controller.

Presenter: Michele Fogerson

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel has reviewed this item and the Resolution.

Consent - Legislative/Public Outreach

24. High Desert Corridor JPA Update Pg. 258

Receive and file an update on the High Desert Corridor Joint Powers Authority.

Presenter: Otis Greer

This item was received by the Mountain/Desert Policy Committee (MDC) on June 18, 2021. The MDC provided direction to staff to provide the MDC an evaluation of SBCTA and local jurisdictions' involvement with the High Desert Corridor Joint Powers Authority and make a recommendation for future roadway developments to connect high desert communities.

25. State Legislative Update Pg. 265

Receive and file the June 2021 State Legislative Update.

Presenter: Otis Greer

This item was received by the Legislative Policy Committee on June 9, 2021.

26. Federal Legislative Update Pg. 284

Receive and file the June 2021 Federal Legislative Update.

Presenter: Otis Greer

This item was received by the Legislative Policy Committee on June 9, 2021.

Consent Calendar Items Pulled for Discussion

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

DISCUSSION ITEMS

Discussion - Administrative Matters

27. Revised Fiscal Year 2021/2022 Initiatives and Action Plan Pg. 286

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

Approve the Revised Fiscal Year 2021/2022 Initiatives and Action Plan.

Presenter: Hilda Flores

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

28. Mount Vernon Viaduct Financing Pg. 290

Receive an update on financial status for funding the Mount Vernon Viaduct Project and provide direction to staff.

Presenter: Hilda Flores

This item has not received prior policy committee or technical advisory committee review. SBCTA General Counsel and Risk Management have reviewed this item.

Discussion - Transit

29. Request for Proposals No. 21-1002450 for Tunnel to Ontario International Airport Bi-Directional System Pg. 292

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

Direct staff to proceed with modifying Request for Proposals No. 21-1002450 for the Tunnel to Ontario International Airport Infrastructure Developer contract issued to The Boring Company to include building a bi-directional system, in lieu of proceeding with a reversible single tunnel system that is expandable to a bi-directional system in the future, increasing the public contribution for the capital delivery portion of the contract from \$45 million subject to a not-to-exceed amount based on available funding and subject to final negotiations, and consideration by the SBCTA Board of Directors as part of the final contract approval.

Presenter: Carrie Schindler

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

30. Sole Source Amendment No. 1 to Contract No. 21-1002452 with HNTB Corporation for Project Management/Construction Management Services for Emerging Technology Tunnel to Ontario International Airport Pg. 296

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

A. Allocate an estimated additional \$2,761,127 in Valley State Transit Assistance-Population Share funds to the Tunnel to Ontario International Airport (ONT) to fund environmental studies outside of the proposed Design, Build, Operate, and Maintain Developer contract, increasing the amount of funds allocated to the Project to \$20,861,127 of Valley State Transit Assistance-Population Share funds and \$980,000 of Rail Assets funds.

Agenda Item 30 (cont.)

B. Find that it is in the best interest of the agency to approve a **sole source** procurement of HNTB Corporation's (HNTB) services for environmental studies work; approve **Sole Source** Amendment No. 1 to Contract No. 21-1002452 with HNTB to provide Project Management/Construction Management Services for the Emerging Technology Tunnel to ONT, expanding the scope of work, modifying the insurance provisions and increasing the contract amount by an estimated amount of \$2,510,115, for a new not-to-exceed amount of \$29,450,543; and authorize work under Notice to Proceed (NTP) 1 for a new not-to-exceed amount of \$11,585,225, to be funded with Valley State Transit Assistance – Population Share funds.

C. Approve an increase to the contingency authorized for Contract No. 21-1002452 in an estimated amount of \$251,012, for a new not-to-exceed amount of \$1,158,523, for work under NTP 1, and authorize the Executive Director, or his designee, to release contingency as necessary for the completion of the project.

D. Approve a Fiscal Year 2021/2022 Budget Amendment to Task 0315, Transit Capital, increasing State Transit Assistance Fund-Rail by an estimated \$2,761,127.

Presenter: Carrie Schindler

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel, Procurement Manager and Risk Management have reviewed this item and the draft amendment.

Discussion - Air Quality/Traveler Services

31. Agreement No. 20-1002311 for the merging of Inland Empire 511 and SoCal 511

Pg. 329

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

Approve Agreement No. 20-1002311 between San Bernardino County Transportation Authority, Riverside County Transportation Commission and the Los Angeles County Service Authority for Freeway Emergencies for the SoCal 511 system in an effort to migrate the system by December 31, 2021, committing \$615,176 in Service Authority for Freeway Emergencies (SAFE) Vehicle Registration Fees for integration and the first four years of service.

Presenter: Kelly Lynn

This item was reviewed and unanimously recommended for approval by the General Policy Committee on November 13, 2019. The final Agreement was delayed due to COVID and the time needed for LA SAFE's internal reviews. SBCTA General Counsel, Procurement Manager, and Risk Management have reviewed this item and the draft Agreement.

Discussion - Council of Governments

32. Resolution No. 22-002 Authorizing Placement of Assessments on the Tax Roll and Agreement for Collection of Special Taxes Related to the Property Assessed Clean Energy Program

Pg. 345

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

A. Approve Resolution No. 22-002 authorizing the placement of assessments related to the Property Assessed Clean Energy Program on the tax roll for Fiscal Year 2021/2022.

Agenda Item 32 (cont.)

B. Approve Agreement No. 21-1002649 with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector authorizing the Collection of Special Taxes, Fees, and Assessments.

Presenter: Duane Baker

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

33. ECNS Contract Amendment

Pg. 353

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

Approve Amendment No. 2 to Contract No. 21-1002502 with Mission Critical Partners, LLC for the Emergency Communications Nurse System; and ratify the expenditures for work done prior to the contract being executed on December 21, 2020, and prior to the issuance of the Notice to Proceed on January 5, 2021, in an amount not-to-exceed \$19,000.

Presenter: Monique Reza-Arellano

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

Public Comment

Brief Comments from the General Public

Interested persons may submit Public Comments in writing to the Clerk of the Board at clerkoftheboard@gosbcta.com. Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 p.m. on July 6, 2021.

Comments from Board Members

Brief Comments from Board Members

Executive Director's Comments

Brief Comments from the Executive Director

ADJOURN TO CLOSED SESSION

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8 -- 1 Property
Property: 120 S. Euclid Avenue, Upland (APNs 1046-605-02, 03); and
201-299 E. Stowell Street, Upland (APN 1046-605-01)
Agency Negotiator: Ryan Aschenbrenner, Right of Way Administrator
Negotiating Parties: Erik Pfahler, Hugh Martinez and Stephen Swiecicki
Under Negotiation: Price and terms of payment

ADJOURNMENT

Additional Information

Attendance	Pg. 359
Acronym List	Pg. 361

Agency Reports

Mobile Source Air Pollution Reduction Review Committee Agency Report	Pg. 364
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Committee Membership

Representatives on SCAG Committees	Pg. 368
Appointments to External Agencies	Pg. 369
Committee Membership	Pg. 371

Mission Statement

Mission Statement	Pg. 376
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Meeting Procedures and Rules of Conduct During COVID-19 ‘Stay in Place’ Orders

Meeting Procedures - The Ralph M. Brown Act is the state law which guarantees the public’s right to 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. California Governor Gavin Newsom has issued several Executive Orders (N-25-20, N-29-20 and N-35-20) waiving portions of the Brown Act requirements during the COVID-19 State of Emergency.

Accessibility – During the COVID-19 crisis, meetings are being held virtually using web-based or telephone technologies. If accessibility assistance is 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 can be reached by phone at (909) 884-8276 or via email at clerkoftheboard@gosbcta.com.

Agendas – All agendas are posted at www.gosbcta.com/board/meetings-agendas/ at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed online at that web address.

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 – Public Comment may be submitted in writing to the Clerk of the Board via email at clerkoftheboard@gosbcta.com. Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 pm the day before the meeting. 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 indicate their request when Public Comment is called for during the meeting. This request to speak can be achieved by either using the ‘Raise Hand’ feature in Zoom platform or by verbally stating interest when the Chair calls for Public Comment. When recognized by the Chair, speakers should be prepared to announce their name 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 such information electronically to the Clerk of the Board via email at clerkoftheboard@gosbcta.com no later than 5:00 pm the day before the meeting. 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 an 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 be removed from the virtual 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, posting profane or rude content in the virtual meeting environment, or otherwise preventing the Board from conducting its meeting in an orderly manner. Your cooperation is appreciated!

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

Attendance.

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

Basic Agenda Item Discussion.

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

The Vote as specified in the SANBAG Bylaws.

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

Amendment or Substitute Motion.

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

Call for the Question.

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

The Chair.

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

Courtesy and Decorum.

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

*Adopted By SANBAG Board of Directors January 2008
Revised March 2014
Revised May 4, 2016*



Important Dates to Remember...

July 2021

SBCTA Meetings – Cancelled: None

SBCTA Meetings – Scheduled:

General Policy Committee			Next Meeting: August 11 9:00 am
Legislative Policy Committee			Next Meeting: August 11 9:30 am
Transit Committee			Next Meeting: August 12 9:00 am
Metro Valley Study Session			Next Meeting: August 12 9:30 am
I-10/I-15 Corridor Joint Sub-Committee			Next Meeting: August 12 10:00 am
Mountain/Desert Committee			Next Meeting: August 20 9:30 am

DARK

Other Meetings/Events:

None			
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SBCTA Offices will be CLOSED:

- July 5th, Fourth of July

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

Communication: Calendar of Events (Announcements)

Minute Action

AGENDA ITEM: 1

Date: July 7, 2021

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
5	20-1002397-01	CityCom Real Estate Services, Inc. <i>Mike Fortunato</i>	
13		AMMA Transit Planning <i>Heather Menninger</i>	
18	19-1002070	Granite Construction Company <i>Brad J. Williams</i>	Pacific Crane and Hoist, Inc. Facility Builders & Erectors, Inc. Beeson Masonry & Concrete, Inc. dba Pacific Pervious Coreslab Structures (LA), Inc. H. Wayne Lewis, Inc. dba Amber Steel Company Ken Curran Electric, Inc. PGC Construction, Inc. H & H Engineering Construction, Inc. CL Coatings, Inc. Crown Fence Co. Air & Lube Systems, Inc. Wine Gardner Masonry, Inc. Meadows Sheet Metal & Air Conditioning, Inc. Dba Meadows Mechanical Butler Buildings

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

Board of Directors Agenda Item

July 7, 2021

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18	18-1001834-03	Lockwood, Andrews & Newnam, Inc. <i>Timothy J. Schmidt</i>	
19	19-1002203-01	Trapeze Software Group, Inc. dba Tripspark Technologies <i>Tom Cooper</i>	
19	17-1001683-03	Trapeze Software Group, Inc. dba Tripspark Technologies <i>Tom Cooper</i>	
29	21-1002450	The Boring Company <i>Steven Davis</i> <i>Michael Thompson</i>	None
30	21-1002452-01	HNTB Corporation <i>Kevin Haboian</i>	
33	21-1002502-02	Mission Critical Partners, LLC <i>R. Kevin Murray</i>	

Financial Impact:

This item has no direct impact on the budget.

Reviewed By:

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

Responsible Staff:

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

Minute Action

AGENDA ITEM: 2

Date: July 7, 2021

Subject:

May 2021 Procurement Report

Recommendation:

Receive the May 2021 Procurement Report.

Background:

The Board of Directors (Board) adopted the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997, and approved the last revision on June 3, 2020. The Board authorized the Executive Director, or his 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) Contract Task Orders (CTO) up to \$500,000 and for CTOs originally \$500,000 or more, increasing the purchase order amount up to 10% of the original CTO value, not-to-exceed \$100,000; c) amendments with a zero dollar value; d) amendments to exercise the option term if the option term was approved by the Board in the original contract; e) amendments that cumulatively do-not-exceed 50% of the original contract value or \$100,000, whichever is less; f) amendments that do-not-exceed contingency amounts authorized by Board; and g) 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 further authorized General Counsel to award and execute legal services contracts up to \$100,000 with outside counsel as needed, and authorized Department Directors to approve and execute Contingency Amendments that do-not-exceed contingency amounts authorized by the Board. A list of all Contracts and Purchase Orders that were executed by the Executive Director, Department Director and/or General Counsel during the month of May 2021 are 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 2021/2022 Budget. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy.

Reviewed By:

This item was received by the General Policy Committee on June 9, 2021.

Responsible Staff:

Jeffery Hill, Procurement Manager

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

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

Attachment A

May Contract Actions

New Contracts Executed:

Contract No.	Description of Specific Services	Vendor Name	Dollar Amount
None			

Attachment: May Procurement Report Attachment A (7771 : May 2021 Procurement Report)

Attachment A

May Amendment Actions

Contract Amendments Executed:

Contract No. & Amendment No.	Reason for Amendment (include a description of the amendment)	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended Contract Total
18-1001831 Amendment 1	Amendment to clarify the obligations related to use of communication hubs. Project: Interagency Fiber Optic Share agreement.	Caltrans	Original \$0.00	\$0.00	\$0.0
17-1001664 Amendment 3	Exercise second option term. Project: On-call labor compliance services.	Gafcon, Inc.	Original \$150,000.00 Amendment 1 \$175,000.00 Amendment 2 \$0.00	\$0.00	\$325,000.0
20-1002431 Amendment 1	Amendment to increase the contract for Other Direct Costs. Project: Fiscal Year (FY) 2018-2020 Transportation Development Act (TDA) Triennial Performance Audit.	Michael Baker International, Inc.	Original \$129,490.00	\$6,445.00	\$135,935.0
16-1001440 Amendment 1	Amendment to extend the contract by one year. Project: Construction Management Service for Redlands Passenger Rail Project (RPRP).	AECOM	Original \$17,380,058.00	\$0.00	\$17,380,058.0
16-1001364 Amendment 2	Amendment to extend the contract by one year. Project: Congestion Management Program Monitoring Tool Maintenance	Iteris	Original \$450,000.00	\$0.00	\$450,000.0

Attachment: May Procurement Report Attachment A (7771 : May 2021 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
16-1001412 Amendment 1	Amendment to extend the contract by one year. Project: Right-of-Way Property Management.	Epic Land Solutions	Original \$2,550,000.00	\$0.00	\$2,550,000.0

Attachment: May Procurement Report Attachment A (7771 : May 2021 Procurement Report)

Attachment A

May Contract Task Order Actions

Contract Task Order (CTO) Executed:

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
None					

Attachment: May Procurement Report Attachment A (7771 : May 2021 Procurement Report)

Attachment A

May Contract Task Order Actions

Contingency Released:

Contract No. & Contingency No.	Reason for Contingency Amendment (include a description of the amendment)	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Contingency Amendment	Amended Contract Total
16-1001516 Contingency Amendment 1B	This contingency is for modifications of proposed drainage system and drainage features for the project to account for recent changes in the Caltrans Oversight team.	Associated Civil & Transportation Consulting Engineers, Inc. dba Advanced Civil Technologies	Original \$1,650,000.03 Contingency Amendment 0A \$128,585.70 Amendment 1 \$0.00	\$36,241.73	\$1,814,827.4

Attachment: May Procurement Report Attachment A (7771 : May 2021 Procurement Report)

Attachment A

May Purchase Order Actions

Purchase Orders:

PO No.	PO Issue Date	Vendor Name	Description of Services	PO Dollar Amount
4002137	5/12/21	Neogov	Performance Evaluation Software and Insight Enterprise Software	\$10,446.3
4002136	5/19/21	SMG/Ontario Convention Center	2021 City/County Conference Venue	\$14,584.1

Attachment: May Procurement Report Attachment A (7771 : May 2021 Procurement Report)

Attachment A

May Purchase Order Amendment Actions

Purchase Order Amendments Executed:

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

Attachment: May Procurement Report Attachment A (7771 : May 2021 Procurement Report)

Attachment B

May RFP's and IFB's

Release of RFP's and IFB's

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

Attachment: May Procurement Report Attachment B (7771 : May 2021 Procurement Report)

Minute Action

AGENDA ITEM: 3

Date: July 7, 2021

Subject:

Budget to Actual Report for Third Quarter Ending March 31, 2021

Recommendation:

Receive and file Budget to Actual Report for third quarter ending March 31, 2021.

Background:

The Fiscal Year 2020/2021 Budget for new activity was adopted by the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) on June 3, 2020. This report provides a summary of program activity and task activity compared to the original and revised budgets. This report also provides a percentage of the budget received or expended through March 31, 2021.

The following is an explanation for significant percentage changes by Fund type:

General Fund

A. Revenues:

1. Interest recorded in the general fund is distributed to the appropriate funds at year-end based on ending cash balances.

B. Expenditures:

1. Expenditures to date are low and can be 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, State Transit Assistance Fund, and State of Good Repair Fund. The amount is low due to the reversal of a transfer from the prior year accruals.
2. Operating transfers out are from cash transfers within the General Fund to fund the Indirect Cost Fund.

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 normally not budgeted.

B. Expenditures:

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

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

C. Other Financing Sources:

1. Budgeted transfers in are from the issuance of commercial paper for \$22 million to fund the Mt. Vernon Viaduct Project that has not yet occurred. Commercial paper has not been issued as of March 31, 2021. Transfers in are recorded to reclassify expenditures from Federal Highway Funds to maximize the use of Senate Bill 1 (SB1) and local funding sources. Transfers out are to reclassify expenses to Measure I.
2. Transfers out represent cash transfers to optimize funding for the US 395 Widening Project.

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 to date are low and can be 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 normally 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. Transfers in are recorded to reclassify expenditures from State Highway Funds to maximize the use of SB1 and Measure I funding sources.
2. Transfers out represent cash transfers to optimize funding for the Diesel Multiple Unit (DMU) to Zero-Emission Multiple Unit (ZEMU) and State Route 210 projects.

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.

B. Expenditures:

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

Local Transportation Fund (LTF)

A. Revenues:

1. Investment earnings are negative due to the recording of a reversal of fair value adjustment recognized in the prior fiscal year per Government Accounting Standards Board Statement 31 (GASB 31). Interest is distributed to the appropriate funds at year-end based on ending cash balances.

B. Expenditures:

1. Expenditures to date represent claims received and paid.

C. Other Financing Sources:

1. Operating transfers out are low due to the reversal of a transfer from the prior year accruals.

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 negative due to recording of a reversal of fair value adjustment recognized in the prior fiscal year per GASB 31. Interest is distributed to the appropriate funds at year-end based on ending cash balances.

B. Expenditures:

1. Expenditures to date represent claims received and paid.

C. Other Financing Sources:

1. Operating transfers out are negative due to the reversal of a transfer from the prior year accruals.

Senate Bill 1

A. Revenues:

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

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 out represent cash transfers to maximize funding associated with the US 395 Widening Project.

Measure I 1990-2010 Fund

A. Revenues:

1. Investment earnings are negative due to recording of a reversal of fair value adjustment recognized in the prior fiscal year per GASB 31. Interest is distributed to the appropriate funds at year-end based on ending cash balances.

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B. Expenditures:

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

Measure I 2010-2040 Fund

A. Revenues:

1. Investment earnings are negative due to recording of a reversal of fair value adjustment recognized in the prior fiscal year per GASB 31. Interest is distributed to the appropriate funds at year-end based on ending cash balances.

B. Expenditures:

1. Expenditures to date are low and can be due to timing of capital expenditures, which can take several years.
2. Funds for the Fund Administration program are encumbered to ensure they are available to pay for the allocations approved by the Board.

C. Other Financing Sources:

1. Operating transfers out represent cash transfers to the General Fund to fund the Indirect Cost Fund and to the Debt Service Fund to cover debt service expenditures.

Debt Service Fund

A. Revenues:

1. Investment earnings are not budgeted.

B. Expenditures:

1. Expenditures are low since debt service payments are processed semi-annually and trustee fees are processed annually at the end of the fiscal year.

C. Other Financing Sources:

1. Transfers in represent a 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.
2. Investment earnings are low due to recording of a reversal of fair value adjustment recognized in the prior fiscal year per GASB 31. Interest is distributed to the appropriate funds at year-end based on ending cash balances.

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. Budgeted transfers out are from the issuance of commercial paper for \$22 million to fund the Mt. Vernon Viaduct Project. Commercial paper has not been issued as of March 31, 2021.

San Bernardino Council of Governments

San Bernardino County Transportation Authority

2. Operating transfers in/out represent cash transfers resulting from transfers within the capital projects funds as well as from Service Authority for Freeway Emergencies and Measure I funding sources.

Non-Major 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. Investment earnings are negative due to recording of a reversal of fair value adjustment recognized in the prior fiscal year per GASB 31. Interest is distributed to the appropriate funds at year-end based on ending cash balances.

B. Expenditures:

1. Expenditures to date are low and can be due to timing of capital expenditures, which can take several years. Some expenditures are negative due to a reversal of estimates from the prior year.
2. Expenditures are negative due to accrual reversals that have been higher than actual reimbursements thus far.

C. Other Financing Sources:

1. Operating transfers out represent mainly cash transfers to fund the Indirect Cost Fund.
2. Operating transfers out/in represent cash transfers within the Non-major Governmental Funds for expenditures in the Freeway Service Patrol, as well as with Federal and State Highway funds.

Council of Governments Fund

A. Revenues:

1. Investment earnings are negative due to recording of a reversal of fair value adjustment recognized in the prior fiscal year per GASB 31. Interest is distributed to the appropriate funds at year-end based on ending cash balances.

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.

Financial Impact:

This item reports the status of expenditures against budget and imposes no financial impact on Fiscal Year 2020/2021 Budget.

Reviewed By:

This item was received by the General Policy Committee on June 9, 2021.

Responsible Staff:

Lisa Lazzar, Chief of Fiscal Resources

Board of Directors Agenda Item
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Approved
Board of Directors
Date: July 7, 2021
Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Fiscal Year 2020-2021
Third Quarter Budget to Actual Report
March 31, 2021

	2020-2021		2020-2021	Actual Revenues	Encumbrances	Balance	% of Budget Remaining
	Original Budget	Amendments	Revised Budget	& Expenditures to Date			
GENERAL FUND							
Revenues							
Sales Tax-MSI	1,439,000	-	1,439,000	1,206,318	-	232,682	16.17%
Charges for Services	564,809	-	564,809	492,655	-	72,154	12.77%
Investment Earnings	97,350	-	97,350	2,269,250	-	(2,171,900)	-2231.02%
Miscellaneous	-	-	-	523	-	(523)	0.00%
Total Revenues	2,101,159	-	2,101,159	3,968,746	-	(1,867,587)	-88.88%
Expenditures							
General Government	11,303,436	-	11,303,436	5,954,180	341,348	5,007,908	44.30%
Regional & Subregional Planning	1,069,939	-	1,069,939	417,526	-	652,413	60.98%
Transit	38,447,195	(4,956,910)	33,490,285	15,078,185	581,612	17,830,488	53.24%
Project Delivery	21,855	-	21,855	-	-	21,855	100.00%
Fund Administration	776,248	-	776,248	349,740	5,820	420,688	54.20%
Total Expenditures	51,618,673	(4,956,910)	46,661,763	21,799,631	928,780	23,933,352	51.29%
Other Financing Sources							
Transfers in	48,255,647	-	48,255,647	7,617,444	-	40,638,203	84.21%
Transfers out	(4,757,601)	-	(4,757,601)	(3,552,665)	-	(1,204,936)	25.33%
Total Other Financing Sources	43,498,046	-	43,498,046	4,064,779	-	39,433,267	90.66%
Revenues Over (Under) Expenditures	(6,019,468)	4,956,910	(1,062,558)	(13,766,106)	(928,780)	13,632,328	
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	137,566,070	-	137,566,070	16,341,033	-	121,225,037	88.12%
Investment Earnings	-	-	-	17,265	-	(17,265)	0.00%
Miscellaneous	-	-	-	751,557	-	-	100.00%
Total Revenues	137,566,070	-	137,566,070	17,109,855	-	121,207,772	88.11%
Expenditures							
Transit	1,089,024	-	1,089,024	239,611	13,454	835,959	76.76%
Project Delivery	158,477,046	46,000	158,523,046	43,829,970	2,393	114,690,683	72.35%
Total Expenditures	159,566,070	46,000	159,612,070	44,069,581	15,847	115,526,642	72.38%
Other Financing Sources							
Transfers in	22,000,000	-	22,000,000	162,571	-	21,837,429	99.26%
Transfers out	-	-	-	(15,507)	-	15,507	0.00%
Total Other Financing Sources	22,000,000	-	22,000,000	147,064	-	21,852,936	0.00%
Revenues Over (Under) Expenditures	-	(46,000)	(46,000)	(26,812,662)	(15,847)	27,534,066	
FEDERAL TRANSIT ADMINISTRATION FUND							
Revenues							
Intergovernmental	41,652,319	-	41,652,319	19,048,256	-	22,604,063	54.27%
Total Revenues	41,652,319	-	41,652,319	19,048,256	-	22,604,063	54.27%
Expenditures							
Transit	41,652,319	6,100,000	47,752,319	26,810,511	-	20,941,808	43.86%
Total Expenditures	41,652,319	6,100,000	47,752,319	26,810,511	-	20,941,808	43.86%
Revenues Over (Under) Expenditures	-	(6,100,000)	(6,100,000)	(7,762,255)	-	1,662,255	
STATE HIGHWAY FUND							
Revenues							
Intergovernmental	95,713,255	-	95,713,255	20,530,205	-	75,183,050	78.55%
Investment Earnings	-	-	-	1,239	-	(1,239)	100.00%
Total Revenues	95,713,255	-	95,713,255	20,531,444	-	75,181,811	78.55%
Expenditures							
General Government	4,178	-	4,178	474	-	3,704	88.65%
Regional & Subregional Planning	331,366	-	331,366	57,711	-	273,655	82.58%
Transit	15,783,255	-	15,783,255	9,733,239	-	6,050,016	38.33%
Project Delivery	78,862,000	-	78,862,000	15,768,009	-	63,093,991	80.01%
Fund Administration	732,456	-	732,456	476,668	-	255,788	34.92%
Total Expenditures	95,713,255	-	95,713,255	26,036,101	-	69,677,154	72.80%
Other Financing Sources							
Transfers in	-	-	-	306,228	-	(306,228)	-100.00%
Transfers out	-	-	-	(91,386)	-	91,386	100.00%
Total Other Financing Sources	-	-	-	214,842	-	(214,842)	0.00%
Revenues Over (Under) Expenditures	-	-	-	(5,289,815)	-	5,596,043	

Attachment: Budget to Actual 3rd Qtr 2021 (77779 : Budget to Actual Report - 3rd Qtr 2020/2021)

Fiscal Year 2020-2021
Third Quarter Budget to Actual Report
March 31, 2021

	2020-2021		2020-2021	Actual Revenues	Encumbrances	Balance	% of Budget Remaining
	Original Budget	Amendments	Revised Budget	& Expenditures to Date			
PROPOSITION 1B FUND							
Revenues							
Intergovernmental	2,810,000	-	2,810,000	1,842,764	-	967,236	34.42%
Investment Earnings	8,000	-	8,000	227,893	-	(219,893)	-2748.66%
Total Revenues	<u>2,818,000</u>	<u>-</u>	<u>2,818,000</u>	<u>2,070,657</u>	<u>-</u>	<u>747,343</u>	<u>26.52%</u>
Expenditures							
Transit	8,461,783	-	8,461,783	1,224,599	-	7,237,184	85.53%
Project Delivery	2,810,000	8,638,000	11,448,000	1,191,431	-	10,256,569	89.59%
Total Expenditures	<u>11,271,783</u>	<u>8,638,000</u>	<u>19,909,783</u>	<u>2,416,030</u>	<u>-</u>	<u>17,493,753</u>	<u>87.87%</u>
Revenues Over (Under) Expenditures	<u>(8,453,783)</u>	<u>(8,638,000)</u>	<u>(17,091,783)</u>	<u>(345,373)</u>	<u>-</u>	<u>(16,746,410)</u>	
LOCAL TRANSPORTATION FUND							
Revenues							
Sales Tax-LTF	83,771,793	-	83,771,793	68,221,699	-	15,550,094	18.56%
Investment Earnings	1,200,000	-	1,200,000	(1,203,505)	-	2,403,505	200.29%
Total Revenues	<u>84,971,793</u>	<u>-</u>	<u>84,971,793</u>	<u>67,018,194</u>	<u>-</u>	<u>17,953,599</u>	<u>21.13%</u>
Expenditures							
Transit	91,100,000	(44,180)	91,055,820	36,558,258	-	54,497,562	59.85%
Total Expenditures	<u>91,100,000</u>	<u>(44,180)</u>	<u>91,055,820</u>	<u>36,558,258</u>	<u>-</u>	<u>54,497,562</u>	<u>59.85%</u>
Other Financing Sources							
Transfers out	(25,334,420)	-	(25,334,420)	(2,940,108)	-	(22,394,312)	88.39%
Total Other Financing Sources	<u>(25,334,420)</u>	<u>-</u>	<u>(25,334,420)</u>	<u>(2,940,108)</u>	<u>-</u>	<u>(22,394,312)</u>	<u>88.39%</u>
Revenues Over (Under) Expenditures	<u>(31,462,627)</u>	<u>44,180</u>	<u>(31,418,447)</u>	<u>27,519,828</u>	<u>-</u>	<u>(58,938,275)</u>	
STATE TRANSIT ASSISTANCE FUND							
Revenues							
Intergovernmental	26,091,386	-	26,091,386	11,056,058	-	15,035,328	57.63%
Investment Earnings	845,000	-	845,000	(1,202,295)	-	2,047,295	242.28%
Total Revenues	<u>26,936,386</u>	<u>-</u>	<u>26,936,386</u>	<u>9,853,763</u>	<u>-</u>	<u>17,082,623</u>	<u>63.42%</u>
Expenditures							
Transit	22,480,112	-	22,480,112	6,571,896	-	15,908,216	70.77%
Total Expenditures	<u>22,480,112</u>	<u>-</u>	<u>22,480,112</u>	<u>6,571,896</u>	<u>-</u>	<u>15,908,216</u>	<u>70.77%</u>
Other Financing Sources							
Transfers out	(15,849,969)	-	(15,849,969)	626,108	-	(16,476,077)	103.95%
Total Other Financing Sources	<u>(15,849,969)</u>	<u>-</u>	<u>(15,849,969)</u>	<u>626,108</u>	<u>-</u>	<u>(16,476,077)</u>	<u>103.95%</u>
Revenues Over (Under) Expenditures	<u>(11,393,695)</u>	<u>-</u>	<u>(11,393,695)</u>	<u>3,907,975</u>	<u>-</u>	<u>(15,301,670)</u>	
SENATE BILL 1 Fund							
Revenues							
Intergovernmental	106,345,422	-	106,345,422	39,152,406	-	67,193,016	63.18%
Total Revenues	<u>106,345,422</u>	<u>-</u>	<u>106,345,422</u>	<u>39,152,406</u>	<u>-</u>	<u>67,193,016</u>	<u>63.18%</u>
Expenditures							
Commuter and Motorist Assistance	996,271	-	996,271	436,130	-	560,141	43.78%
Regional & Subregional Planning Program	-	537,377	537,377	-	-	537,377	0.00%
Transit	31,803,855	(1,000,000)	30,803,855	22,472,482	-	8,331,373	27.05%
Major Project Delivery	72,445,000	-	72,445,000	22,156,358	-	50,288,642	30.58%
Total Expenditures	<u>105,245,126</u>	<u>(462,623)</u>	<u>104,782,503</u>	<u>45,064,970</u>	<u>-</u>	<u>59,717,533</u>	<u>56.99%</u>
Other Financing Sources							
Transfers out	-	-	-	(239,130)	-	239,130	0.00%
Total Other Financing Sources	<u>-</u>	<u>-</u>	<u>-</u>	<u>(239,130)</u>	<u>-</u>	<u>239,130</u>	<u>0.00%</u>
Revenues Over (Under) Expenditures	<u>1,100,296</u>	<u>462,623</u>	<u>1,562,919</u>	<u>(6,151,694)</u>	<u>-</u>	<u>7,714,613</u>	

Attachment: Budget to Actual 3rd Qtr 2021 (77779 : Budget to Actual Report - 3rd Qtr 2020/2021)

Fiscal Year 2020-2021
Third Quarter Budget to Actual Report
March 31, 2021

	2020-2021		2020-2021		Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining
	Original Budget	Amendments	Revised Budget					
MEASURE I 1990-2010 FUND								
Revenues								
Investment Earnings	30,000	-	30,000	(81,359)	-	111,359	371.20%	
Total Revenues	30,000	-	30,000	(81,359)	-	111,359	371.20%	
Expenditures								
Environment and Energy Conservation	335,000	(60,000)	275,000	10,803	6,029	258,168	93.88%	
Commuter and Motorist Assistance	200,000	-	200,000	68,425	-	131,575	65.79%	
Project Delivery	4,601,146	(46,000)	4,555,146	374,942	-	4,180,204	91.77%	
Total Expenditures	5,136,146	(106,000)	5,030,146	454,170	6,029	4,569,947	90.85%	
Revenues Over (Under) Expenditures	(5,106,146)	106,000	(5,000,146)	(535,529)	(6,029)	(4,458,588)		
MEASURE I 2010-2040 FUND								
Revenues								
Sales Tax-MSI	141,341,488	-	141,341,488	119,425,520	-	21,915,968	15.51%	
Intergovernmental	1,119,512	-	1,119,512	-	-	1,119,512	100.00%	
Investment Earnings	2,445,750	-	2,445,750	(3,852,753)	-	6,298,503	257.53%	
Total Revenues	144,906,750	-	144,906,750	115,572,767	-	29,333,983	20.24%	
Expenditures								
General Government	1,279,230	-	1,279,230	507,954	14,309	756,967	59.17%	
Environment and Energy Conservation	214,283	-	214,283	143,488	-	70,795	33.04%	
Commuter and Motorist Assistance	712,109	-	712,109	93,099	4,525	614,485	86.29%	
Regional & Subregional Planning	1,245,121	-	1,245,121	262,806	7,500	974,815	78.29%	
Transit	60,408,437	3,025,000	63,433,437	10,707,490	83,330	52,642,617	82.99%	
Project Delivery	100,124,988	-	100,124,988	28,285,104	903,120	70,936,764	70.85%	
Fund Administration	117,639,725	-	117,639,725	41,289,010	4,758,500	71,592,215	60.86%	
Total Expenditures	281,623,893	3,025,000	284,648,893	81,288,951	5,771,284	197,588,658	69.41%	
Other Financing Sources								
Transfers in	20,715	-	20,715	12,308	-	8,407	40.58%	
Transfers out	(25,969,814)	-	(25,969,814)	(11,901,086)	-	(14,068,728)	54.17%	
Total Other Financing Sources	(25,949,099)	-	(25,949,099)	(11,888,778)	-	(14,060,321)	54.18%	
Revenues Over (Under) Expenditures	(162,666,242)	(3,025,000)	(165,691,242)	22,395,038	(5,771,284)	(182,314,996)		
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	-	-	-	291	-	(291)	100.00%	
Total Revenues	-	-	-	291	-	(291)	100.00%	
Expenditures								
Debt Service	13,043,300	-	13,043,300	13,033,700	-	9,600	0.07%	
Total Expenditures	13,043,300	-	13,043,300	13,033,700	-	9,600	0.07%	
Other Financing Sources								
Operating Transfers In	13,043,300	-	13,043,300	10,017,047	-	3,026,253	23.20%	
Total Other Financing Sources	13,043,300	-	13,043,300	10,017,047	-	3,026,253	23.20%	
Revenues Over (Under) Expenditures	-	-	-	(3,016,362)	-	3,016,362		
CAPITAL PROJECTS FUND								
Revenues								
Intergovernmental	50,523,822	-	50,523,822	12,696,808	-	37,827,014	74.87%	
Investment Earnings	140,600	-	140,600	42,894	-	97,706	69.49%	
Miscellaneous	12,136,525	-	12,136,525	2,113,793	-	10,022,732	82.58%	
Total Revenues	62,800,947	-	62,800,947	14,853,495	-	47,947,452	76.35%	
Expenditures								
Environment and Energy Conservation	1,120,000	-	1,120,000	-	-	1,120,000	100.00%	
Commuter and Motorist Assistance	497,399	-	497,399	54,495	-	442,904	89.04%	
Regional & Subregional Planning	275,000	2,437,000	2,712,000	28,737	-	2,683,263	98.94%	
Transit	19,021,144	31,910	19,053,054	3,063,175	-	15,989,879	83.92%	
Project Delivery	50,551,960	-	50,551,960	19,053,757	71,113	31,427,090	62.17%	
Fund Administration	302,128	-	302,128	-	-	302,128	100.00%	
Total Expenditures	71,767,631	2,468,910	74,236,541	22,200,164	71,113	51,965,264	70.00%	
Other Financing Sources								
Operating Transfers in	11,088,799	-	11,088,799	1,103,313	-	9,985,486	90.05%	
Operating Transfers out	(22,000,000)	-	(22,000,000)	(727,403)	-	(21,272,597)	96.69%	
Total Other Financing Sources	(10,911,201)	-	(10,911,201)	375,910	-	(11,287,111)	103.45%	
Revenues Over (Under) Expenditures	(19,877,885)	(2,468,910)	(22,346,795)	(6,970,759)	(71,113)	(15,304,923)		

Attachment: Budget to Actual 3rd Qtr 2021 (77779 : Budget to Actual Report - 3rd Qtr 2020/2021)

Fiscal Year 2020-2021
Third Quarter Budget to Actual Report
March 31, 2021

	2020-2021		2020-2021	Actual Revenues	Encumbrances	Balance	% of Budget Remaining
	Original Budget	Amendments	Revised Budget	& Expenditures to Date			
NONMAJOR GOVERNMENTAL FUNDS - EXCLUDING COUNCIL OF GOVERNMENTS FUND							
Revenues							
Intergovernmental	5,392,310	-	5,392,310	3,710,895	-	1,681,415	31.18%
Charges for Services	12,000	-	12,000	572	-	11,428	95.23%
Investment Earnings	50,000	-	50,000	(31,938)	-	81,938	163.88%
Miscellaneous	-	-	-	906	-	(906)	100.00%
Total Revenues	<u>5,454,310</u>	<u>-</u>	<u>5,454,310</u>	<u>3,680,435</u>	<u>-</u>	<u>1,773,875</u>	<u>32.52%</u>
Expenditures							
General Government	108,514	-	108,514	55,018	1,000	52,496	48.38%
Environment and Energy Conservation	12,000	-	12,000	(16,281)	21,522	6,759	56.33%
Commuter and Motorist Assistance	4,150,579	-	4,150,579	2,099,873	88,132	1,962,574	47.28%
Regional & Subregional Planning	801,130	-	801,130	(20,795)	-	821,925	102.60%
Transit	3,106,542	44,180	3,150,722	3,147,195	3,526	1	0.00%
Total Expenditures	<u>8,178,765</u>	<u>44,180</u>	<u>8,222,945</u>	<u>5,265,010</u>	<u>114,180</u>	<u>2,843,755</u>	<u>34.58%</u>
Other Financing Sources							
Transfers in	-	-	-	5,238	-	(5,238)	100.00%
Transfers out	(322,588)	-	(322,588)	(252,420)	-	(70,168)	21.75%
Total Other Financing Sources	<u>(322,588)</u>	<u>-</u>	<u>(322,588)</u>	<u>(247,182)</u>	<u>-</u>	<u>(75,406)</u>	<u>23.38%</u>
Revenues Over (Under) Expenditures	<u>(3,047,043)</u>	<u>(44,180)</u>	<u>(3,091,223)</u>	<u>(1,831,757)</u>	<u>(114,180)</u>	<u>(1,145,286)</u>	
COUNCIL OF GOVERNMENTS FUND							
Revenues							
Intergovernmental	21,325	-	21,325	68,711	-	(47,386)	-222.21%
Special Assessments	257,539	-	257,539	257,539	-	-	0.00%
Investment Earnings	12,200	-	12,200	(19,193)	-	31,393	257.32%
Miscellaneous	229,190	-	229,190	183,667	-	45,523	19.86%
Total Revenues	<u>520,254</u>	<u>-</u>	<u>520,254</u>	<u>490,724</u>	<u>-</u>	<u>29,530</u>	<u>5.68%</u>
Expenditures							
General Government	802,409	-	802,409	468,599	-	333,810	41.60%
Environment and Energy Conservation	347,616	60,000	407,616	83,193	70,400	254,023	62.32%
Regional & Subregional Planning	20,588	-	20,588	-	-	20,588	100.00%
Total Expenditures	<u>1,170,613</u>	<u>60,000</u>	<u>1,230,613</u>	<u>551,792</u>	<u>70,400</u>	<u>608,421</u>	<u>49.44%</u>
Other Financing Sources							
Transfers out	(174,069)	-	(174,069)	(130,552)	-	(43,517)	25.00%
Total Other Financing Sources	<u>(174,069)</u>	<u>-</u>	<u>(174,069)</u>	<u>(130,552)</u>	<u>-</u>	<u>(43,517)</u>	<u>25.00%</u>
Revenues Over (Under) Expenditures	<u>(824,428)</u>	<u>(60,000)</u>	<u>(884,428)</u>	<u>(191,620)</u>	<u>(70,400)</u>	<u>(622,408)</u>	

Attachment: Budget to Actual 3rd Qtr 2021 (77779 : Budget to Actual Report - 3rd Qtr 2020/2021)

Minute Action

AGENDA ITEM: 4

Date: July 7, 2021

Subject:

New Policy No. 10111-2, California COVID-19 Supplemental Paid Sick Leave

Recommendation:

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

Approve Policy No. 10111-2, California COVID-19 Supplemental Paid Sick Leave.

Background:

On March 19, 2021, Governor Newsom signed Senate Bill (SB) 95, legislation intended to ensure access to up to 80 hours of COVID-19 supplemental paid sick leave for eligible employees, including those advised to quarantine or isolate and those caring for COVID-impacted family members and children. Staff has prepared this policy to comply with the new legislation.

The California COVID-19 Supplemental Paid Sick Leave (SPSL) went into effect on March 29, 2021 and will expire on September 30, 2021. Until then, employees are entitled to SPSL retroactive to January 1, 2021.

The State of California, Department of Industrial Relations published the poster below for covered employers to post in the workplace. San Bernardino County Transportation Authority (SBCTA) has shared the information with all employees and recommends the approval of Policy No. 10111-2 for further compliance.

2021 COVID-19 Supplemental Paid Sick Leave

Effective March 29, 2021

Covered Employees in the public or private sectors who work for employers with more than 25 employees are entitled to up to 80 hours of COVID-19 related sick leave from January 1, 2021 through September 30, 2021, immediately upon an oral or written request to their employer. If an employee took leave for the reasons below prior to March 29, 2021, the employee should make an oral or written request to the employer for payment.

A covered employee may take leave if the employee is unable to work or telework for any of the following reasons:

- Caring for Yourself: The employee is subject to quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local health officer with jurisdiction over the workplace, has been advised by a healthcare provider to quarantine, or is experiencing COVID-19 symptoms and seeking a medical diagnosis.
- Caring for a Family Member: The covered employee is caring for a family member who is subject to a COVID-19 quarantine or isolation period or has been advised by a healthcare provider to quarantine due to COVID-19, or is caring for a child whose school or place of care is closed or unavailable due to COVID-19 on the premises.
- Vaccine-Related: The covered employee is attending a vaccine appointment or cannot work or telework due to vaccine-related symptoms.

Paid Leave for Covered Employees

- 80 hours for those considered full-time employees. Full-time firefighters may be entitled to more than 80 hours, caps below apply.
 - For part-time employees with a regular weekly schedule, the number of hours the employee is normally scheduled to work over two weeks.
 - For part-time employees with variable schedules, 14 times the average number of hours worked per day over the past 6 months.
- Rate of Pay for COVID-19 Supplemental Paid Sick Leave: Non-exempt employees must be paid the highest of the following for each hour of leave:
 - Regular rate of pay for the workweek in which leave is taken
 - State minimum wage
 - Local minimum wage
 - Average hourly pay for preceding 90 days (not including overtime pay)
- Exempt employees must be paid the same rate of pay as wages calculated for other paid leave time.

Not to exceed \$511 per day and \$5,110 in total for 2021 COVID-19 Supplemental Paid Sick leave.

Retaliation or discrimination against a covered employee requesting or using COVID-19 supplemental paid sick leave is strictly prohibited. A covered employee who experiences such retaliation or discrimination can file a claim with the Labor Commissioner's Office. Locate the office by looking at the [list of offices on our website](http://www.dir.ca.gov/dlse/DistrictOffices.htm) (<http://www.dir.ca.gov/dlse/DistrictOffices.htm>) using the alphabetical listing of cities, locations, and communities or by calling 1-833-526-4636.

This poster must be displayed where employees can easily read it. If employees do not frequent a physical workplace, it may be disseminated to employees electronically.



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Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget, which includes budget for leave time.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 9, 2021. SBCTA General Counsel has reviewed this item and the draft policy.

Board of Directors Agenda Item
July 7, 2021
Page 3

Responsible Staff:
Colleen Franco, Chief of Management Services

Approved
Board of Directors
Date: July 7, 2021
Witnessed By:

San Bernardino County Transportation Authority	Policy	10111-2
Adopted by the Board of Directors	Revised	
California COVID-19 Supplemental Paid Sick Leave	Revision No.	

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

Table of Contents Purpose Statement of Policy References Definitions Supplemental Paid Sick Leave Revision History

I. PURPOSE

This policy addresses the mandatory provisions of COVID-19 Supplemental Paid Sick Leave (SPSL) to employees who are unable to work or telework because of one or more enumerated qualifying reasons related to COVID-19.

II. STATEMENT OF POLICY

This policy is intended to provide all eligible and qualified employees with SPSL to which they are entitled under Labor Code § 248.2. The Executive Director is authorized to implement and interpret this policy on behalf of the agency.

III. REFERENCES

- Labor Code §248.2
- Policy 10111, Work Hours, Leaves, and Absences
- [Form 12, Request for 2021 COVID-19 Supplemental Paid Sick Leave](#)

IV. DEFINITIONS

Child: A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*. This definition of a child is applicable regardless of age or dependency status.

Covered Employee: Any SBCTA employee who is unable to work or telework for one or more of the reasons related to COVID-19 as set forth in this policy.

COVID-19 Supplemental Paid Sick Leave or SPSL: Paid sick leave pursuant to Labor Code § 248.2.

Family Member: Any of the following:

- A “child”, as defined above.
- A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood *in loco parentis* when the employee was a minor child.
- A spouse.
- A registered domestic partner.
- A grandparent.
- A grandchild.
- A sibling.

V. SUPPLEMENTAL PAID SICK LEAVE

A. Eligibility

All employees unable to work (or telework) due to one of the reasons listed in Section V.B, below.

Attachment: Policy10111-2 SPSL (7772 : New Policy No. 10111-2, CA COVID-19 Supplemental Paid Sick Leave)

B. Reason for Leave

1. The employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the State Department of Public Health (CDPH), the federal Centers for Disease Control and Prevention (CDC), or a local health officer who has jurisdiction over the workplace.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for a Family Member who is subject to a quarantine or isolation order or guidelines described above, or who has been advised to self-quarantine by a health care provider.
5. The employee is caring for a Child whose school or place of care is closed due to COVID-19. This qualifying reason also applies if the employee is caring for a Child whose school or place of care is otherwise unavailable for reasons related to COVID-19 on the premises.
6. The employee is attending an appointment to receive a vaccine for protection against contracting COVID-19.
7. The employee is experiencing symptoms related to a COVID-19 vaccine that prevent the employee from being able to work or telework.

C. Amount of Paid Sick Leave

All full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. All part-time employees will have paid sick leave in an amount up to the number of hours worked, on average, over a two-week period.

D. Rate of Pay

SPSL will be paid at the employee's regular rate of pay, or minimum wage, whichever is greater. However, in no event will such paid SPSL exceed \$511 per day and \$5,110 in the aggregate.

E. Interaction with Other Paid Leave

The employee may use SPSL under this policy before using any other accrued paid time off for the qualifying reasons stated above.

F. Procedure for Requesting Paid Sick Leave

Employees should make an oral or written request to their manager or the Chief of Management Services specifying the need and specific reason for leave under this policy. [Form 12, Request for 2021 COVID-19 Supplemental Paid Sick Leave](#) will be provided to all employees on the Portal and/or in a manner accessible to all. Verbal notification will be accepted until practicable to provide written notice. Once SPSL has begun, the employee and his or her manager must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

G. Effective Dates

Employees are entitled to SPSL retroactive to January 1, 2021. Benefits under this policy will expire on September 30, 2021, except that a covered employee taking such leave at that time will be entitled to use the full amount of leave to which they are entitled.

Unless the underlying law is extended, this policy will expire by operation of the law on September 30, 2021, except that certain Covered Employees may continue to use SPSL after that date as described above.

H. Job Protections

Policy10111-2

2 of 3

No employee who appropriately utilizes SPSL under this policy will be discharged, disciplined or discriminated against for work time missed due to this leave.

Please contact your manager or Management Services with any questions.

VI. REVISION HISTORY

Revision No.	Revisions	Adopted
0	Adopted	

Attachment: Policy10111-2 SPSL (7772 : New Policy No. 10111-2, CA COVID-19 Supplemental Paid Sick Leave)

Minute Action

AGENDA ITEM: 5

Date: July 7, 2021

Subject:

Approve Amendment No. 1 to Contract No. 20-1002397 with CityCom Real Estate Services, Inc. for Property and Facility Management Services

Recommendation:

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

A. Approve Amendment No. 1 to Contract No. 20-1002397 with CityCom Real Estate Services, Inc., for property and facilities management services to add as-needed facility management services, with no change to the contract period of January 1, 2021 through December 31, 2023.

B. Approve a \$100,000 increase to the \$415,000 total contract amount originally approved, for a new contract value of \$515,000, and add the \$100,000 to the current contract not-to-exceed amount of \$241,440, for a new not-to-exceed amount of \$341,440 for the initial contract term.

Background:

San Bernardino County Transportation Authority (SBCTA) maintains cooperative agreements with eight partner cities that define the roles and responsibilities for the design, construction, operation, and maintenance of commuter stations located within those cities jurisdictions. SBCTA also co-owns other properties (facilities) throughout the County of San Bernardino. From time to time, it may be necessary for SBCTA to assume the responsibility of providing operation and maintenance services at these stations and facilities on behalf of a partner city or other entities.

On November 4, 2020, the SBCTA Board of Directors approved Contract No. 20-1002397 (Contract) with CityCom Real Estate Services, Inc. (CityCom) for property and facilities management services at the San Bernardino Santa Fe Depot (Depot). Approval of Amendment No. 1 will allow SBCTA to issue work orders to CityCom, as needed, for month-to-month facility management services for one or more commuter stations or facilities. The scope of work for these work orders will vary from property to property based on the needs of each property, as determined by SBCTA, but will be limited to the responsibilities outlined for CityCom under the original Contract scope of work for facilities management services. SBCTA will be invoiced \$750 per month per station/facility (Tier 1) for each station/facility requiring oversight of security services only (no closed-circuit television (CCTV) requirements) or janitorial services only. For any station/facility requiring any additional service(s), a 15% fee per month per station/facility, calculated on expenses each month and subject to a \$750 minimum, will apply (Tier 2). The amendment will also allow SBCTA to request facility management services for any property it acquires in the future. Pricing for locations not pre-identified in the amendment's scope of work will be based on Tier 2 pricing. Approval of Recommendation B will increase the Contract's not-to-exceed amount by \$100,000 and allow staff to issue work orders for as-needed facility management services. This increase is requested due to the fact the Contract's original not-to-exceed amount is earmarked for regular payments related to property management and facility management services for the Depot. Staff recommends approval of Amendment No. 1 and Recommendation B in order to allow SBCTA to assume the responsibility of providing

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 7, 2021
Page 2

operation and facility maintenance services, when needed, at commuter stations with cooperative agreements as well as other properties SBCTA maintains full or partial ownership rights to.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 9, 2021. SBCTA General Counsel, Procurement Manager and Risk Management have reviewed this item and the draft amendment.

Responsible Staff:

Ivan Ramirez, Management Analyst II

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

General Contract Information

Contract No: 20-1002397 Amendment No.: 1
 Contract Class: Payable Department: Management Services
 Vendor No.: 00437 Vendor Name: CityCom Real Estate Services
 Description: Santa Fe Depot Property and Facility Management Services
 List Any Related Contract Nos.: _____

Dollar Amount					
Original Contract	\$	241,440.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	100,000.00	Current Amendment	\$	-
Total/Revised Contract Value	\$	341,440.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	341,440.00

Contract Authorization

Board of Directors _____ Date: 07/07/2021 Board _____ Item # 7773

Contract Management (Internal Purposes Only)

Other Contracts _____ Sole Source? No _____ N/A
 Local _____ Services _____ N/A

Accounts Payable

Estimated Start Date: 01/01/2021 Expiration Date: 12/31/2023 Revised Expiration Date: _____
 NHS: N/A QMP/QAP: N/A Prevailing Wage: No

Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	Total Contract Funding:	Total Contingency:
GL	7001	01	0805	0000	53400		43001000	\$ 341,440.00	\$ -
GL							Indirect	241,440.00	-
GL							Various	100,000.00	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-

Ivan Ramirez

Duane Baker

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes: Board-approved expenditure authority increased by \$100,000 in Amendment 1 from \$415,656 to \$515,656. The \$100K will be charged to various strings, depending on the service provided by Citycom.

Attachment: CSS - Revised - 03-03-2021 2:51pm - Blank (7773) : Approve Amendment No. 1 to Contract No. 20-1002397 with CityCom Real

AMENDMENT NO. 1 TO CONTRACT NO. 20-1002397
FOR
PROPERTY AND FACILITIES MANAGEMENT SERVICES
WITH
CITYCOM REAL ESTATE SERVICES, INC.

The Contract is amended as follows:

WHEREAS, CityCom Real Estate Services, Inc., DBA City Commercial Management (“Consultant”) entered into Contract for Property Management and Facility Management Services (“Contract”) with the San Bernardino County Transportation Authority (“SBCTA”) on January 1, 2021; and

WHEREAS, SBCTA desires to amend the Contract to include additional services.

NOW, THEREFORE, in consideration of the foregoing, and in consideration of the mutual promises of the Parties hereto, Consultant and SBCTA agree to the following terms and conditions:

- A. The Contract is amended to include additional as-needed Facility Management services, as described in Attachment A-1, “Scope of Work.”
- B. SBCTA reserves the right to enter into a contract with other Consultants for the same or similar services identified in Attachment A-1. SBCTA does not guarantee or represent that the Consultant will be permitted to perform any minimum amount of work, or receive compensation other than on a per order basis, under the terms of this Amendment.
- C. Section 3.2 shall be amended by deleting and replacing the first sentence as follows:

3.2 The total 3-Year Contract Not-To-Exceed Amount is **Three Hundred, Forty One Thousand Four Hundred Forty dollars (\$341,440)**.

Except as set forth in this Amendment, the Contract is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Contract or any earlier amendment, the terms of this amendment will prevail.

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

Attachment: 20-1002397-1 (7773 : Approve Amendment No. 1 to Contract No. 20-1002397 with CityCom Real Estate Services, Inc.)

IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to execute this Amendment effective as of the last date set forth below.

CITYCOM REAL ESTATE SERVICES, INC.

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

By: _____
Mike Fortunato
President

By: _____
Curt Hagman
SBCTA Board President

(Date)

(Date)

By: _____
Sean Bailey
CFO

APPROVED AS TO FORM
By: _____
Julianna K. Tillquist
General Counsel

(Date)

(Date)

CONCURRENCE

By: _____
Jeffery Hill
Procurement Manager

(Date)

DRAFT

Attachment: 20-1002397-1 (7773 : Approve Amendment No. 1 to Contract No. 20-1002397 with CityCom Real Estate Services, Inc.)

Attachment A-1
As-needed Facility Management Services for Commuter Stations and Other
SBCTA facilities
Scope of Work

Background Information:

The San Bernardino County Transportation Authority (SBCTA) maintains cooperative agreements with 8 partner Cities (Cities) that define the roles and responsibilities for the design, construction, operation, and maintenance of commuter stations located within those cities jurisdictions. From time to time, it may be necessary for SBCTA to assume the responsibility of providing security and/or maintenance services at these stations, or SBCTA owned facilities, on behalf of a City or other entities. SBCTA may also be required to provide these services at other properties (facilities).

Scope of Work:

Upon direction of the SBCTA Project Manager, Consultant will competitively bid or utilize existing service agreements to perform one or more of the services under Attachment "A" (Facilities Management Services Scope of Work) of the Contract at the commuter station(s) or other facilities for the hours identified in a Work Order.

Metrolink Stations Locations:

- Montclair Transit Center, 5060 Richton St, Montclair, CA 91763
- Upland Metrolink Station, ~100 – 600 East A Street, Upland, CA 91786
- Rancho Cucamonga Metrolink Station, 11208 Azusa Ct, Rancho Cucamonga, CA 91730
- Fontana Metrolink Station, 16777 Orange Way, Fontana, CA 92335
- Rialto "John Longville Depot", 261 S Palm Ave, Rialto, CA 92376
- San Bernardino Downtown Transit Center
- East Ontario Station, 3330 E Francis St, Ontario, CA 91761
- Tippecanoe Station
- Esri Station
- Downtown Redlands Station
- University Station

Facilities:

- 958 W 3rd St San Bernardino, CA 92410 (Arrow Maintenance Facility)

General Requirements:

1. Consultant will provide the services identified in this Scope of Work on a per-order basis and on month-to-month terms.
2. When services are required, the SBCTA Project Manager will issue a Work Order identifying the service(s) required and the station(s) or facilities the services are required for, the effective date of services, as well as the Work Order specific requirements.

3. The minimum order quantity will be one (1) month.
4. Invoices for work performed under this Scope of Work will be invoiced separately from all other work performed under the Contract. Consultant will submit separate invoices per station/facility, unless instructed by the SBCTA Project Manager.
5. **Tiered Pricing:** SBCTA will be invoiced \$750 per month per station/facility (Tier 1) for each station/facility requiring oversight of security services only (no CCTV requirements) or janitorial services only. For any station/facility requiring any additional service(s), a 15% fee per month per station/facility, calculated on expenses each month and subject to a \$750 minimum, will apply (Tier 2).
6. SBCTA reserves the right to request services for other locations not pre-identified in this scope of work. The fee for any property not pre-identified in this scope of work will be based on Tier 2 pricing.
7. SBCTA reserves the right to enter into a contract with other consultants for the same or similar services identified in this Scope of Work. SBCTA does not guarantee or represent that the Consultant will be permitted to perform any minimum amount of work, or receive compensation other than on a per order basis.
8. SBCTA reserves the right to terminate a Work Order, for any reason, with a thirty (30) day written notice of termination.

DRAFT

Minute Action

AGENDA ITEM: 6

Date: July 7, 2021

Subject:

SBCTA Legislative Policy Committee - Vacancy

Recommendation:

Note the vacancy for a Board Member, representing the Mountain/Desert subarea to serve on the Legislative Policy Committee for the remainder of the 2021-2022 Legislative Session.

Background:

On April 1, 2020, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved the establishment of the Legislative Policy Committee (Committee). According to Policy No. 10002, the Committee shall be composed of the President, Vice-President, Immediate Past President and four Board members appointed by the President: one (1) East Valley member, one (1) West Valley member, one (1) Mountain/Desert member and one (1) County member. Members of this Committee shall serve for the duration of the State and Federal two-year legislative session in which they were appointed. With the change of SBCTA Executive Officers effective July 1st, there will be a vacancy for one (1) Mountain/Desert member.

The Committee provides guidance and recommendations to the Board regarding issues and actions relating to the executive, legislative or judicial branches of the State and Federal government, or any other local governing body or agency. They will review and provide input on drafting of State and Federal legislative platform and make recommendations to the Board of Directors on adoption of State and Legislative platform, which will serve as guiding principles to support or oppose State and Federal legislation and regulations. The Committee is authorized to take positions on state and federal bills, on behalf of the Board, that are consistent with SBCTA's adopted Legislative Platform.

SBCTA Policy No. 10001 authorizes the SBCTA President to make Presidential appointments to the Legislative Policy Committee. The policy states all opportunities for appointment of Board members to regular or special committees shall be noticed in the agenda prior to the Presidential appointment; and that Presidential appointments be announced at the Board of Directors meeting. Any SBCTA Board Member, representing the Mountain/Desert subarea, interested in filling this vacancy should notify the Clerk of the Board, Marleana Roman, at mroman@gosbcta.com by July 6, 2021.

Financial Impact:

This item does not impact the Fiscal Year 2021/2022 Budget.

Reviewed By:

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

Responsible Staff:

Marleana Roman, Clerk of the Board

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
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Approved
Board of Directors
Date: July 7, 2021
Witnessed By:

Minute Action

AGENDA ITEM: 7

Date: July 7, 2021

Subject:

Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report

Recommendation:

Receive the Fiscal Year 2020/2021 Initiatives and Action Plan –Fourth Quarter Report.

Background:

The San Bernardino County Transportation Authority’s (SBCTA) Fiscal Year 2020/2021 Initiatives and Action Plan establish the Board of Directors priorities for the year. The Executive Director uses this as a tool with the Executive Management Team to evaluate SBCTA’s progress in achieving the Board’s priorities.

Financial Impact:

This item does not impact the Fiscal Year 2020/2021 Budget.

Reviewed By:

This item was received by the General Policy Committee on June 9, 2021.

Responsible Staff:

Raymond Wolfe, Executive Director

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

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

San Bernardino County Transportation Authority
 Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report

Initiative #1: Transparent and Accountable Allocation Strategies				
Division Strategy: Complete timely audits of Measure I and Transportation Development Act recipients				
1A	Action Plan	Milestones	Milestone Status	Responsibility
	Manage and communicate with Audit firm to plan and complete annual audits	Convey time table and expectations to jurisdictions and transit operators – Q1	SBCTA staff met with transit operators to plan annual audit. Finance mailed a letter in April 2020 to all Jurisdictions explaining the audit process and responsibilities.	Finance
	Monitor progress of audits	Oversee audit scheduling and progress - Q3	Finance managed Measure I (MSI) and Transportation Development Act (TDA) audits.	Finance
	Inform Committees and SBCTA Board of status of audits	Provide audit reports and recommendations – Q3	Finance presented audits to the General Policy Committee meeting in March 2021.	Finance
	Manage TDA triennial performance audits of SBCTA and transit operators	Award consultant contract for triennial performance audits – Q2	At the October meeting, Board awarded the contract to Michael Baker International, Inc.	Fund Administration
		Coordinate with consultant, SBCTA and transit operators to collect necessary audit information - Q4	On schedule.	Fund Administration, Transit
		Submit completed audits to Caltrans by July 1, 2021 – Q4	COVID impacts delayed collection of data so that the final report will not be submitted by July 1, 2021. Staff expects the final report to be complete for approval by the Board and submittal to Caltrans in September 2021.	Fund Administration
Notes				
Division Strategy: Update construction in progress and conduct annual inventory of capital assets				
1B	Action Plan	Milestones	Milestone Status	Responsibility
	Conduct annual inventory of capital and inventoriable assets, including updates to construction in progress (CIP)	Update capital asset listing and CIP by Q3.	Capital asset listing updated in September 2020.	Finance
Notes				
Division Strategy: Use strategic programming to ensure that no funds are lost				
1C	Action Plan	Milestones	Milestone Status	Responsibility
	Manage projects closely with Caltrans to ensure adequate resources are available when projects are ready	May 1 is Caltrans' deadline for guaranteed access to federal Obligation Authority (OA) – Q4	At the end of the Federal Fiscal Year (FFY) in September 2020, 228% of SBCTA OA was delivered for FFY 2019/2020, which resulted in access to \$21M additional federal funding in FFY 2020/2021 and protected SBCTA from losing unobligated federal funds. Staff continues to monitor OA and apportionments for the current FFY.	Fund Administration (Project Delivery)
		June 30 is California Transportation Commission (CTC) deadline for project allocation or extension requests – Q4	Staff has ensured that all allocation and extension requests have been submitted to the CTC for approval.	Fund Administration

Attachment: Fiscal Year 2020-2021 Initiatives and Action Plan - Q4 Final (7770) : Receive the Fiscal Year

San Bernardino County Transportation Authority
 Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report

IC (cont)	Manage projects to ensure funds are not lost	Ensure Omnitrans will begin expending Low Carbon Transit Operations Program (LCTOP) funds by December 2020 deadline - Q1	Omnitrans has confirmed these funds were expended by the December 2020 deadline.	Fund Administration
		Request allocation of Planning, Programming, and Monitoring funds for Fiscal Year 21/22 - Q4	PPM Allocation Request will be submitted to Caltrans in April 2021 as required.	Fund Administration
		Request allocation or extension of Local Partnership Program (LPP) funds for Rancho Corridor - Q4	LPP funds totaling \$12.678M were programmed and \$12.195M allocated by the CTC at the January 2021 meeting. The balance will be allocated when available in FY 2021/2022.	Fund Administration
	Monitor approval of 2021 FTIP and possible impacts of SAFE Vehicle Rule	2021 FTIP approval scheduled for Dec 2020	The 2021 FTIP adoption was delayed from December 2020 but was adopted by SCAG in March 2021 and approved by Federal agencies in April 2021.	Fund Administration
Notes				
Division Strategy: Protect San Bernardino County's equitable share of available state and federal funds				
ID	Action Plan	Milestones	Milestone Status	Responsibility
	Develop funding strategies that maximize resources available and result in opportunities to seize additional state and federal funds	Ensure that Obligation Authority (OA) and apportionment are available as new projects are ready for funding while continuing to draw down funds for I-10 Corridor Contract 1 – Q4	Staff continues to monitor OA and apportionments and finds they will be sufficient for the current FFY.	Fund Administration
		Work with Project Delivery and Transit to realign funding strategies based on results of 2020 competitive grant awards and any possible stimulus packages - Q3	The CTC awarded Senate Bill 1 funds to West Valley Connector, I-10 Truck Climbing Lanes, and I-15 Express Lanes in December 2020 and funding plans have been revised. Additionally the Board is scheduled to approve a revised funding plan for West Valley Connector in June 2020 to incorporate the award of SB1 and Federal Small Starts funding.	Fund Administration, Project Delivery, Transit
Notes				

Attachment: Fiscal Year 2020-2021 Initiatives and Action Plan - Q4 Final (7770) : Receive the Fiscal Year

San Bernardino County Transportation Authority
 Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report

Division Strategy: Develop long-term bonding needs to help leverage other funds and deliver projects				
IE	Action Plan	Milestones	Milestone Status	Responsibility
	Establish plan for 2022 sales tax revenue bond program NOTE: This has been corrected. It previously referred to a 2021 sales tax revenue bond program in error.	Present draft program project lists for inclusion in the 2021 Update to the 10-Year Delivery Plan, for approval by the Board in Fall 2021 – Q4	Staff continues to analyze scenarios of the impacts from the COVID-19 pandemic to determine if project prioritization or changes to the 2022 sales tax revenue bond program, planned for March 2022, are required; however, more data related to actual revenue impacts is required for a meaningful analysis. Because of this, staff recommended that the adoption of the 2021 Update to the 10-Year Delivery Plan be delayed from Fall 2021 (September) to December 2021 in the Q1 update. Development of the program project lists will continue on schedule through Q4.	Fund Administration (Finance, Project Delivery, Transit, Planning)
Notes				
Division Strategy: Manage geographic equity in fund distribution across the County				
IF	Action Plan	Milestones	Milestone Status	Responsibility
	Manage long-term strategy for ensuring geographic equity in fund distribution over the life of the Measure	Incorporate Mountain/Desert subareas' regional and interregional projects lists into the 2021 Update to the 10-Year Delivery Plan – Q4	Program Project Lists for the Mountain/Desert Subareas were approved by the Board at its September 2020 meeting. Staff is meeting individually with Caltrans and Mountain/Desert jurisdictions to review and confirm project schedules and costs. Interregional priorities for the Rural Mountain/Desert Subareas were approved by the Board in April. Victor Valley interregional priorities are scheduled to be approved by the Board in June. Subarea meetings with all jurisdictions will follow to determine project priorities, fair share availability of funding, and program programming.	Fund Administration
Notes				
Division Strategy: Manage SBCTA railroad right-of-way in an efficient and comprehensive fashion				
IG	Action Plan	Milestones	Milestone Status	Responsibility
	Manage SBCTA railroad right-of-way in an efficient and comprehensive fashion.	Continue management and incorporate Best Practices as appropriate.	Ongoing	Transit
Notes				

Attachment: Fiscal Year 2020-2021 Initiatives and Action Plan - Q4 Final (7770) : Receive the Fiscal Year

San Bernardino County Transportation Authority
 Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report

Division Strategy: Conduct consolidation study between SBCTA and Omnitrans and an Innovative Transit Review of Metro-Valley area				
1H	Action Plan	Milestones	Milestone Status	Responsibility
	Manage consultant, coordinate work and results with Omnitrans Executive team, and communicate results to SBCTA and Omnitrans committees and Board.	Present a preliminary list of pros and cons of consolidation.	Completed on April 1, 2020.	Special Projects and Strategic Initiatives
		Present financial impacts for consolidation to Transit Committee and Board - Q1.	Completed on September 2, 2020.	Special Projects and Strategic Initiatives
		Present consolidation report, implementation plan, and final assessment and innovative transit review report to Transit Committee and Board - Q2.	Completed November 2020.	Special Projects and Strategic Initiatives
Notes				
Initiative #2: Engender Public Trust				
Division Strategy: Secure an unmodified opinion of Comprehensive Annual Financial Report (CAFR)				
2A	Action Plan	Milestones	Milestone Status	Responsibility
	Plan meeting at interim field work with Executive Board officers and CPA firm	Schedule meeting – Q1	Meeting held in August 2020.	Finance
		Schedule interim field work in April 2020	Interim field work completed in April 2020.	Finance
		Schedule year-end field work to start in October 2020	Field work started in October 2020 and audit process is now complete.	Finance
Notes				
Division Strategy: Obtain Certificate of Achievement for Excellence in Financial Reporting				
2B	Action Plan	Milestones	Milestone Status	Responsibility
	Apply for Government Finance Officers Association (GFOA) award for the Comprehensive Annual Financial Report (CAFR)	Submit application and CAFR to GFOA after meeting with Executive Board in December 2020.	Application to GFOA submitted in December 2020.	Finance
Notes				
Division Strategy: Obtain Distinguished Budget Presentation Award				
2C	Action Plan	Milestones	Milestone Status	Responsibility
	Apply for GFOA award for annual budget	Submit application to GFOA – Q1	Application will be submitted to GFOA in June 2021.	Finance
Notes				

Attachment: Fiscal Year 2020-2021 Initiatives and Action Plan - Q4 Final (7770) : Receive the Fiscal Year

San Bernardino County Transportation Authority
 Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report

Division Strategy: Complete internal control self-assessment to identify areas of improvement.				
2D	Action Plan	Milestones	Milestone Status	Responsibility
	Complete review of annual internal control self-assessment	Review procedure and questionnaire based on Code of Federal Regulations, Federal Transit Administration, and framework from the Committee of Sponsoring Organizations of the Treadway Committee (COSO) by Q2 and implementation of recommendation from report of on-call auditor presented to Board May 2020.	Review procedure and questionnaire for internal control assessment and on-call auditor recommendation presented to Board May 2020.	Finance
		Review procedure and questionnaire and present to executive staff and complete questionnaire by Q3.	Finance staff reviewed procedure and questionnaire and implementation of recommendations from on-call auditor.	Finance
		Identify and improve controls for areas that require improvement by Q4.	Finance has reviewed answers and recommendations from on-call auditor and has implemented improvements to internal controls.	Finance
Notes				
Division Strategy: Deploy an Enterprise Resource Planning System				
2E	Action Plan	Milestones	Milestone Status	Responsibility
	Deploy an Enterprise Resource Planning (ERP) system	Release Request for Proposals (RFP) to secure vendor for business process analysis by Q2.	Readiness assessment analysis completed, scope of work in progress. Project has been delayed by a year as an electronic document management system has been prioritized in order to implement the Records Retention Schedule.	Special Projects and Strategic Initiatives
		Select vendor for business process analysis by Q3.	Selection has been postponed to Q4 of Fiscal Year 2021-2022.	Special Projects and Strategic Initiatives
Notes				

Attachment: Fiscal Year 2020-2021 Initiatives and Action Plan - Q4 Final (7770) : Receive the Fiscal Year

San Bernardino County Transportation Authority
 Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report

Initiative #3: Focus on Creating and Strengthening Collaborative Partnerships with Governmental and Business Entities					
Division Strategy: Work with other governments and business groups to leverage resources for our region's benefit					
3A	Action Plan	Milestones	Milestone Status	Responsibility	
	Create a Strategic plan for Housing Policy in San Bernardino County and collaborate with neighboring government entities and stakeholders	Draft a white paper for member agencies on significant changes to statewide housing policy and laws for circulation in Q1.	Complete. Presented to Technical Advisory Committee's (TAC's) in September and Board in October.	COG	
		Incorporate Housing policy discussion as part of the 2021 City/County Conference.	The 2021 Conference will be virtual and topics will be limited to COVID-19 recovery and economic recovery. Will explore how best to hold the housing discussion in the next fiscal year.	COG	
		Partner with League of California Cities for advocacy efforts especially on communicating unique circumstances in San Bernardino County.	Ongoing.	COG	
	Move forward a workforce development toolkit	Integrate inventory of city programs, projects and practices with County efforts and tools for a complete countywide workforce development resource by Q2.	Inventory is complete. COVID interrupted efforts to work and coordinate with County. Project delayed. Scheduled a discussion at CCMTAC in September 2021 with County and cities to begin coordination.	COG	
		Host summit of County and cities on workforce development tools available by Q3.	Delayed. Will develop most appropriate method for sharing workforce development tools based on feedback from cities and County after CCMTAC meeting in September.	COG	
		Working with City Managers TAC, help collaboration of cities and County on regional economic recovery following COVID-19 crisis.	Ongoing. Will be a focus of virtual City/County Conference in June 2021.	COG	
	Complete Priority Dispatch Optimization Plan which will provide recommendations and cost benefit analysis for options to help alleviate undue burden on the 9-1-1 Emergency Medical Services System	Complete study by Q2.	ECNS launched 12/17/2020. Report to the CCMTAC and the Board by June 2021. Work with partners in their efforts to identify potential funding for ongoing program and to develop information tools for cities and the public on what ECNS is and what the public can expect.	COG	
		Collaborate with stakeholders including County, cities, Inland Counties Emergency Medical Agency (ICEMA), County Chiefs and dispatch centers on implementation of recommendations based on lessons learned during the COVID-19 crisis.	Ongoing effort during the year.	COG	
	Notes				

Attachment: Fiscal Year 2020-2021 Initiatives and Action Plan - Q4 Final (7770) : Receive the Fiscal Year

San Bernardino County Transportation Authority
 Fiscal Year 2020/2021 Initiatives and Action Plan - Fourth Quarter Report

Division Strategy: Enhance COG role				
3B	Action Plan	Milestones	Milestone Status	Responsibility
	Work with the Board to make sure the COG is responsive to the needs of our members	Meet with COG Ad Hoc Committee to update COG work plan before the end of Q1.	Seeking new date in Q2 as economic impacts of COVID are a concern for this meeting's discussions.	COG
	Collaborate with Member Agencies through the COG Advisory Group during the decision-making process on items related to the COG work plan and any items related to the Countywide Vision	Meet at least four times with the Advisory Group on the work plan.	Ongoing.	COG
		Discuss revisiting the Countywide Vision with the County and collaborate on process to update.	Board of Directors established an Equity Ad Hoc and directed staff to work with the County on its Eleventh Element of the Countywide Vision. Ad Hoc is meeting regularly and is focused on SBCTA operations and looking at providing a regional toolkit to be used by local agencies utilizing GIS. Work will continue through the remainder of this fiscal year and will be incorporated into next years work plan.	COG
Notes				
Division Strategy: Enhance SBCOG's and the region's ability to compete for grant funding				
3C	Action Plan	Milestones	Milestone Status	Responsibility
	Host grant writing workshop for our members and other local government partners	Schedule grant workshop for Q2.	The Grant Writing workshop was held June 25, 2020, for the Active Transportation Program (ATP), Cycle 5 program.	COG
	Better communicate grant opportunities to member agencies	Establish formal process for notifications with City Managers TAC by Q2.	This was complete in July. Staff established a webpage and process for noticing local agencies about grant opportunities.	COG
Notes				
Division Strategy: Assist local governments with environmental and efficiency initiatives				
3D	Action Plan	Milestones	Milestone Status	Responsibility
	Provide leadership and assistance to our members in implementing energy conservation projects	Host Light Emitting Diode (LED) Holiday light exchanges in Q2.	Will continue to coordinate with cities regarding distribution and exchange of the remaining LED holiday lights and energy efficiency kits inventory. Activities in 2020 were interrupted due to COVID-19 issues/concerns. Outreach to cities regarding possible Fall of 2021 activities set for Q1 for Q2 events in Fiscal Year 2021/2022.	Air Quality/Mobility

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3D (Cont)		Explore establishing a Regional Energy Network and submit a business plan to the California Public Utilities Commission (CPUC). Business Plan has been submitted, currently waiting for a response from CPUC. Hope to implement the program as soon as possible. Estimated target is Q3 of Fiscal Year 2021/2022.	Business Plan submitted to the CPUC in Feb 2021. Continuing to respond to any inquiries the CPUC may have. Currently waiting to hear from the CPUC, which could be several months. In the meantime, continuing to gather letters of support for the I- REN Business Plan to help demonstrate regional support for the project.	Air Quality/Mobility
	Assist local agencies and the region with tools and funding to encourage pollution reductions through alternative fueled vehicles and new advanced technologies	Establish process to notify member agencies regularly of Electric Vehicle (EV) charging infrastructure funding opportunities by Q3.	Work continuing. Will incorporate with other grant opportunity communications with cities. Process scheduled to be completed by Q3.	Air Quality/Mobility
	Notes			
Initiative #4: Accelerate Delivery of Capital Projects				
Division Strategy: Deliver the Redlands Passenger Rail Project & Implement Arrow Service				
4A	Action Plan	Milestones	Milestone Status	Responsibility
	Ensure construction of the mainline is progressing, substantially complete the maintenance facility, and complete final assembly of Diesel Multiple Unit (DMU) vehicles. Assist Southern California Regional Rail Authority (SCRRA) with rail activation planning and inclusion of Arrow in their new operation contract procurement.	Assist SCRRA rail activation planning.	Ongoing.	Transit
		Maintenance facility substantial completion - Q2.	Delayed - See Below.	Transit
		Final delivery of all DMU vehicles - Q3.	Delay to Q4 & Q1 of FY21/22.	Transit
		Continue construction of the Redlands Passenger Rail Project (RPRP) mainline and continued support to Metrolink for development of the future Arrow hybrid-rail service - Q1 FY22 (infrastructure).	Substantial completion of infrastructure is scheduled for Q2 FY22 with revenue service targeted for Q4 FY22 pending actions by SCRRA and FRA.	Transit
Notes				
Staff is working with SCRRA and Riverside County Transportation Commission to accept delivery of the vehicles at the South Perris Valley Line layover facility and start testing and commissioning activities of the DMUs. Overall, this is beneficial to the project as the vehicles can be tested on existing infrastructure isolating issues that might arise with the newly built infrastructure. Work at the maintenance facility is anticipated to extend beyond Q4 to retrofit main doors in order to comply with CPUC clearance requirements. Target completion date for maintenance facility is Q2 FY21/22.				

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Division Strategy: Support Delivery of Gold Line Phase 2B				
4B	Action Plan	Milestones	Milestone Status	Responsibility
	Close the funding shortfall in San Bernardino County if LA Metro commits to building to the county line.	Close the funding gap - TBD.	Monitor.	Transit
Notes				
The construction bids exceeded the engineer's estimate by \$550 million. The Gold Line Construction Authority (GLCA) re-scoped the project to include Pomona as the initial terminus, with an option to build to Claremont, and then another option from Claremont to Montclair based on funding availability. Funding in LA County to get it from Pomona to the county line has not been identified. The portion of work in San Bernardino County has increased from \$80 million to \$97 million. The draft construction agreement was prepared by San Bernardino County Transportation Authority (SBCTA) and issued to GLCA for review and comment. Negotiations on hold at the request of the GLCA. Draft operating agreement provided by LA Metro for review. On-hold pending re-scoping of the Project.				
Division Strategy: Support Delivery the West Valley Connector				
4C	Action Plan	Milestones	Milestone Status	Responsibility
	Begin final design of the West Valley Connector Phase 1 Project and initiate right of way acquisition activities	Complete Final Design - Q4.	On Schedule.	Transit
		Submit Small Starts Rating Package to FTA - Q1.	Completed.	Transit
		Initiate right of way acquisition activities - Q2.	Completed.	Transit
Notes				
FTA has allocated the full funding request of \$86.75 million from their Small Starts Program. Staff will continue to work with the FTA on requirements for the Small Starts Grant Agreement. 90% design is complete and final design is scheduled to be completed in late Q4. Design activities related to the charging infrastructure at the existing maintenance facility and at the Pomona Metrolink station will continue beyond Q4. Initial right-of-way acquisition activities are ongoing with acquisition offers being presented to owners in summer 2021.				
Division Strategy: Produce Zero or Low Emission Multiple Unit				
4D	Action Plan	Milestones	Milestone Status	Responsibility
	Proceed with final design of the zero or low emission multiple unit (ZEMU) in close coordination with Southern California Regional Rail Authority (SCRRA) and continued consultation with the Federal Railroad Administration (FRA). Finalize fueling plan.	Complete Conceptual Design - Vehicle - Q2.	Completed.	Transit
		Environmental Approval - Fueling Infrastructure - Q1.	Delayed to Q4 - See Below.	Transit
		Complete Conceptual Design - Q4.	On Schedule.	Transit
Notes				
Per consultation with General Counsel, staff is proceeding with a focused EIR for the fueling infrastructure project.				
Division Strategy: Delivery of Capital Projects				
4E	Action Plan	Milestones	Milestone Status	Responsibility
	Project Study Report (PSR) and Project Approval and Environmental Document (PA/ED) Milestones	I-10 Mt. Vernon Interchange: PA/ED Approved - Q3.	PA/ED Approval anticipated FY 2021/2022 Q2.	Project Delivery
Notes				

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Division Strategy: Delivery of Capital Projects				
4F	Action Plan	Milestones	Milestone Status	Responsibility
	Plans, Specifications and Estimate (PS&E) Milestones	I-215 University Interchange: PS&E Approved – Q4.	Current schedule is Q2 2022/2023 based on updated r/w acquisition schedule, assuming eminent domain required.	Project Delivery
		I-215 Bi-County Landscape: PS&E Approved – before July 1, 2021.	On Schedule.	Project Delivery
		I-10 Alabama Interchange: PS&E Approved - Q2.	PS&E Approval anticipated Q4.	Project Delivery
Notes				
Division Strategy: Delivery of Capital Projects				
4G	Action Plan	Milestones	Milestone Status	Responsibility
	Construction Milestones	US 395 Phase 1: Complete for Beneficial Use - Q1.	Beneficial Use realized ahead of schedule on June 19, 2020.	Project Delivery
		SR 60 Central: Start Construction - Q2.	Contract was awarded in Q2.	Project Delivery
		SR 60 Archibald: Complete for Beneficial Use - Q3.	Completed for Beneficial Use Q4.	Project Delivery
		I-10 University Interchange: Start Construction - Q3.	Contract was awarded Q2, Construction started Q3.	Project Delivery
		I-10 Alabama Interchange: Start Construction - Q4.	Start Construction Anticipated FY 2021/2022 Q2.	Project Delivery
Notes				
Initiative #5: Maximize Funding Opportunities and Cost-Effectiveness of Investments				
Division Strategy: Conduct regional forums to discuss issues of importance across our region				
5A	Action Plan	Milestones	Milestone Status	Responsibility
	Advocate for policies and funding formulas at the state and federal levels that are favorable for San Bernardino County Transportation Authority (SBCTA) to construct and deliver transportation projects	Monitor Annual State/Federal Appropriations.	Ongoing.	Legislative/Public Affairs
		Support/Oppose legislation favorable/harmful to SBCTA's ability to deliver transportation projects.	Ongoing.	Legislative/Public Affairs
		Host a legislative roundtable with district staff from SBCTA's state and federal delegation.	Planning Meeting for November 2021.	Legislative/Public Affairs
		Host an Ontario Airport Transit Access focused roundtable with San Bernardino County stakeholders.	Ongoing.	Legislative/Public Affairs
Notes				

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Initiative #6: Awareness of SBCTA Programs, Services, and Transit Options				
Division Strategy: Build awareness of SBCTA programs and services				
6A	Action Plan	Milestones	Milestone Status	Responsibility
	Highlight Measure I's contributions to the region's transportation system	Actively identify speaking opportunities to promote programs and major projects; participate in regional forums; enhance visibility.	Ongoing.	Legislative/Public Affairs, Fund Administration
	Market San Bernardino County Transportation Authority (SBCTA) identity, promote awareness of programs and services		Ongoing.	Legislative/Public Affairs
Notes				
Division Strategy: Leverage and grow public outreach and communication services				
6B	Action Plan	Milestones	Milestone Status	Responsibility
	Continue to enhance traditional and social media presence	Leverage projects to gain more local media coverage. Procure media relations expert to advance media placement and agency reputation with editors.	Ongoing.	Legislative/Public Affairs
	Utilize On-Call Public Outreach Contracts, On-Call Graphic Design Services Contracts, Marketing & Branding Services Contract, and Redlands Passenger Rail Project Outreach Contract to utilize new tools and capitalize on communication opportunities throughout the region.	Provide project-based webinars to promote more participation via online tools.	Ongoing.	Legislative/Public Affairs
		Develop content for Mobility 21 and Focus on the Future events for regional visibility.	Planning for Fall 2021.	Legislative/Public Affairs, Transit
	Utilize On-Call Graphic Design Services Contracts & Marketing and Branding Services Contract to support each Division in their efforts to communicate internally and externally.	Submit successful projects for regional awards (i.e., CAPIO, PRSA, etc.) .	Ongoing.	Legislative/Public Affairs, Fund Administration
Notes				
Division Strategy: Highlight transit options in San Bernardino County				
6C	Action Plan	Milestones	Milestone Status	Responsibility
	In partnership with transit operators, highlight transit connectivity options in the region via quarterly Customer Based initiatives meetings and coordinate marketing efforts.	Leverage existing resources to build awareness of transit services in San Bernardino County.	Ongoing.	Legislative/Public Affairs, Transit
Notes				

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Initiative #7: Long Range Strategic Planning				
Division Strategy: Analyze long range transportation strategy in a financially constrained framework				
7A	Action Plan	Milestones	Milestone Status	Responsibility
	Update Long Range Transit Plan (LTRP)	Complete Draft LRTP – Q4.	Note: Strategy changing to incorporate into a Comprehensive, Long Range Multimodal Transportation Plan. Submitting for Caltrans grant, to be done at a time when transit and travel has stabilized.	Planning, Transit, Fund Administration
	Update Countywide Transportation Plan (CTP)	Complete Final 2021 CTP – Q2.	CTP now incorporating additional multimodal elements, draft planned for completion before July 1, 2021.	Planning, Fund Administration
	Complete Zero-emission Bus Analysis for San Bernardino County	Complete Final – Q3.	Complete.	Transit, Planning
Notes				
Division Strategy: Conduct strategic planning of Measure I projects and update policies to be consistent with practice				
7B	Action Plan	Milestones	Milestone Status	Responsibility
	Update Development Mitigation Nexus Study	Update Project List – Q1.	Updated and provided to TTAC and GPC in September.	Planning, Fund Administration
		Adopt Updated Nexus Study – Q2.	Adopted in October 2020.	Planning, Fund Administration
	Prepare updated priority list of Valley Interchange Projects	Conduct analysis – Q3.	Deferred until traffic has stabilized after the pandemic. Will reassess need after that point.	Planning
		Prepare recommendations – Q4.	Deferred until traffic has stabilized after the pandemic.	Planning
Notes				
Division Strategy: Provide current, quality planning data				
7C	Action Plan	Milestones	Milestone Status	Responsibility
	Support other departments with data analysis and mapping/GIS	Ongoing.	Provided exhibits and graphics for multiple projects and procurements.	Planning
	Provide planning/modeling data to support Senate Bill (SB) 743 implementation and various development projects	Make model available to outside consultants - Q1 Model support and jurisdiction assistance - Ongoing.	Made model distribution available through SBCTA planning consultant bench.	Planning
Notes				

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Division Strategy: Conduct subarea and modal studies				
7D	Action Plan	Milestones	Milestone Status	Responsibility
	Prepare Comprehensive Multimodal Corridor Plans (CMPC) with Riverside County Transportation Commission (RCTC) and Caltrans, to address SB 1 Solutions for Congested Corridors requirements	Provide full draft of Inland Empire CMCP – Q1.	Draft provided in July, Interagency reviews completed by end of September.	Planning
		Complete Inland Empire CMCP - Q2.	Adopted in October 2020 and used as basis for SB 1 Solutions for Congested Corridors Program grants.	Planning
	Conduct SR-18/138 Corridor Study with Metro and Caltrans	Initiate study – Q3.	Agreements with LA Metro and Caltrans executed, and kick-off meeting held.	Planning
Notes				
Initiative #8: Environmental Stewardship, Sustainability, and Grant Applications				
Division Strategy: Monitor and Provide Input to State, Federal, and Regional Plans and Guidelines				
8A	Action Plan	Milestones	Milestone Status	Responsibility
	Provide technical comments on draft reports, plans, and guidelines from Caltrans, CTC, OPR, CARB, CalSTA, and other state agencies	As draft reports and guidelines are released for review.	Provided comments to SCAG on Regional Housing Needs Assessment; to Caltrans on SB 743, SoCal Freight Strategy, and Regional Express Lanes Study; comments to High Speed Rail on Colton Intermodal Facility and Lenwood Staging Tracks; to Caltrans on CA Transportation Plan 2050; to CalSTA on CAPTI.	Planning, COG
	Prepare and Submit Grant Applications for SB 1 and other funding	SB 1 Grant Applications – Q1.	Four SB 1 grant applications submitted in July and August: I-10 Truck Climbing Lane, West Valley Connector, and I-15 Auxiliary Lanes and Express lanes in two SB 1 categories. All four grants awarded by CTC in December 2020. Developing strategy for Cycle 3 of SB 1 grants.	Planning, Fund Administration
Notes				

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Division Strategy: Assist jurisdictions, developers, and other stakeholders with area-wide sustainability studies				
8B	Action Plan	Milestones	Milestone Status	Responsibility
	SB 743 Countywide Implementation Study	Complete Phase 1 – Q1.	Phase 1 completed.	Planning
		Complete Phase 2 (SCAG portion) – Q4.	SCAG procurement completed in Q1. Initiated in Q2. Completed in Q4, with next steps to be determined.	Planning
	Prepare Climate Adaptation Plan with Western Riverside Council of Governments (WRCOG)	Prepare Draft Plan – Q1.	Plan completed.	Planning
	Prepare Countywide Green House Gas (GHG) Reduction Plan	Draft GHG Reduction Plan – Q2.	Draft completed. Coordinating with jurisdictions to finalize.	Planning
		Final GHG Reduction Plan – Q3.	Final workshop held in March. Incorporated local jurisdiction comments and report complete.	Planning
	Notes			
Division Strategy: Prepare effective active transportation plans				
8C	Action Plan	Milestones	Milestone Status	Responsibility
	Conduct Active Transportation (ATP) Plans: Redlands Rail Accessibility Study, Safe Routes to School (SRTS) Program (with County), and Countywide Sidewalk Inventory	Redlands Rail – Final Plan - Q1.	Completed.	Planning
		SRTS Program: Complete Phase 1 – Q3.	May incur additional delay due to COVID. Schools not open.	Planning
		Initiate SRTS Phase 2 – Q3.	Likely to be delayed due to COVID.	Planning
		Sidewalk Inventory - Initiate Phase 2 - Q2.	Consultant has been selected. Notice to proceed in Q3.	Planning
		Sidewalk Inventory – Data Development - Q4.	Data development initiated.	Planning
	Create Digital Active Transportation Plan	Final Plan – Q1.	Completed and presented to GPC in Q1.	Planning
	Ongoing maintenance/updates.	Update to support ATP Cycle 5 completed and presented to Board in September.	Planning	
Notes				
Division Strategy: Implement components of ATP Metrolink Station Accessibility Grant				
8D	Action Plan	Milestones	Milestone Status	Responsibility
	Construction of Phase 2 of the Bicycle and Pedestrian improvements around the six Metrolink Stations as identified in the Transit Access Plan	Environmental – Q2.	At Caltrans for review.	Planning, Project Delivery
		Final Design – Q4.	Final design in process. PS&E Approval anticipated FY 21/22 Q3.	Planning, Project Delivery
Notes				

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Division Strategy: Develop and administer programs to improve the efficient use of our existing freeway network				
8E	Action Plan	Milestones	Milestone Status	Responsibility
	Administer programs to reduce congestion and traffic delays	Merge 511 system to create So Cal 511 through regional collaboration with Los Angeles Metropolitan Transportation Authority (LA Metro), Riverside County Transportation Commission (RCTC), Orange County Transportation Authority (OCTA), and Ventura County Transportation Commission (VCTC) by Q2 of Fiscal Year 2021/2022.	Work continuing. Working with LA Metro to get the final Memorandum of Understanding (MOU) in place and appropriate costs outlined. Merging of the two regional 511 systems is scheduled to take place by Q2 of Fiscal Year 2021/2022 due to additional edits, reviews and various COVID-19 impacts.	Air Quality/Mobility
		Implement a mobile call box/511 program by Q3 of Fiscal Year 2021/2022.	Work continuing. Implementation schedule is tied to the merging of the 511 system with Metro. Due to various edits, reviews and COVID-19 impacts on California Highway Patrol (CHP) dispatch, schedule for implementation is Q3 of Fiscal Year 2021/2022.	Air Quality/Mobility
Notes				
Division Strategy: Support access to jobs, healthcare, and education while reducing roadway congestion.				
8F	Action Plan	Milestones	Milestone Status	Responsibility
	Administer multi-modal programs to reduce congestion and improve quality of life including coordination with transit providers and Consolidated Transportation Service Agencies serving San Bernardino County	Submit county-wide vanpool program 2021 annual report - Q4.	Ongoing.	Transit
		Seek private partnerships with technology providers to improve commuter programs and first/last mile connections. Continue Private Transportation Provider Pilot Program to Ontario International Airport (ONT).	Ongoing.	Transit
		Continue the Metrolink San Bernardino Line Fare Discount Program & monitor its performance.	Ongoing.	Transit
		Actively participate in the Metrolink Member Agency Advisory Committee and transit operator technical advisory committees.	Ongoing.	Transit
		Present transit operator allocations in a timely manner - Q4 (for following fiscal year).	On Schedule.	Transit, Fund Administration
		Present transit operator short range transit plans in a timely manner and in compliance with the Transportation Development Act - Q4 (FY21 only Mountain Transit and Omnitrans).	Delayed - See Below.	Transit
		Advocate for a sustainable source of funding for transit operations.	Ongoing.	Legislative/Public Affairs, Transit

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8F (cont)		Complete 2021 Update to the San Bernardino County Public Transit-Human Services Transportation Coordinated Plan - Q4.	On Schedule.	Transit
		Implement the IE Commuter rideshare program Q1 and merge regional database - Q4.	See Below.	Transit
	Notes			
The Inland Empire (IE) Commuter rideshare program has been implemented and available for use in Q1. The merged regional database is still pending. Mountain Transit SRTP will not be completed until Q2 in FY21/22. MT had a late start due to a number of issues (New GM, emergency at maintenance facility and acquisition of consultant). Per Omnitrans, their SRTP will not be ready for review by SBCTA until early FY21/22, with presentation to the Board of Directors targeted for Q2 of FY21/22.				
Division Strategy: Support transit-oriented development				
8G	Action Plan	Milestones	Milestone Status	Responsibility
	Continue to work closely with the City of Rancho Cucamonga on implementation of the transit-oriented development effort at the Rancho Cucamonga Metrolink Station	Three party development agreement- TBD.	On hold.	Transit
		Specific Plan Development - TBD.	Ongoing, City lead.	Transit
Notes				
Staff is working with the City on incorporation of the planned Brightline West improvements and service at the Rancho Cucamonga Station in accordance with the MOU with XpressWest, now called Brightline West, approved by the SBCTA Board of Directors on July 1, 2020. The exclusive negotiations agreement and associated cooperative agreement with the City were terminated per Board action on 12/10/2020.				
Division Strategy: Advance transit connectivity to Ontario International Airport				
8H	Action Plan	Milestones	Milestone Status	Responsibility
	Tunnel to ONT	Issue Notice to Proceed to PCM - Q3.	Completed.	Transit
		Issue Request for Qualifications for an Infrastructure Developer - Q2.	Completed.	Transit
		Issue Request for Proposals for an Infrastructure Developer - Q4.	On Schedule.	Transit
Notes				
In accordance with SBCTA Board direction on September 2, 2020, the Alternative Analysis was cancelled, and staff is progressing with delivery of the Tunnel to ONT project. This section will be updated to reflect the action plan and milestones for the Tunnel to ONT project going forward.				

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Minute Action

AGENDA ITEM: 8

Date: July 7, 2021

Subject:

San Bernardino Valley Coordinated Traffic Signal System Program Next Steps

Recommendation:

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

- A. Direct staff to continue to maintain the San Bernardino Valley Coordinated Traffic Signal System (SBVCTSS) program through continued consultant support for up to \$250,000 annually for the next five years using Measure I Valley Traffic Management Systems (TMS) program funding.
- B. Allocate \$1,000,000 of Measure I Valley TMS program funds to a Haven Avenue corridor pilot project.
- C. Allocate \$3,000,000 and \$2,000,000 of Measure I Valley TMS program funds to be made available to East Valley and West Valley jurisdictions, respectively, through a competitive grant process to be developed by staff for implementation of a regional coordinated approach to SBVCTSS program improvements upon future Board of Directors approval.

Background:

Starting in 2002, with the San Bernardino Valley Traffic Signal Coordination System Master Plan, San Bernardino County Transportation Authority (SBCTA), in conjunction with the Valley cities and the County of San Bernardino (local agencies), implemented signal coordination on major arterial corridors on a valley-wide scale with an investment of over \$15 million. Implementation of signal coordination occurred in various phases designated as Tiers 1, 2, 3 and 4, and included approximately 1,250 signalized intersections controlled by sixteen (16) separate local agencies and the California Department of Transportation (Caltrans). Both Tiers 1 - 2 Project, completed in 2008, and Tiers 3 - 4 Project, completed in 2012, at system turn-on, showed significant improvements in arterial travel times and reductions in vehicle stops and delays.

In July 2011, the SBCTA Board of Directors (Board) approved the Memorandum of Understanding (MOU) No. C11223 between SBCTA and the local agencies providing direction for the operation and maintenance of the San Bernardino Valley Coordinated Traffic Signal System (SBVCTSS). After implementation by SBCTA, local agencies were responsible for the continued maintenance of the SBVCTSS as noted in the MOU which expired on September 30, 2016.

In January 2015, an assessment of the SBVCTSS was completed and found that many of the systems were not being fully maintained. The assessment yielded results in various jurisdictions varying from 21% to 87% of the traffic signals within the jurisdictions on-line and communicating with the respective central systems, therefore operating as anticipated. Overall, 44% of the SBVCTSS signals were on-line. Maintenance issues included communication breaks due to failed communication modems, disconnected telephone lines, damaged signal interconnect conduit/cables, failed system controllers replaced with

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non-compatible signal controllers, weak radio signals and wireless systems that required additional configuration and integration. Many local agencies did not have the technical resources to maintain the SBVCTSS.

Due to the reduction in system benefits caused by maintenance issues, in April 2015, during Transportation Technical Advisory Committee (TTAC) and City Managers Technical Advisory Committee (TAC) meetings and discussions, a survey was presented to the local agencies providing ongoing maintenance and operations options. The goal was to develop a strategy that could be further developed into guidelines and be recommended for adoption by the Board. Based on these discussions, a five-year plan was developed for maintaining the traffic signal coordination system so as to continue to provide benefits to the traveling public. In September 2015, this plan was presented and adopted by the Board, and staff were directed to proceed with the implementation of the five-year plan. The components of the plan included:

- A. Updated coordinated timing - \$4,600,000 (cost to be split 50/50 with local agencies)
- B. On-going maintenance of signal coordination equipment and timing - \$5,225,000
- C. Assessment of Systems and On-Call Systems Support services - \$1,000,000

Total cost for five years - \$10,825,000.

After the September 2015 meeting, staff determined it would be beneficial to divide the SBVCTSS program into sub-regions and develop Master Plans for each that would produce signal timing parameters specific to each sub-region while also providing uniformity across the entire system. This aspect of work was discussed and approved by the TTAC Ad Hoc Committee Members. Staff estimated the added cost for developing the Master Plans to be \$480,000 increasing the total estimated cost for five years to \$11,305,000.

To implement the recommended Master Plan, SBCTA entered into Cooperative Agreements with 15 of the 16 San Bernardino Valley jurisdictions, with the City of Redlands opting out of the program. In addition, in January 2017, the Board approved Contract No. 16-1001515 with Iteris, Inc. (Iteris) for preparation of updated Coordination Timing Plans (CTP), providing semi-annual assessments and providing On-Call System Support services on the SBVCTSS for a total not-to-exceed amount of \$3,462,421.72, including contingency.

Iteris performed six semi-annual assessments that resulted between 40-50% of the signals on-line and running CTP. The primary reasons that intersections in the system were not on-line and running CTP included communication device failures, such as failed modems, disconnected phone lines, damaged interconnect, weak radio signals, incorrect equipment configurations or lack of maintenance due to availability of staff resources or lack of technical knowledge. When these results were presented to the Metro Valley Study Session (MVSS) in June 2019, the study session directed staff to re-evaluate the Signal Synchronization Program (SSP) and present options to MVSS for continued direction of the program.

While various options exist for the SSP, the key is to ensure a consistent funding source exists for program implementation. The benefits to a regional system are well documented, and when initially implemented, the benefits of the Tier 1 - 2 and Tier 3 - 4 SBVCTSS program implementation were readily apparent and well documented in the final implementation reports.

In order to ensure optimal efficiency of the existing and future system, maintenance is critical, particularly if state-of-the-practice technology and equipment has not been deployed during implementation. Reliance upon cities to maintain the system within their jurisdiction has been met with mixed results due to staff resource availability and lack of technical knowledge. Therefore, a future SBVCTSS program must consider maintenance to develop a strategy to ensure the system is maintained properly.

Several options exist for the SSP regarding SBCTA participation and include the following, which are all contingent upon available program funding:

- Provide for continued maintenance and spot upgrades of the existing system as warranted.
- Implement technology to assist in maintaining the existing system.
- Develop an integrated maintenance program for the Valley, i.e. implementation of a single Traffic Management Center from which the entire system could be managed and maintained.
- Prioritize all Valley corridors for investment of available funds.
- Focus on implementation of state-of-the-practice technology to minimize maintenance needs along the existing signal system corridors to provide the greatest benefit to the traveling public.
- Train staff at local agencies to maintain the existing system.
- Continue to provide On-Call System Support services as warranted.
- Develop program parameters and guidelines that would prioritize funding for a program as grant funding is secured.
- Consider implementing a program in Victor Valley.

After the initial SBVCTSS program was implemented primarily with Congestion Management and Air Quality (CMAQ) funding, subsequent funding has come from three sources: grant funding provided by the Mobile Source Air Pollution Reduction Review Committee (MSRC) through the South Coast Air Quality Management District (SCAQMD), local jurisdiction contributions and the Measure I Valley TMS program. While the TMS Program is a source for SSP, it also supports commuter assistance programs, Freeway Service Patrol and other transportation projects benefitting the environment. As TMS funds are limited, they are insufficient to fully fund a comprehensive Valley SSP. Unfortunately, grant funding is not eligible to be used for system maintenance, therefore, Measure I funds must be used for maintenance if SBCTA involvement in the SBVCTSS program continues. In addition, as the MSRC is developing their upcoming annual work plan, their focus continues to be on freight improvements, therefore, grant funding through MSRC for SSP is not anticipated to be available in the near future.

As funding was limited during the original SBVCTSS program implementation, significant investment was not made to upgrade system hardware. State-of-the-practice communication
San Bernardino County Transportation Authority

infrastructure for signal coordination continues to be fiber optic communication. Wireless infrastructure currently does not provide the reliability that fiber provides and fiber is expected to continue to provide reliability as the gold standard for signal system communication well into the future. In addition, signal controllers were not upgraded with SBVCTSS program implementation. Due to the number of intersections in the SBVCTSS and the distance that system corridors cover, it was not feasible to upgrade system components and original implementation focused on utilizing existing infrastructure to coordinate signals. In order to upgrade the complete system with fiber optic communications, it is estimated that approximately 227 miles of fiber would have to be placed for the key system corridors at a cost of approximately \$232,000 per mile for a total of approximately \$53,000,000. In addition, it is estimated that approximately 75% of the system controllers (approximately 740) and approximately 25% of system cabinets (approximately 250) would require replacement at a cost of approximately \$7,200,000. Upon implementation of an upgraded communication system and installation of new controllers and approximately 10 local central signal systems, approximately \$5,000,000 to \$7,000,000 would be needed to retune the key system corridors. Due to funding constraints, it is not possible to fully upgrade the system with the state-of-the-practice communication infrastructure and controller equipment. As a result, a piecemeal approach to upgrading the system is necessary.

As noted, Contract No. 16-1001515 with Iteris includes On-Call System Support services to assist local jurisdictions in maintaining the implemented SBVCTSS program. While that contract expires in January 2022, it would be cost-effective to maintain support for local jurisdictions to troubleshoot issues encountered with the existing system. An investment of up to \$200,000 per year would provide the ability to continue to diagnose technical issues on behalf of local jurisdictions who lack sufficient resources. Assessments of the existing system could be performed at a cost of \$50,000 per year to identify how the existing system is performing.

An effort was undertaken to evaluate the potential for implementation of the practice pilot project along the top priority corridors within the Valley to maximize corridor benefits. Drawing from the experience with the system to date, success requires an investment from local agencies to ensure that benefits associated with the program are sustained. The Cities of Rancho Cucamonga and Ontario have invested significantly in signal system infrastructure. To showcase continued benefits of signal synchronization, in December 2019 the Board directed staff to partner with the Cities of Rancho Cucamonga and Ontario to develop parameters and guidelines to implement, monitor and maintain a state-of-the-practice signal synchronization corridor that could be the baseline for broader application throughout the Valley.

Through coordination with the Cities of Rancho Cucamonga and Ontario, Haven Avenue was identified as an ideal candidate as the City of Rancho Cucamonga is currently planning on installing fiber optic communication lines on Haven Avenue between the City of Ontario border and north of State Route 210 (SR 210). Haven Avenue is a heavily traveled corridor serving the heart of the City of Rancho Cucamonga and is a gateway into the City of Ontario and the Ontario International Airport. The corridor is approximately 10.3 miles long and currently includes 39 signalized intersections. Currently, only five signalized intersections along the corridor are not connected via fiber optic communication lines.

Iteris, in cooperation with staff from the Cities of Rancho Cucamonga and Ontario, developed a thorough evaluation of Haven Avenue, including potential deployment of technology throughout the corridor and the ability to maintain a state-of-the-practice multijurisdictional system. Recommendations have been identified for partnering potential with SBCTA to implement, monitor, and maintain a state-of-the-practice signal synchronization corridor that would showcase system success, which could lead to broader application throughout the Valley. Recommendations were categorized as short-term, mid-term and long-term implementation options as outlined in Table 1, with projected element costs categorized as Low (\$0-\$100,000), Moderate (\$100,000 - \$500,000) and High (>\$500,000).

Table 1 Smart Travel Management Projects for the Haven Avenue Corridor

	Project Description	Cost
Short-Term	Complete fiber optic communications deployment in the Haven Avenue corridor. Ensure all traffic signals/intersections in the corridor are fully connected and in coordination with the traffic signal central system. Enable and ensure connection of other intelligent transportation management field elements – primarily closed-circuit television (CCTV) cameras – to the fiber optic communications infrastructure.	High <ul style="list-style-type: none"> • It appears 5 corridor intersections are not connected to central system via fiber
	Implement off the shelf network monitoring and management tools on the local agency fiber optic communications network to automatically and continuously monitor network equipment, as well as field traffic management devices (i.e., traffic signal controllers, CCTV cameras, detection [in-pavement and video], signs, etc.).	Low <ul style="list-style-type: none"> • \$8,000 initial purchase • \$3,000 annual
	Perform an inventory of detection and detection placement at signalized intersections on Haven Avenue, and verify that quantity of detection and placement of in-pavement detection is optimal for traffic operations. Ensure optimal configuration for video detection zones, and determine if additional detection might be warranted. Develop a detection maintenance strategy with a plan for rapid response to detect outages.	Low <ul style="list-style-type: none"> • \$20,000 inventory and evaluation • \$15,000 detection maintenance strategy
	Determine feasibility of additional CCTV camera deployment along the Haven Avenue corridor . Investigate the feasibility of placement of pan/tilt/zoom CCTV cameras at Haven Avenue freeway interchanges and enable shared monitoring and control of those cameras with Caltrans .	Moderate <ul style="list-style-type: none"> • \$20,000 CCTV study • \$10,000-50,000 per new CCTV site • Deployment with Caltrans TBD
	Enable and ensure that video images from video detection systems along Haven Avenue are available for viewing in a central location at city facilities (i.e., city hall, roadway maintenance yards, etc.). Assumes fiber optic communications already in place.	Low-Moderate <ul style="list-style-type: none"> • \$4,000 per intersection
	Implement an Automated Traffic Signal Performance Measures (ATSPM) platform for traffic signals along Haven Avenue. Deploy as a multi-agency platform – Ontario/Rancho Cucamonga. Enable and allow cities and SBCTA access to the platform.	Moderate <ul style="list-style-type: none"> • \$800 - \$1,000 per intersection to set-up • \$800 - \$1,000 per intersection annual • \$5,000 training

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	Project Description	Cost
	Implement/expand corridor- and regional-level performance measurement program that reports corridor-level and regional-level travel trends, travel times, choke points, congestion hot spots, and other travel-related factors. This would be an expansion of the capabilities SBCTA currently has with the ClearGuide platform. Develop a routine reporting regimen that provides comprehensive and summary information and data on corridor-level and regional travel trends. Coordinate with the Automated Traffic Signal Performance Measures (ATSPM) platform deployed for Haven Avenue. Produce and disseminate comprehensive reports that include data and visual depictions of travel trends.	High <ul style="list-style-type: none"> • \$125,000 - \$200,000 annual • \$5,000 to establish initial reporting metrics and report formats, some customized reports, and establish regimen
	Evaluate feasibility and rationality of implementing Adaptive Traffic Signal Control in the Haven Avenue Corridor. Utilize ATSPM data and information as one input into the feasibility analysis. Consider utilizing the higher level (regional) corridor performance measurement program operated by SBCTA in the feasibility analysis.	Moderate <ul style="list-style-type: none"> • \$50,000 study • \$250,000 adaptive control system • \$15,000 annual • \$25,000 detection
	Study feasibility and rationality of implementing arterial Changeable Message Signs (CMS) in the Haven Avenue Corridor. Investigate the feasibility of placement of arterial CMS on Haven Avenue at approaches to freeway interchanges (SR-60, I-10, SR-210), and enable shared monitoring and control of those cameras with Caltrans. In peak periods, the signs could be controlled by Caltrans and populated with travel time and incident information. Outside peak periods, the cities could place other messages of interest to residents on those signs.	High <ul style="list-style-type: none"> • \$20,000 CMS feasibility study and recommendations • \$200,000 per CMS site • Deployment with Caltrans TBD
	Support Omnitrans in the deployment of roadside transit traveler information systems (next bus arrival signs) at transit stops along Haven Avenue. Assist with permitting, plan reviews, and acquisition of electric power (if necessary).	Low <ul style="list-style-type: none"> • \$25,000 per sign site • In-vehicle technology believed to be in place
Medium-Term	Support Omnitrans in the deployment of Transit Signal Priority (TSP) in conjunction with Omnitrans' West Valley Connector (WVC) Bus Rapid Transit (BRT) project. The initial intersection in the Haven Avenue corridor to receive TSP treatment would be the intersection of Haven Avenue and Inland Empire Boulevard, serving east/west BRT service on Inland Empire Boulevard. Subsequent expansion of the WVC BRT service would implement TSP in a 2.3 mile long segment of Haven Avenue, between from Inland Empire Boulevard to Foothill Boulevard.	Moderate <ul style="list-style-type: none"> • \$10,000 per intersection (PLUS design, construction, integration) • \$1,500 - \$4,000 per vehicle
Long-Term	Plan a pilot Connected Vehicle (CV) corridor project for the Haven Avenue Corridor. Initiate stakeholder coordination to determine which CV application(s) is (are) desired for early deployment and testing. Consult lead stakeholders for other local CV pilot deployments in Anaheim (city of Anaheim) and Riverside (UC Riverside CE-CERT Research) to obtain lessons learned. Seek out CV education opportunities and other material from the USDOT and Federal Highway Administration (FHWA).	Moderate-High <ul style="list-style-type: none"> • \$30,000 feasibility study • \$75,000 implementation plan • Design, construction, and integration TBD

Note: Cost categories – Low: \$0-\$100K, Moderate \$100K-\$500K, High >\$500K

As noted in Table 1, various options have been identified for potential implementation in the Haven Avenue corridor. Most of these initiatives could be implemented independent from one another and benefit the corridor. Implementation of the short-term measures from Table 1 could

San Bernardino County Transportation Authority

cost up to \$1,150,000 with ongoing annual costs of up to \$200,000. Implementing adaptive traffic signal control along Haven Avenue would further improve operations and cost up to \$350,000. These improvements would still allow each agency to manage their signals with information readily available for the entire Haven Avenue corridor available to each jurisdiction to streamline maintenance and provide operational capabilities to each city to manage the corridor as appropriate during special events, emergency events, etc., if necessary agreements are in place.

While SBCTA may not be positioned to fully fund a pilot project at this juncture without a dedicated funding source for a SSP, SBCTA could work with the Cities of Rancho Cucamonga and Ontario to implement technology solutions throughout the corridor. As ultimate responsibility to maintain the SBVCTSS program lies with respective jurisdictions, it is difficult to develop clear roles and responsibilities for SBCTA since local intersections are owned, operated and maintained by local jurisdictions. It would seem that SBCTA's primary role in a revamped program would be from a funding perspective and based on funding needs, a prioritized focus of investment would achieve the greatest benefits. While SBCTA could champion individual pilot projects and broader Valley-wide implementation, success of the system lies with local jurisdiction maintenance of the system.

Development of a central traffic management and control center could be a role that SBCTA leads. A centralized traffic management center would assist in maintaining and operating the system. However, as SBCTA does not currently own, operate or maintain any signals, it would prove challenging from an operational and legal perspective to take on an operation and maintenance role for local Valley signals. To be effective, such a center would require buy-in and funding support from all, or at least most, of the Valley jurisdictions. Participating jurisdictions would have to allow the central system, likely manned by consultant staff, to access and operate local signals as necessary to maintain system benefits and react to incidents or special events. While the cost to implement a center would not be unmanageable, the complexities associated with implementation and operation of a centralized traffic management center lead to a recommendation to not consider such a system at this point. The perceived complexities stem from implementation and maintenance of the existing system. While each jurisdiction signed an agreement to provide electronic access to their signal systems for maintenance and assessment purposes, at least five jurisdictions never allowed such access to our consultant and one city opted out of the SBVCTSS maintenance program entirely.

Based on experience with the development and implementation of Tiers 1 – 4, funding further implementation may not be in the best interests of SBCTA without assurances that the investment will be well maintained. To date, SBCTA has developed two programs to incentivize local jurisdictions to maintain the initial investment and the system continues to operate with approximately 50% of the signals being on-line and operating as anticipated.

In an attempt to maintain current system benefits, staff recommends that SBCTA continue to provide consultant support to local jurisdictions on an as-needed basis in an amount not-to-exceed \$250,000 annually over the next five years and allocate \$1,000,000 to implement appropriate technology solutions in the Haven Avenue corridor. As a priority East Valley corridor has not been identified as a strong candidate for a pilot project, staff recommends development of a grant program that will make \$3,000,000 available for East Valley jurisdictions

and \$2,000,000 available to West Valley jurisdictions through a competitive application process subject to local jurisdiction financial contributions and mechanisms to ensure system maintenance. Based on comments from the Metro Valley Study Session, criteria for the grant program will be developed that ensures a regional coordinated approach to future SBVCTSS improvements for approval at a future Board meeting. Performance of the Haven Avenue corridor and other corridors that are allocated funding will be measured as a basis for educating the Board prior to determining the long-term direction of the SBVCTSS program.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget under Task No. 0860 Arterial Projects, Sub-Task No. 0701 Valley Signal Coordination.

Reviewed By:

This item was reviewed at the Board of Directors Metro Valley Study Session on June 10, 2021. After discussion of the item, a motion was made to modify the staff recommendation to require Board approval of the proposed competitive process for allocation of West Valley and East Valley Measure I TMS funds. The staff recommendation, as modified, was recommended for approval (18-0-0) with a quorum of the Board present.

Responsible Staff:

Timothy Byrne, Director of Toll Program

Approved
Board of Directors
Date: July 7, 2021
Witnessed By:

Minute Action

AGENDA ITEM: 9

Date: July 7, 2021

Subject:

Work Order No. 11 to Cooperative Agreement No. 15-1001125 with Southern California Regional Rail Authority

Recommendation:

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

Approve Work Order No. 11 to Cooperative Agreement No. 15-1001125 with the Southern California Regional Rail Authority, in the amount of \$152,700, to provide rail related support services to San Bernardino County Transportation Authority, related to the Euclid Avenue Pedestrian Gates as part of the Metrolink Active Transportation Program Phase-II Project.

Background:

San Bernardino County Transportation Authority (SBCTA) through an Active Transportation Grant is making improvements near several Metrolink stations for pedestrian accessibility. Part of those improvements include providing pedestrian gates at the Euclid Avenue crossing of an active Southern California Regional Rail Authority (SCRRA) line in the City of Upland.

SBCTA has a Cooperative Agreement No. 15-1001125 with SCRRA which is a work order contract for the execution and funding of various tasks required between the two agencies. This new work order with SCRRA under this Cooperative Agreement will be for SCRRA's efforts in coordination, design support, signal design, review and development of a construction and maintenance (C&M) agreement for the Euclid Avenue Pedestrian Gates. The C&M agreement will be executed before the project goes into the construction phase. At that time all future project work will be done under the C&M agreement and will terminate activities under this Work Order No. 11.

Staff recommends approval of Work Order No. 11 with SCRRA under Cooperative Agreement No. 15-1001125.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget for Task 860 Arterials Projects, Subtask 0810 ATP Metrolink Phase II Project.

Reviewed By:

This item was reviewed and recommended for approval (18-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session Committee on June 10, 2021. SBCTA General Counsel and Risk Management have reviewed this item and the draft Work Order.

Responsible Staff:

Juan Lizarde, Project Manager

Entity: San Bernardino County Transportation Authority

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Approved
Board of Directors
Date: July 7, 2021
Witnessed By:

San Bernardino County Transportation Authority

General Contract Information

Contract No: 15-1001125 Amendment No.: _____
 Contract Class: Payable Department: Project Delivery
 Vendor No.: 02003 Vendor Name: Southern California Regional Rail Authority
 Description: Metro ATP Euclid Ave Pedestrian Gates - Work Order No. 11

List Any Related Contract Nos.: _____

Dollar Amount					
Original Contract	\$	152,700.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	-	Current Amendment	\$	-
Total/Revised Contract Value	\$	152,700.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	152,700.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7776

Contract Management (Internal Purposes Only)

Other Contracts _____ Sole Source? N/A _____ N/A _____
 Local _____ Services _____

Accounts Payable

Estimated Start Date: 07/07/2021 Expiration Date: 07/07/2022 Revised Expiration Date: _____
 NHS: N/A OMP/QAP: N/A Prevailing Wage: N/A

							Total Contract Funding:	Total Contingency:		
Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	\$	
GL	6010	40	0860	0810	52001	42432010	630	City of Upland	152,700.00	-
GL									152,700.00	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-

Juan Lizarde Paula Beauchamp
 Project Manager (Print Name) Task Manager (Print Name)

Additional Notes:

Attachment: CSS_15-1001125 Work Order-11_SCRRA [Revision 1] (7776 : Work Order No. 11 to Cooperative Agreement No. 15-1001125 with

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

AND

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

CONTRACT NO. 15-1001125 - WORK ORDER NO. 11

Date: July ___ 2021

PROJECT NAME: Euclid Avenue Pedestrian Gates – Design Review

LOCATION: San Gabriel Subdivision – Euclid Avenue, Upland

PROJECT DESCRIPTION/SCOPE OF WORK:

The San Bernardino County Transportation Authority (SBCTA) through an Active Transportation Grant is making improvements near several Metrolink Stations for pedestrian accessibility. Part of those improvements include providing pedestrian gates at the Euclid Avenue crossing in the City of Upland.

This work order with the Southern California Regional Rail Authority (SCRRA) is for coordination, design support, signal design, review of the Euclid Avenue Pedestrian Gates based on Scope of Work items listed in Exhibit-A and development of a construction and maintenance (C&M) agreement. This C&M agreement will be executed before the project goes into the construction phase and will terminate the work under this work order 11.

Reference Documents

- Work Order No. 11 Scope & Fee (Exhibits A and B) attached and Contract No. 15-1001125

Estimated Start Date: July 7, 2021

Estimated Duration: One year

SBCTA Designated Project Manager: Juan Lizarde

SCRRA Designated Project Manager: Anh Truong

Work Order Amount: \$152,700

Cash Flow Plan: Multiple payments up to a total of \$152,700 upon receipt of invoice and appropriate back-up documentation.

SBCTA SIGN OFF:

SCRRA SIGN OFF:

Curt Hagman
Board President

Arnold Hackett
Interim Chief Executive Officer

Date: _____

Date: _____

Attachment: Work Order No. # 11 [Revision 1] (7776 : Work Order No. 11 to Cooperative Agreement No. 15-1001125 with SCRRA)



Juan Lizarde
Project Manager, Project Delivery
San Bernardino County Transportation Agency (SBCTA)
1170 W. Third St., 2nd Floor
San Bernardino, CA 92410-1715

March 5, 2021

**SCRRA SCOPE OF SERVICES
Euclid Ave Pedestrian Safety Improvements**

The San Bernardino County Transportation Agency (“SBCTA”) desires to install pedestrian safety improvements at the Euclid Ave highway-rail grade crossing, DOT No. 026173P, CPUC No. 101SG-36.81 that crosses above the railroad right of ways and track of the Southern California Regional Rail Authority’s (“SCRRA”) San Gabriel Subdivision. This widening is part of the overall SBCTA Active Transportation Program (ATP). The proposed pedestrian safety improvements at Euclid Ave will include automatic pedestrian gates on all four quadrants of the crossing, emergency swing gates, pedestrian channelization, and other various civil infrastructure improvements. These pedestrian safety improvements at the Euclid Ave crossing over the SCRRA San Gabriel Subdivision is hereinafter called the PROJECT.

Herein SBCTA and SCRRA are sometimes individually referred to as “PARTY”, and collectively referred to as “PARTIES”.

SBCTA plans to utilize the traditional Design-Bid-Build process to design and construct the PROJECT. SBCTA’s current schedule is to complete the design by February 2022 and obtain construction authorization from Caltrans (CON E-76) by July 2022.

The PARTIES plan to enter into a Work Order (WO) under the existing SCRRA/SBCTA Rail and Transit Agreement for SCRRA design support services for the PROJECT.

The scope of services for SCRRA design support services may not be fully defined at this point therefore the PARTIES agree that subsequent amendment(s) to the WO may be necessary as the PROJECT evolves and the level and extent of SCRRA design support services become more fully defined.

The PARTIES acknowledge and agree that a separate Construction and Maintenance (C&M) Agreement will be negotiated and entered into as part of the Scope of Services for design support. Once the C&M Agreement has been fully executed for the PROJECT, an amendment to this WO or a new WO will be issued to SCRRA for construction support services.

Furthermore, the PARTIES acknowledge and agree that design and construction of the pedestrian safety improvements shall be in accordance with Chapter 8 “Highway-Rail Grade Crossings” of the SCRRA Design Criteria Manual and the SCRRA Engineering Standards for crossings (4000 Series).

Attachment: Exhibit-A_Euclid Ave Ped Safety Improvements - Scope and Fee (7776 : Work Order No. 11 to Cooperative Agreement No. 15-

Euclid Ave Pedestrian Safety Improvements SCRRA Scope of Services

SCRRA agrees as follows:

Generally, the Scope of Services for design support shall consist of:

1. Provide project management, coordination and review of SBCTA submittals for compliance to SCRRA standards and operating train service, including construction phasing plans, attend project development and coordination meetings, and coordinate preparation of all agreements.
2. Attend project diagnostics meetings with the CPUC.
3. Provide plans, specifications, scope of work, and cost estimates for any modifications to the signal and communication system required to accommodate the PROJECT.
4. Provide plans, specifications, scope of work, and cost estimates for any and all necessary changes to Positive Train Control (PTC) facilities and appurtenances required to accommodate the PROJECT.
5. Administer and process SCRRA permits for SBCTA's consultants and surveyors performing work on the Railroad right of way, as necessary.
6. Locate and mark signal and communications cables for SBCTA's consultants and surveyors performing work on the Railroad right of way, as necessary.
7. Provide Railroad Protective and Inspection Services, including flagging, railroad safety training to SBCTA's third party personnel performing work on the railroad right of way.
8. Prepare Contract Task Orders (CTOs) for SCRRA Engineering Consultants and Contractors and other tasks as may be required to manage and coordinate SCRRA interests.
9. Provide SCRRA administrative support for the project necessary to assist SBCTA in the development of the PROJECT and including all interdepartmental support.
10. Develop Construction and Maintenance Agreement for the PROJECT. Said agreement must be in place prior to permitting construction on SCRRA right of way.

The Scope of Services for design support may not be fully defined at this point. If at any time, the actual cost, including the estimated allocated overhead, exceeds 80% of SCRRA estimate for the Railroad Work in Exhibit B, SCRRA shall, at its sole discretion, revise its estimates of the amount of RAILROAD WORK added or remaining, and SBCTA shall amend this WO to authorized additional funding in excess of the original authorized funding.

Nothing contained in this Scope of Services for design support shall oblige SCRRA to perform work which in SCRRA's opinion is not relevant to SCRRA's participation in the PROJECT.

Euclid Ave Pedestrian Safety Improvements
SCRRA Scope of Services

Exhibit B
RAILROAD WORK
SCRRA SCOPE OF WORK AND COST ESTIMATE
EUCLID AVE PEDESTRIAN SAFETY IMPROVEMENTS

Date	19-Feb-21								
SCRRA Project No.	TBD								
Project Name	Euclid Ave Ped Safety Improvements								
Schedule	Feb 2021 to Feb 2022								
NO.	ITEM	QUANTITY					UNIT	UNIT COST	TOTAL COST
		No. of Months	Meeting per Month	Hours	No. of Persons	Total			
Scope of Work for RAILROAD DESIGN REVIEW SERVICES									
1 Project Management and Administration									
1.1	General PM Work	12	1	2	1	24	HR	\$250	\$6,000
1.2	Design Coordination Meetings	12	1	2	2	48	HR	\$250	\$12,000
1.3	Develop and coordinate Construction and Maintenance Agreements after design completion and prior to Construction					40	HR	\$250	\$10,000
	Sub-Total					112	HR		\$28,000
2 Document Review/Design Support									
2.1	Review Design Documents by Engineering, Safety, Operations								
	65%	1		8	3	24	HR	\$250	\$6,000
	90%	1		4	3	12	HR	\$250	\$3,000
	100% / IFB / Conformed Documents	1		4	3	12	HR	\$250	\$3,000
2.2	Assist in GO88-B Preparation	3	1	2	2	12	HR	\$250	\$3,000
2.3	Site Visits	2	1	3	2	12	HR	\$250	\$3,000
	Sub-Total					48	HR		\$18,000
4 Signal Design									
4.1	Review of Communications & Signal Design			30	2	60	HR	\$250	\$15,000
4.2	PTC Support			10	2	20	HR	\$250	\$5,000
4.3	Signal Design Consultant					1	LS	\$50,000	\$50,000
	Sub-Total								\$70,000
4 Flagging & Safety Training									
4.1	Flagging					5	DAYS	\$1,750	\$8,750
4.2	Safety Training					1	EA	\$1,500	\$1,500
4.3	SCRRA Cable Marking					2	EA	\$500	\$1,000
	Sub-Total								\$11,250
	Sub-Total (Items 1-5)								\$127,250.00
	Contingency (20%)								\$35,450.00
	TOTAL ESTIMATED COST								\$152,700.00
Notes:									
1	The anticipated duration of the design phase of the project is 12 months.								
2	The cost of the SCRRA services shown is an estimate only and SBCTA will reimburse SCRRA on the basis of actual costs and expenses.								
3	SBCTA shall reimburse SCRRA the actual costs and expenses incurred by SCRRA and its contractors and consultants for all services and work performed in connection with this project, including an allocated overhead representing SCRRA's costs for administration and management.								
Task 4.2	Roadway Worker Protection trainings based upon 10 trainees per session.								

Minute Action

AGENDA ITEM: 10

Date: July 7, 2021

Subject:

Amendment No. 1 to Cooperative Agreement No. 17-1001742 with Caltrans for contribution of State Highway Operations and Protection Program Minor Funds on the US 395 Phase I Project

Recommendation:

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

Approve Amendment No. 1 to Cooperative Agreement No. 17-1001742 with California Department of Transportation to increase the State Highway Operation and Protection Program Minor Funds contribution from \$214,000 to \$333,000 for the US 395 Phase I Project.

Background:

San Bernardino County Transportation Authority (SBCTA) is the lead agency for the widening of US 395 to a four-lane facility from Palmdale Road (SR-18) to Chamberlaine Way (Project) in the cities of Victorville and Adelanto. California Department of Transportation (Caltrans) performed the design of the Project. During the design phase, Caltrans' Traffic Operations recommended the implementation of a traffic signal at the intersection of the US 395 and Seneca Road. Since the intersection is within the Project limits and will not require additional right-of-way, Caltrans requested the incorporation of the traffic signal into the Project.

SBCTA is the funding agency for the Project and supported implementation of a traffic signal at Seneca Road, provided that Caltrans fund the additional Project cost to incorporate the signal into the Project. As a result, the Seneca Road traffic signal was incorporated in the Project plans and a Cooperative Agreement No. 17-1001742 was executed between SBCTA and Caltrans for Caltrans' funding of the new traffic signal.

Caltrans' contribution required for the Project was anticipated to be \$214,000 and was funded with State Highway Operations and Protection Program (SHOPP) Minor Funds. The agreement requires that after SBCTA and Caltrans agree that all work for the Project is complete, SBCTA will submit a final accounting of all costs. The construction of the Project is completed and the actual costs for the traffic signal at the intersection of Seneca Road exceeds the estimated amount in the agreement.

The actual total cost of the traffic signal work on US 395 at the Seneca Road intersection is \$456,570. The SHOPP Minor Funds contribution limit is \$333,000; therefore, Amendment No. 1 to the existing Cooperative Agreement No. 17-1001742 has been prepared to revise the SHOPP contribution from \$214,000 to \$333,000, which is the capped amount that Caltrans can use from this particular funding source. Caltrans is committed to fund the remaining obligation of \$123,570, with a future funding swap to another SBCTA project and will confer with SBCTA when an option is identified as shown in Attachment A to this item. Caltrans will send a separate cooperative agreement when the identified project has been concurred upon by both agencies. The following table summarizes the contributions:

Entity: San Bernardino County Transportation Authority

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17-1001742	\$214,000
17-1001742-01	\$119,000
TOTAL SHOPP Contribution to US 395	\$333,000
FUTURE FUNDING SWAP (Attachment A)	\$123,570
ACTUAL COST	\$456,570

Staff recommends the approval of Amendment No. 1 to Cooperative Agreement No. 17-1001742 to increase the amount of Caltrans' contribution from the SHOPP Minor Funds from \$214,000 to \$333,000, with the understanding that Caltrans will fulfill the remaining obligation of \$123,570 once the SBCTA project has been identified.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget Task 0891 - US 395 Widen SR-18/Chamberlaine/Cities Victorville and Adelanto.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on June 18, 2021. SBCTA General Counsel has reviewed this item and the draft amendment.

Responsible Staff:

Henry Stultz, Director of Project Delivery

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

08-SBD-395-11.6
 EA: 1H810
 Project Number: 0817000137
 Agreement 08-1648 A/1
 SBCTA Agreement 17-1001742-1

AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT NO. 08-1648

This AMENDMENT NO. 1 (AMENDMENT) to Agreement No. 08-1648 (AGREEMENT), effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

San Bernardino County Transportation Authority, a public corporation/entity, referred to hereinafter as SBCTA.

RECITALS

1. CALTRANS and SBCTA, collectively referred to as PARTIES, entered into AGREEMENT on June 12, 2017, defining the terms and conditions for installing traffic signals on US-395 at Seneca Road in the cities of Adelanto and Victorville within the State Highway System and is referred to as PROJECT.
2. The AGREEMENT established that CALTRANS' contribution required for the PROJECT, anticipated to be in the amount of \$214,000 and would be funded from SHOPP Minor funds.
3. PARTIES now seek to increase the amount of CALTRANS' contribution from the SHOPP Minor funds for the PROJECT.

IT IS THEREFORE MUTUALLY AGREED:

1. CALTRANS will increase its SHOPP Minor funds contribution for the PROJECT from \$214,000 to \$333,000.
2. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
3. This AMENDMENT is deemed to be included and made a part of the AGREEMENT.

08-SBD-395-11.6
EA: 1H810
Project Number: 0817000137
Agreement 08-1648 A/1
SBCTA Agreement 17-1001742-01

CONTACT INFORMATION

The information provided below indicates the primary contact information for each PARTY to this AGREEMENT. PARTIES will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this AGREEMENT.

San Bernardino County Transportation Authority

Project Manager: Heng Chow

Phone Number: 909.884.8276

E-mail: HChow@gosbcta.com

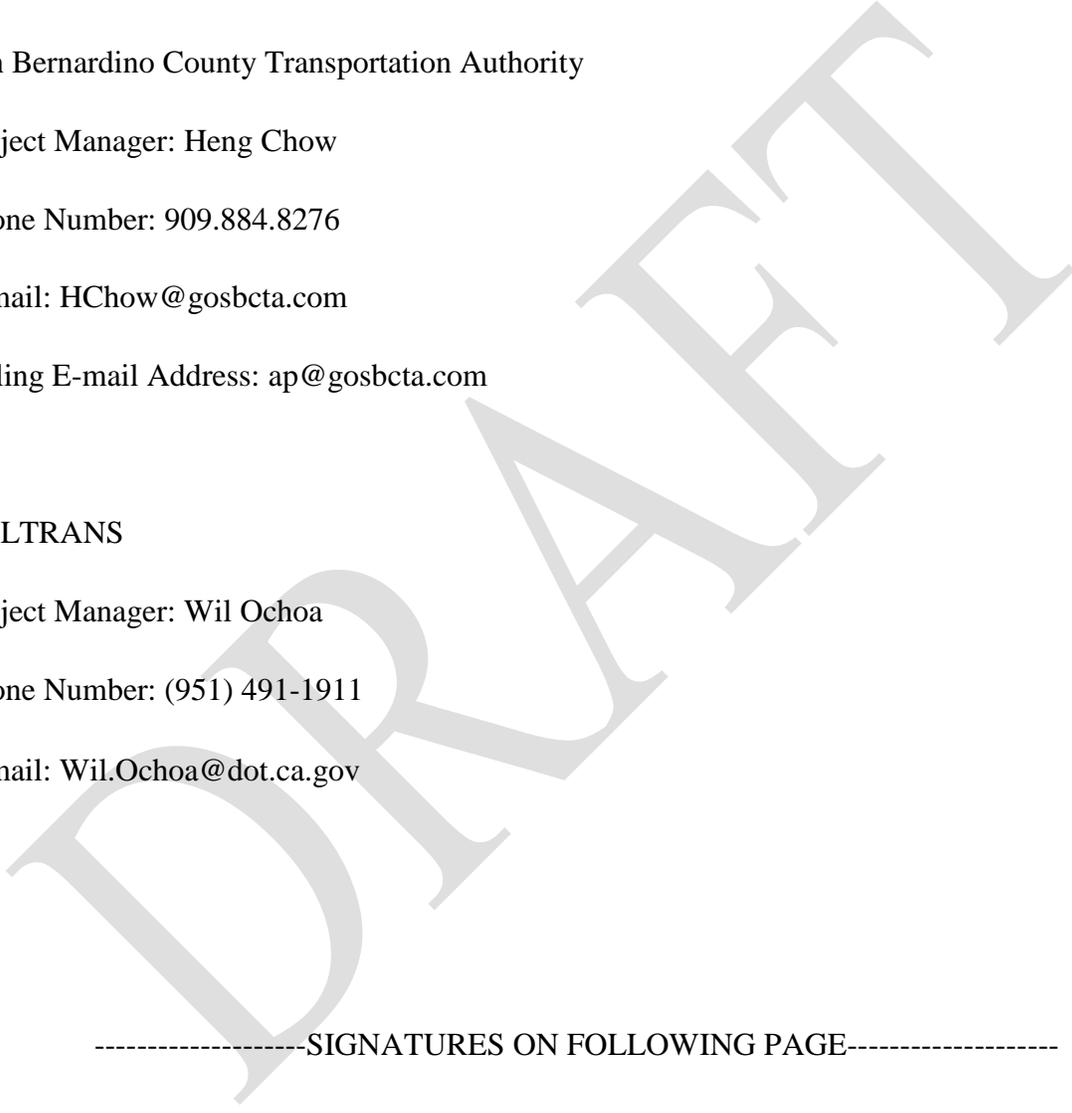
Billing E-mail Address: ap@gosbcta.com

CALTRANS

Project Manager: Wil Ochoa

Phone Number: (951) 491-1911

E-mail: Wil.Ochoa@dot.ca.gov



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

Attachment: 17-1001742-01 (7780 : Amendment No. 1 to Agreement No. 17-1001742 - SHOPP Funds for US 395 Phase I Project)

08-SBD-395-11.6
EA: 1H810
Project Number: 0817000137
Agreement 08-1648 A/1
SBCTA Agreement 17-1001742-01

SIGNATURES

PARTIES are empowered by the law to enter into this AMENDMENT and have delegated to the undersigned the authority to execute this AMENDMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AMENDMENT.

This AMENDMENT may be executed and delivered in counterparts, and by each PARTY in a separate counterpart, each of which when so executed and delivered shall constitute an original and all of which taken together shall constitute one and the same instrument.

The PARTIES acknowledge that executed copies of this AMENDMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Michael D. Beauchamp
District 8 Director

By: _____
Curt Hagman
Board President

VERIFIED OF FUNDS & AUTHORITY:

APPROVED AS TO FORM:

By: _____
Corina Harriman
District 8 Budget Manager

By: _____
Juanda Lowder Daniel
Assistant General Counsel

Attachment: 17-1001742-01 (7780 : Amendment No. 1 to Agreement No. 17-1001742 - SHOPP Funds for US 395 Phase I Project)

ATTACHMENT A

DEPARTMENT OF TRANSPORTATION

PROGRAM PROJECT MANAGEMENT

464 WEST FOURTH STREET, MS 1228

SAN BERNARDINO, CA 92401-1400

MAIN (909) 383-4561

DIRECT (909) 383-6288

FAX (909) 383-4960

TTY 711

<https://dot.ca.gov/caltrans-near-me/district-8>

Making Conservation
a California Way of Life.

April 20, 2021

Paula Beauchamp
Director of Project Delivery and Toll Operations
San Bernardino County Transportation Authority
1170 West 3rd Street
San Bernardino, CA 92410

Dear Mrs. Beauchamp:

As per our conversation, in response to SBCTA's December 30, 2020 email to Jamal Elsaleh, Design Deputy District Director, requesting documentation of the Department's funding commitment for the US-395 Project 0F631.

The Department is in the process of requesting additional funds to increase the capital construction budget and has sent the amendment to the existing cooperative agreement with SBCTA to revise the financial contribution from \$214,000 to \$333,000. To fulfill the remaining obligation of \$123,570; we will confer with SBCTA on a particular project and the Department will send an agreement for that project.

The adjusted contribution amount reflects changes needed to move forward expeditiously with approvals.

If you have any questions or need additional information, please feel free to contact me at (909) 388-7149 or by cell phone at (909) 224-8742 (preferred).

Sincerely,

Diane Morales

Diane Morales
Deputy District Director
District 8 Program Project Management

Attachment: Attachment A - Funding Swap Letter from Caltrans (7780 : Amendment No. 1 to Agreement No. 17-1001742 - SHOPP Funds for US

Minute Action

AGENDA ITEM: 11

Date: July 7, 2021

Subject:

Transportation Development Act Article 3 Extensions: Big Bear Lake & Fontana

Recommendation:

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

Extend deadlines for the following Transportation Development Act Article 3 Awards:

- Big Bear Lake Alpine Pedal Path Rathbun Creek Extension from 10/4/21 to 10/4/22.
- Fontana Alder Middle School Safe Routes to School from 12/31/21 to 12/31/24.

Background:

San Bernardino County Transportation Authority (SBCTA) oversees the disbursement of two percent (2%) of the Local Transportation Funds (LTF) made available to counties and cities for facilities, for the exclusive use of pedestrians and bicyclists, known as the Transportation Development Act (TDA) Article 3 Program. In August 1999, the SBCTA Board of Directors (Board) approved a policy that twenty percent (20%) of the Article 3 program would be made available for projects that improve access to transit stops for pedestrians and persons with disabilities. The remaining eighty percent (80%) would be available for pedestrian and bicycle projects.

Over the years, SBCTA has had to modify the guidelines employed to disburse these funds to the different agencies throughout the county as needs changed and lessons were learned. However, since 2018, the Board approved guidelines have stipulated the following:

“Two one-year extensions may be granted at the discretion of SBCTA for projects that are moving forward but cannot be completed by the award sunset date. Subsequent extensions are at the discretion of the SBCTA Board. Extension requests must include appropriate justification for an extension and provide a revised project schedule with an expected completion date.”

In May 2021, SBCTA staff received two requests from awardees for extensions that go beyond the two one-year allowances staff has authority to approve. According to the attached letters,

- The City of Big Bear Lake needs an extension from October 4, 2021 to October 4, 2022 on their Alpine Pedal Path Rathbun Creek Extension Project. This project was awarded \$175,072 in October 2017 to help fund construction of a 2,200 linear foot paved, multi-use trail that connects with existing trails in the City of Big Bear Lake. The City of Big Bear Lake encountered unforeseen delays as the result of COVID-19, winter weather conditions that limit construction abilities, and a lengthy California Department of Transportation (Caltrans) encroachment permitting process.
- The City of Fontana needs an extension from December 31, 2021 to December 31, 2024 for their Alder Middle School Safe Routes to School (SRTS) Project. This project was awarded \$250,000 in October 2017 to help fund construction of SRTS facilities and include installation of sidewalks, Americans with Disabilities (ADA) ramps, Class III bicycle lane signage, and crosswalk striping. The City of Fontana encountered unforeseen delays due to

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 7, 2021
Page 2

COVID-19 and prolonged right-of-way acquisitions that will likely require eminent domain, and design complications.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 9, 2021.

Responsible Staff:

Ginger Koblasz, Senior Planner

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:



CITY OF
BIG BEAR LAKE *California*

May 18, 2021

Ginger Koblasz
 San Bernardino County Transportation Authority
 1170 W. 3rd Street, 2nd Floor
 San Bernardino, CA 92410

RE: Alpine Pedal Path Rathbun Creek Extension Project

Ms. Koblasz,

As you are aware, the City of Big Bear Lake was awarded a Transportation Development Act (TDA) Article 3 Bicycle and Pedestrian Facilities Program Grant in the amount of \$175,072, per allocation number L18-0702-0733-01. The allocation is assisting the City in the completion of the Alpine Pedal Path Rathbun Creek Extension Project, which is a 2,200 linear foot, paved multi-use trail that will further connect existing trails within the City, expanding the overall trail network.

The City has recently encountered delays in the execution of this project related to Covid-19, as well as permitting and weather. This project requires the approval and permitting of Caltrans due to its presence along SR18 and the encroachment permits for this project were issued in February 2021. In addition, given the seasonal impacts of the weather in Big Bear Lake, construction is generally limited to the period between April until October of each year. At this point, the contractor is mobilized and beginning work to be completed this fall. The current deadline for this project, per the TDA Grant, is October 4, 2021.

Given the delays outlined above, we are requesting a time extension for the completion of the work associated with this referenced TDA grant. The City of Big Bear Lake is formally requesting an extension of time through October 4, 2022. This timeline will allow for the work to be completed in the Fall of 2021 and staff to complete all required administrative functions including all invoice processing, the Notice of Completion, and the submittal of all grant related submittals and reimbursement paperwork in a timely manner, consistent with an updated deadline.

We appreciate your assistance and understanding in this matter. Should you have any questions regarding this time extension request, please contact me at (909) 866-5831 ext. 113.

Sincerely,

Sean Sullivan
 Director of Public Services



City Council

Acquanetta Warren
Mayor

Phillip W. Cothran
Mayor Pro Tem

John B. Roberts
Council Member

Jesus "Jesse" Sandoval
Council Member

Peter A. Garcia
Council Member

May 6, 2021

Cameron Brown
Senior Planner
San Bernardino County Transportation Authority
1170 West Third Street, 2nd Floor
San Bernardino, CA 92410

Subject: Alder Middle School Safe Routes to School Project Time Extension Request

Dear Mr. Brown:

We request that San Bernardino County Transportation Authority (SBCTA) approve a time extension for the Alder Middle School Safe Routes to School Project.

This project is currently undergoing the design phase and right of way acquisitions. The City took serious precautions to keep the residents and city employees healthy and safe due to Covid-19. As a result, we were not able to meet with residents to proceed with acquiring right of way. Due to unforeseen complications and Covid-19, right of way acquisitions have been prolonged and several design issues have risen. Moreover, we are having some complications with two property owners and it looks like we might go into eminent domain. This could take 2 years to complete. We are also having complications with Edison, as they have notified us that it will take about 6months for them to complete their preliminary map. In order to have enough time to acquire all the right of way and fully complete this project, we ask for the approval to extend the time for completion to December 2024. With this time frame, we can hope to proceed with completing the whole project.

The City of Fontana is taking full responsibility for the success of this project and we are working towards meeting the deadlines as promptly as possible. Thank you for all your assistance.

Sincerely,

Estephany Monroy
Assistant Engineer
Department of Engineering

Minute Action

AGENDA ITEM: 12

Date: July 7, 2021

Subject:

Transportation Development Act Unmet Needs Hearing for Fiscal Year 2021/2022

Recommendation:

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

- A. Adopt definitions of “Unmet Transit Needs” and “Reasonable to Meet”, as identified in Attachment A.
- B. Set time, date and location for Transportation Development Act Unmet Transit Needs Public Hearing.

Background:

Each year, San Bernardino County Transportation Authority (SBCTA) is required by Public Utilities Code Sections 99238.5 and 99401.5, to hold public hearings for obtaining testimony regarding unmet transit needs that can be reasonably met, and must adopt findings prior to making an allocation of Local Transportation Funds (LTF) for streets purposes. The information obtained at these hearings will be used in the planning and budget development of the affected transit operators for the subsequent fiscal year, as recommended in the transit operators’ performance audit. Written comments will also be accepted until November 30, 2021.

The California Department of Transportation has suggested that the definitions of “Unmet Transit Needs” and “Reasonable to Meet” be reviewed and adopted on a periodic basis. On May 4, 2016, the SBCTA Board of Directors (Board) approved the definitions contained in Attachment A. These definitions will be used to respond to the testimony received.

One public hearing is being proposed with the location being in Hesperia. The Victor Valley Transit Authority (VVTA) Board of Directors will serve as the hearing board at this location. In accordance with SBCTA Board of Directors action in June 1993 and Morongo Basin Transit Authority Board of Directors action in June 2019, a public hearing will not be held in the Valley and Morongo Basin (Low Desert), as all LTF revenues are committed to transit. The schedule for the proposed hearing is as follows:

Upper Desert Region
 Monday, September 20, 2021, at 9:30am
 Victor Valley Transit Authority
 17150 Smoke Tree Street
 Hesperia CA 92345

Transportation will be provided by VVTA for those wishing to attend the hearing and live within their service area.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Entity: San Bernardino County Transportation Authority

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July 7, 2021
Page 2

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021.

Responsible Staff:

Nancy Strickert, Transit Program Manager

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

As adopted by SBCTA
May 4, 2016

Attachment A

**San Bernardino County
Definitions of “Unmet Transit Needs” and
“Reasonable to Meet”
As recommended by the
Public and Specialized Transportation Advisory and Coordination Council (PASTACC)**

**Adopted May 4, 2016
by the San Bernardino County Transportation Authority**

Unmet Transit Needs: Unmet transit needs are any deficiency in the provision of public transit services, specialized transit service, or private for-profit and non-profit transportation.

Reasonable to Meet: Reasonable to meet is a determination to be made based upon the following guidelines, performance, and financial standards in accordance with federal Title VI Non Discrimination regulations and recognizing the following components:

- A. Community acceptance** – The proposed service has community acceptance and support as determined by the Unmet Transit Needs public hearing record or as a component of adopted programs and plans.
- B. Implementation** - The proposed service shall:
 1. Be in response to an existing rather than future need.
 2. Be implemented consistent with the timing of funding availability.
 3. Be implemented safely and in accordance with local, state, and federal laws and regulations.
 4. Not cause the operator to incur expenditures in excess of the maximum amount of Local Transportation Funds (LTF), State Transportation Assistance (STA) funds, Federal Transit Administration (FTA) funds, fare revenues, and local support.
- C. Cost effectiveness** – The proposed service shall:
 1. Minimize duplication of existing transportation services or resources.
 2. Consider opportunities for coordinating among adjoining public entities or with private transportation providers and/or funding agencies in order

to maximize existing resources (including financial) as well as legal or customary responsibilities of other entities such as social service agencies, religious organizations, and schools.

3. Excluding the first three years, not adversely affect systemwide performance standards including the operator's ability to meet the required farebox recovery.
4. Show continued progress in key performance indicators over the pilot period.

Minute Action

AGENDA ITEM: 13

Date: July 7, 2021

Subject:

Public Transit-Human Services Transportation Coordination Plan for San Bernardino County

Recommendation:

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

- A. Receive information from AMMA Transit Planning regarding the Public Transit-Human Services Transportation Coordination Plan for San Bernardino County.
- B. Approve the Public Transit – Human Services Transportation Coordination Plan for San Bernardino County, 2021-2025.

Background:

The Public Transit-Human Services Transportation Coordination Plan is prepared in response to Federal statute, initially required in 2005, and re-authorized in the January 2016 legislation, PL 114-22 *Fixing America's Surface Transportation* (FAST) Act, relying on guidance previously developed in Federal Transit Administration (FTA) Circular 9070.1G. Termed the Coordinated Plan, it identifies and addresses transportation needs and gaps of seniors, persons with disabilities and persons of low-income. Through mobility goals, strategies and projects, it provides direction to numerous San Bernardino stakeholders including San Bernardino County Transportation Authority (SBCTA), the county's public transit providers, human service agencies, cities and the County of San Bernardino.

Besides a regulatory requirement, the Coordinated Plan is used to support projects that are trying to obtain funding through FTA Section 5310, which can provide capital and operating funds for senior and disabled projects as well as Omnitrans Measure I Regional Mobility Partnership (RMP) Program. Additionally, all applications that are submitted for this funding need to be either for projects identified in the coordinated plan or show how they comply with and meet the outlined strategies. Therefore stakeholder organizations must be creative and pro-active in developing strategic responses to the mobility concerns of San Bernardino County residents described in the Coordinated Plan.

The public outreach for the Coordinated Plan was different than previous plans as the outreach was conducted during the COVID-19 pandemic. This required AMMA Transit Planning, the consultant for this project, and SBCTA staff to find alternate methods to receive input.

During this process, more than 20 interviews were conducted by phone or via Zoom with agencies that serve individuals in the target population groups of older adults, persons with disabilities, persons with low income and other vulnerable and underserved populations. Additionally, an online survey was developed to quantify selected issues raised in stakeholder interviews. The e-survey link was widely promoted through SBCTA's website and social media, stakeholder agencies, including those interviewed and SBCTA's network of over 300 stakeholders, and San Bernardino transit operators.

Entity: San Bernardino County Transportation Authority

Through the outreach process, the following common themes were found among stakeholders:

- Transit users, pedestrians and cyclists are concerned about safety and infrastructure needs.
- There is a persistent challenge of long-distance trips across regions and county lines, particularly to access healthcare, services, and employment.
- There is limited awareness of transit availability and transit tools and information at individual and systems levels.
- Public transit is a vital service for target populations. It is critical that public transit continue to be funded and enhanced.
- Specialized transit serves unique and specialized trips that public transit cannot and should not serve. Specialized transit should continue to be enhanced and funded, with the focus being on building capacity and strengthening coordination.
- San Bernardino County includes hard-to-serve areas and pockets of needs.
- Programs subsidizing travel for low-income individuals, such as mileage reimbursement, subsidy programs and transit passes, are beneficial and should continue to be funded and enhanced.

From those themes, the following mobility goals were identified:

- **Goal 1 – Support Public Transportation Recovery and Growth, Ensuring Accessibility for those with the Greatest Need**

Public transportation is critical for mobility within and between communities for those Coordinated Plan target group members who cannot or choose not to drive. Supporting this lynchpin in mobility requires attention to all modes — rail, fixed-route bus, demand response services and publicly supported vanpools.

The experience of the COVID-19 pandemic made it clear that essential workers and those making essential trips relied heavily upon public transportation as their primary means of travel. Recovery and growth must build upon stakeholder and general public members' reports of the public transit improvements they value.

- **Goal 2 – Build Capacity of Specialized and Alternative Transportation Programs**

Specialized and alternative transportation programs in San Bernardino County include those operated by human services programs and alternative modes of carpooling, carshare, bicycling and walking. These must be strengthened in a post-pandemic environment as complements to bus and rail services. Often these programs can meet certain trip needs and serve areas that mass transportation cannot. Importantly, they can provide a critical first-mile/last-mile connection.

- **Goal 3 – Promote Communication to Educate Riders and Potential Riders, Gatekeepers and the General Public about Transportation Choices**

Rebuilding public transportation ridership and growing awareness of specialized and alternative transportation programs requires a breadth of communication strategies and an active information network through whom to inform and educate the general public and the Coordinated Plan's target populations. Information, particularly through technology tools, supports existing riders and encourages potential, new riders to use public transportation.

- **Goal 4 – Develop Infrastructure Projects to Improve Safety and Access, Supporting First-Mile/Last-Mile Connections**

Improvements to the built environment will support access to public transportation, particularly for those with the greatest need, by improving safety in walking, bicycling and riding in local neighborhoods and on regional trip-making. These improvements support safe first-mile/last-mile connections, identified as an area of particular concern through the outreach process.

These goals (and Coordinated Plan) will allow FTA, through the California Department of Transportation (Caltrans) and SBCTA, to make grant awards to projects selected for funding. It will also allow Specialized Transit Program participants to implement their projects with grant funding support. Individuals with disabilities, seniors, people with low incomes, and military veterans (“Target Populations”) will be able to benefit from enhanced mobility. Public Transit and human services agencies will be able to better coordinate transportation services. Finally, it will allow stakeholders to pursue other Federal, State and local funding sources to address the mobility needs of the Target Populations with documentation of mobility needs in San Bernardino County. The final plan is being distributed as support material to this item.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021.

Responsible Staff:

Nancy Strickert, Transit Program Manager

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

Public Transit–Human Services Transportation Coordination Plan for San Bernardino County, 2021-2025



SBCTA Transit Committee Meeting
June 10, 2021



Attachment: Coordinate Plan PPT PDF (7786 : San Bernardino County Coordinated Plan)

Coordinated Plan Highlights

- Coordinated Plan Purposes and Approach
- Outreach Key Findings
- Enhancing Mobility Recommendations
- Implementation



Public Transit–Human Services Transportation Coordination Plan
for San Bernardino County

About this Coordinated Plan

- Required by federal regulation; updated every 4 years
- Identifies transportation gaps and needs for target populations
 - Older adults; persons with disabilities; persons of low income
 - Veterans; persons experiencing homelessness; Tribal members
- Develops strategies to improve mobility
- Unfunded plan; guides funding requests & awards
 - FTA Section 5310 program
 - Omnitrans Measure I Regional Mobility Partnership Program
 - Additional discretionary grant programs
- Encourages coordination and partnerships

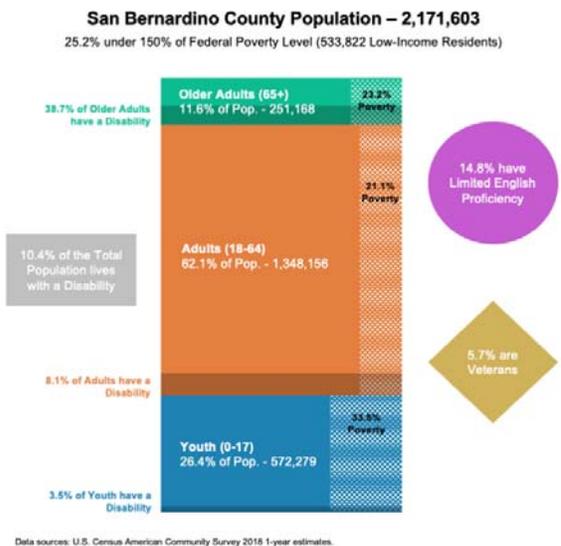


Public Transit–Human Services Transportation Coordination Plan for San Bernardino County

Attachment: Coordinate Plan PPT PDF (7786 : San Bernardino County Coordinated Plan)

Who Does This Plan Concern?

- 11.6% are older adults
- 10.4% have a disability
- 25.2% living in poverty
- 26.4% are under 17
 - 33.5% of youth living in poverty



Outreach Process

Phase I: Summer 2020

Phase II: Fall/Winter 2020

Phase III: March 8-12, 2021

Agency Interviews

- Stakeholder Interviews by phone/Zoom
 - 25 agencies/ organizations across County
 - 2 presentations to the Inland Empire Disabilities Collaborative
 - 1 PASTACC presentation
 - 1 Homeless Partnership presentation



E-Survey

- 286 Responses
 - 60 respondents from 37 agencies
 - 226 General Public
 - 1 Spanish language



Virtual Open House

- Key Findings
- Prioritization Survey
- Live Transportation Strategies Workshop
 - Feedback on strategies

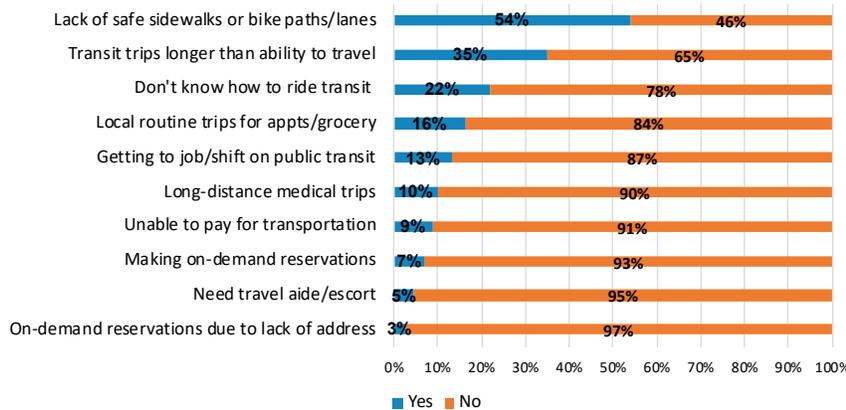


Public Transit–Human Services Transportation Coordination Plan for San Bernardino County

Attachment: Coordinate Plan PPT PDF (7786 : San Bernardino County Coordinated Plan)

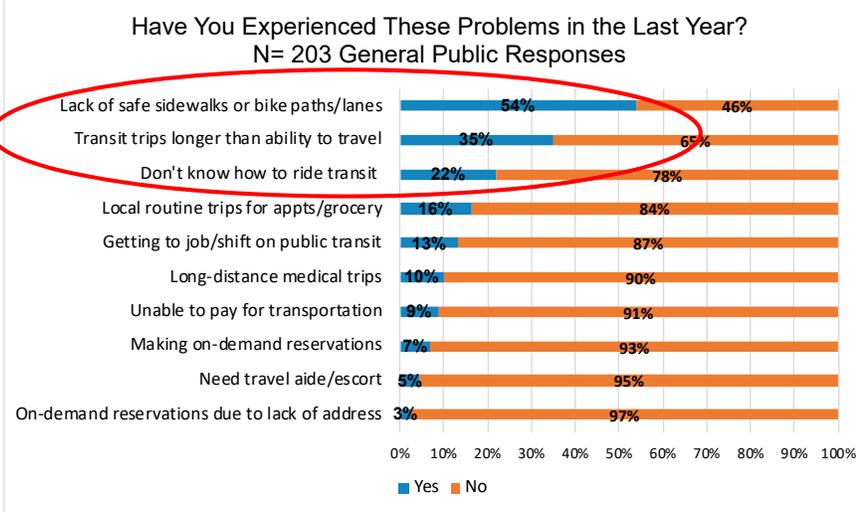
E-Survey Findings on Needs

Have You Experienced These Problems in the Last Year?
N= 203 General Public Responses



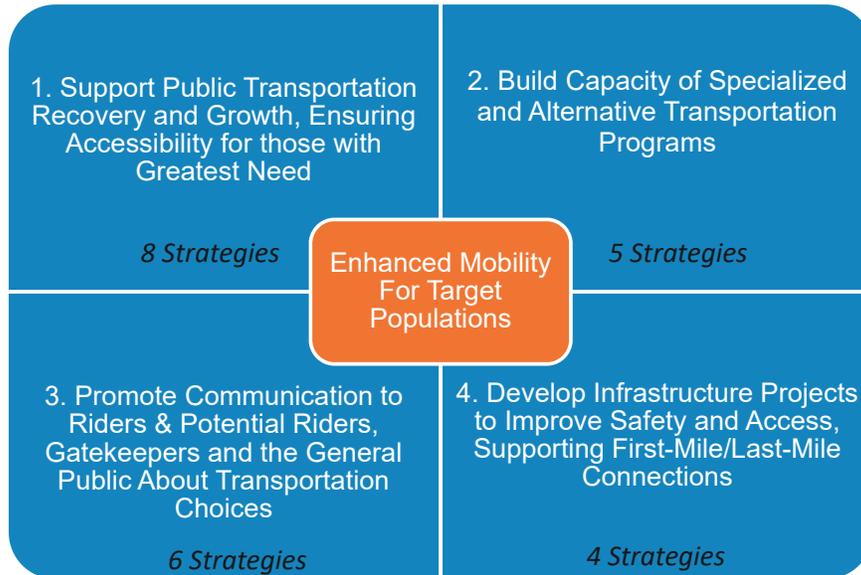
Public Transit–Human Services Transportation Coordination Plan for San Bernardino County

E-Survey Findings on Needs



Public Transit–Human Services Transportation Coordination Plan
for San Bernardino County

4 Goals 23 Strategies



Public Transit–Human Services Transportation Coordination Plan
for San Bernardino County

Attachment: Coordinate Plan PPT PDF (7786 : San Bernardino County Coordinated Plan)

Implementation: SBCTA's Leadership Role

- Engage:
 - Interested, willing & able partners
- Support:
 - FTA 5310 grant applications
- Promote:
 - Other grant & funding opportunities



Public Transit–Human Services Transportation Coordination Plan
for San Bernardino County

Attachment: Coordinate Plan PPT PDF (7786 : San Bernardino County Coordinated Plan)

Thank you!



Public Transit–Human Services
Transportation Coordination Plan
for San Bernardino County, 2021-2025



Minute Action

AGENDA ITEM: 14

Date: July 7, 2021

Subject:

Fiscal Year 2021/2022 Transit Operator Allocations

Recommendation:

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

- A. Approve Fiscal Year 2021/2022 Transit Operator Funding Allocations to the City of Needles, Morongo Basin Transit Authority, Mountain Area Regional Transit Authority, Omnitrans and Victor Valley Transit Authority; and
- B. Approve revisions to the transit agencies' Short Range Transit Plans revenue assumptions to reflect the final allocation amounts.
- C. Authorize the Executive Director, or his designee, to release Local Transportation Fund reserves to transit operators immediately, as needed, to help with cash flow until Coronavirus Response and Relief Supplemental Appropriations Act and American Rescue Plan Act funding becomes available to the operators. Local Transportation Fund reserves disbursed under this authority will be replenished in Fiscal Year 2022/2023 as a reduction to the amount requested.

Background:

San Bernardino County Transportation Authority (SBCTA) staff has worked with each of the transit operators to determine their funding needs for Fiscal Year (FY) 2021/2022. Attachment 1 outlines the proposed FY 2021/2022 transit funding allocations for the individual transit operators. Attachment 2 contains the recommended revisions to the operator Short Range Transit Plans (SRTP) revenue assumptions to reflect consistency with the proposed FY 2021/2022 allocations. Allocations to SBCTA and Southern California Regional Rail Authority (SCRRA) are addressed in separate SBCTA Board of Directors (Board) actions.

In response to COVID-19, the federal government passed several relief packages to ensure public transportation systems could continue to provide service to people who depend on them. Stimulus funds under the allocation discretion of SBCTA have been allocated by the Board under separate actions. Although the COVID-19 pandemic appears to be drawing to a close, transit ridership throughout San Bernardino County has yet to fully recover to pre-pandemic levels and the loss of passenger fare revenue has been significant. These stimulus funds are an important resource to meet SBCTA's share of the transit operators' annual subsidies. SBCTA staff has been working with the transit operators to ensure stimulus funds cover fare revenue losses, and fill transit operating needs as transit services are restored. Attachment 1 outlines the proposed FY 2021/2022 transit funding allocations for the individual transit operators. It should be noted that this allocation already assumes Omnitrans is using a significant amount of stimulus funds in lieu of traditional local fund sources. Similarly, SCRRA is also using stimulus funds; however, SCRRA's allocations are addressed in a separate Board action. Attachment 2 contains the recommended revisions to the operator SRTP revenue assumptions to reflect consistency with the proposed FY 2021/2022 allocations. Please note that Omnitrans and Mountain Transit (MT) did not complete their new SRTP prior to these proposed allocations. The approval of these allocations will amend their SRTP to reflect this funding. Additionally, these allocations will be included in their SRTP to reflect this approval.

Entity: San Bernardino County Transportation Authority

Fund Source Detail

On an annual basis, SBCTA allocates a variety of funds to the transit operators in San Bernardino County. SBCTA's role in each of the fund sources varies, as well as the parameters by which the operators can use the funds. Below is a summary of each fund source and detailed information on how the allocation amount is determined, SBCTA's role, and how the funds can be used.

Local Transportation Fund (LTF) - LTF is derived from a quarter cent of the general sales tax collected statewide, enacted as part of the Transportation Development Act (TDA) of 1971. LTF is the most flexible funding source available for transit as it can be used for capital and operations with minimal restrictions and does not require matching funds. The main qualifying requirement is that an operator must maintain a minimum ratio of fare revenue to operating cost of at least 20% in urban areas and 10% in rural areas, unless an alternate ratio has been adopted.

In March of each year, staff presented the Board with the recommended LTF apportionment for the following year. The COVID-19 pandemic was predicted to hit LTF revenue hard, but the Wayfair Decision had positive impacts, and LTF revenues have continued to increase year-over-year. Long-term effects are still unknown, and it is expected the increase due to the Wayfair Decision will start to level off. The annual apportionment includes the estimated amount available and recommended set-asides for reserve and priority uses per the TDA. Set-asides for priority uses prior to apportioning based on population include: one (1) percent for TDA administrative costs, three (3) percent for SBCTA planning efforts, three quarter (3/4) percent for Southern California Association of Governments (SCAG) planning efforts, and two (2) percent for pedestrian and bike facilities. In accordance with TDA, the remainder of LTF can be set aside for passenger rail service operations, capital improvements and community transit services, prior to area apportionment. However, SBCTA does not elect to use that set-aside and instead allocates to rail and community transit services after apportioning the remaining balance geographically based on population.

In the Valley Subarea, LTF is entirely used for transit purposes with the focus on maintaining a steady flow of operation funding available in the future. In the Mountain/Desert Region, LTF is allocated to the individual transit operators based on population of their service areas. The amount identified in Attachment 1 is the total LTF available to the Mountain/Desert operators. It is estimated that after using the available LTF for transit purposes, Victor Valley Transit Authority (VVTA) will have a surplus of LTF available that can, in accordance with the TDA unmet needs process, be returned to the local jurisdictions in their service area for road maintenance purposes. Effective in FY 2020/2021, Morongo Basin Transit Authority (MBTA) took action to designate all LTF for transit purposes and no longer return LTF to their member jurisdictions for streets and roads purposes. Staff has been working with operators to plan for long-term impacts on this critical source of funds for transit operations, especially considering the reduced revenue estimates from COVID-19 impacts.

State Transit Assistance (STA) – STA funding is derived from the statewide sales tax on diesel fuel, enacted as part of the TDA. Each January, the State Controller's Office (SCO) provides a STA revenue estimate for the following year. The total STA estimate from the SCO in February 2021 for San Bernardino County for FY 2021/2022, was \$18.3 million. That included

funding from Senate Bill (SB) 1, which stabilized STA after years of decreasing and uncertain STA revenues. However, according to the California Governor's May 2021 revise, STA is projected to be down significantly due to the effects of decreased vehicle miles traveled and diesel prices, with additional details pending as of this writing.

STA funds are allocated to SBCTA in accordance with California Public Utility Code (PUC) as follows: 1) fifty (50) percent under PUC Section 99313, STA-Population Share, based on the ratio of the population of the area under its jurisdiction to the total population of the state; and 2) fifty (50) percent under PUC Section 99314, STA-Operator Share, which is allocated to individual operators based on the ratio of the prior year transit operator passenger fare and local support revenues, including revenues from member agencies, to the total revenues of all operators in the state and member agencies. The amount of STA-Operator Share funds available to each transit operator on an annual basis is determined by the SCO, and SBCTA functions as a pass-through agency for this portion of STA for all operators except SCRRA. SCRRA is allocated STA-Operator Share funds as needed to meet their annual subsidy requirements, and if one hundred (100) percent of the funds are not needed in a given year, the funds are reserved solely for future use by SCRRA.

The STA-Population Share revenue is apportioned to the Valley and Mountain/Desert regions based on population. STA-Population Share is then allocated to the operators on an as-needed basis, as approved by the Board. The STA-Population Share has historically been limited to funding capital projects unless the operator can demonstrate compliance with a specific efficiency calculation. However, recent changes to California State law concerning the use of these funds for operations have provided additional flexibility to use STA for operating.

State of Good Repair (SGR) – SB1 also added a new SGR Program to STA that is apportioned to SBCTA and the operators in the same manner as STA. SGR funds are derived from a portion of the Transportation Improvement Fee on vehicle registrations. Since the amount is determined from the total collections, prior to other allocations, SGR funding is anticipated to be less volatile to economic conditions. SGR provides funding to transit operators in California for eligible maintenance, rehabilitation, and capital projects with the specific goal of keeping transit systems in a state of good repair. SGR-Operator Share funds are apportioned and allocated in the same manner as STA-Operator Share funds. SGR-Population Share funds apportioned to the Valley are allocated on a case-by-case basis as approved by the Board, and in the Mountain/Desert, allocations to operators are made by population with SBCTA functioning as a pass-through agency, similar to the Operator shares of both STA and SGR. SGR funds do not require matching funds. These amounts are consistent with the SGR allocations in a concurrent item on this agenda.

Low Carbon Transit Operations Program (LCTOP) – LCTOP is a source of State funding and one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by California Legislature in 2014 by SB 862. The LCTOP was created to provide transit operating and capital assistance to eligible project sponsors in an effort to reduce greenhouse gas emissions and improve mobility, with priority on serving disadvantaged communities. This program is funded by auction proceeds from the California Air Resources Board (CARB) Cap-and-Trade Program, where proceeds are deposited into the Greenhouse Gas Reduction Fund (GGRF). Although five (5) percent of future annual

GGRF proceeds will continue to be appropriated to the LCTOP, staff is cautious to become reliant upon this source of funding as the overall availability is market driven. LCTOP apportionments occur after the auctions are completed and the amounts are known, therefore the amounts in Attachment 1 are based on auctions that have already occurred.

Example projects include new or expanded bus or rail service, expanded intermodal transit facilities, free or reduced-fare transit passes/vouchers, and may include equipment acquisition, fueling, maintenance and other costs to operate those services or facilities, with each project required to reduce greenhouse gas emissions. For agencies whose service area includes disadvantaged communities, at least fifty (50) percent of the total monies received shall be expended on projects that will benefit disadvantaged communities.

As with STA funds, LCTOP funding is allocated pursuant to PUC Sections 99313 and 99314. SBCTA receives LCTOP funds by formula, based on the ratio of the population of the area under its jurisdiction, to the total population of the state. A transit operator that is eligible to receive STA funds per PUC Section 99314 is eligible to receive LCTOP funds by formula based on the ratio of the revenue of the transit operator's jurisdiction to the total revenue of all operators in the state. The transit operators receiving LCTOP funds per PUC Section 99314 work directly with the California Department of Transportation (Caltrans) to receive their LCTOP funds. In San Bernardino County, this includes City of Needles, MBTA, MT, VVTA, Omnitrans, and SCRRA.

Annually, staff recommends that LCTOP funds received under the population formula be further apportioned to the Valley and Mountain/Desert based on population, the same as STA funds that SBCTA receives per PUC Section 99313. After apportionment, LCTOP funds apportioned to the Valley are allocated on a case-by-case basis, as approved by the Board, and in the Mountain/Desert, allocations are made by population. LCTOP funds do not require matching funds.

Annually, the City of Needles requests that SBCTA swap their LCTOP allocations for STA funds to reduce the administrative burden of the LCTOP funds. A swap of \$5,817 was approved by the Board in April 2021.

Measure I Senior and Disabled Transit Program (MSI S&D) – In the Valley Subarea, eight (8) percent of the total Measure I collected is dedicated for MSI S&D, of which two (2) percent is specifically dedicated to Consolidated Transportation Services Agency (CTSA) operations. Initially, in the Victor Valley Subarea, five (5) percent of the total Measure I collected was dedicated to MSI S&D, with one half (1/2) percent increases every five years after the initial collection of Measure I 2010-2040 revenues, to a maximum of seven and a half (7-1/2) percent. Currently, six (6) percent of the Victor Valley Subarea Measure I collected is allocated to VVTA to support S&D transit, with all increases above five (5) percent coming from the MSI Local Streets Program. In the Rural Mountain/Desert Subareas, five (5) percent of the total Measure I collected continues to be dedicated to MSI S&D based on Board approval in February 2019 as an increase was not required to address unmet transit needs of senior and disabled transit services.

One hundred (100) percent of the estimated annual MSI S&D funds available are allocated to the transit operator serving the MSI Subarea. In the Valley Subarea, Omnitrans is the only operator

eligible to use these funds. The MSI S&D funds are administered as a pass-through; therefore, the operators receive only the amounts actually received by SBCTA.

Federal Transit Administration (FTA) Section 5307 Urban Area Formula Funds – Section 5307 funds are Federal urban formula funds apportioned by SCAG to SBCTA for the Riverside/San Bernardino Urbanized Area (UZA) and the Los Angeles/Long Beach/Anaheim UZA. These Valley UZAs receive apportionments for Section 5307 per an apportionment formula codified in Title 49 of the United States Code, which includes a formulaic split for buses and fixed guideway. The Victorville/Hesperia UZA funds are apportioned directly to VVTA. VVTA is the only operator in an urbanized area in San Bernardino County outside the Valley area. Eligible activities include public transportation capital, planning, job access and reverse commute projects, as well as operating expenses under certain circumstances that do not exist in the San Bernardino Valley. This program requires a twenty (20) percent local match. SBCTA is responsible for allocating the funds available to the Riverside/San Bernardino UZA and Los Angeles/Long Beach/Anaheim UZA. Per the Omnitrans' SRTP, Omnitrans' regular allocation of Section 5307 funds from SBCTA has been approximately \$16.9 million per year. Although allocations to Omnitrans have remained relatively flat, Omnitrans allocations to date have included funds that were apportioned to SBCTA by the FTA under the fixed guideway formula split; this over-allocation is being reconciled and is anticipated to be completed in FY 2021/2022.

FTA Section 5339 Urban Area Formula Funds for Bus and Bus Facilities – Section 5339 funds are Federal urban formula funds apportioned by SCAG to SBCTA for the Riverside/San Bernardino UZA and the Los Angeles/Long Beach/Anaheim UZA. The Victorville/Hesperia UZA funds are apportioned directly to VVTA. The formula is based on population, vehicle revenue miles, and passenger miles. This capital program provides funding to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities. This program requires a twenty (20) percent local match.

FTA Section 5311 Rural Area Formula Funds (Regional Apportionment) – Section 5311 funds are rural formula funds apportioned by Caltrans to the San Bernardino County region based on population. Eligible activities include public transportation planning, capital, operating, job access and reverse commute projects, and the acquisition of public transportation services. This program requires a twenty (20) percent local match for capital projects and a fifty (50) percent match for operating assistance. SBCTA further apportions the funds to the four rural operators based on population. SBCTA is responsible for ensuring proposed projects are selected and eligible, and for preparation of the Program of Projects (POP) that is submitted to Caltrans.

FTA Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities Program – Section 5310 funds are federal formula funds apportioned by SCAG to SBCTA for the Riverside/San Bernardino UZA, the Los Angeles/Long Beach/Anaheim UZA, and the Victorville/Hesperia UZA to support transportation services planned, designed and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas. Eligible activities would improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options, including both traditional capital investment and nontraditional investment beyond the

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Americans with Disabilities Act (ADA) complementary paratransit services. Although SCAG apportions this funding to SBCTA, the Riverside/San Bernardino and Victorville/Hesperia UZAs are administered through Caltrans on SBCTA's behalf. The Los Angeles/Long Beach/Anaheim UZA funds are allocated by SBCTA to Omnitrans as part of the Annual Operators allocation. Omnitrans, in return, will add MSI Consolidated Transportation Services Agency (CTSA) funds to its MSI CTSA call-for-projects in an amount equivalent to the Section 5310 funding received. This action was done to help ease the burden of FTA oversight by Omnitrans as non-profits had difficulty meeting some of the FTA requirements. This was approved by the Board in November 2020.

In December 2020, the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) was approved. That relief package included a small amount of funding for Section 5310 Senior and Disabled for operating. Additionally in March 2021, the American Rescue Plan (ARP) Act was approved and included additional 5310 allocation. The total for both allocations is \$143,367 (CRRSAA \$71,698 and ARP \$71,669).

Congestion Mitigation and Air Quality Funds (CMAQ) – CMAQ funds are Federal formula funds apportioned by Caltrans based on population and emissions weight factors to specific air basins such as the South Coast Air Basin and Mojave Desert Air Basin. SBCTA receives annual apportionments of CMAQ funds and is the agency responsible for selecting projects. Activities typically eligible for CMAQ funding include: high occupancy vehicle and express lanes, transit improvements, travel demand management strategies, traffic flow improvements such as signal synchronization, and public fleet conversions to cleaner fuels. SBCTA is responsible for submitting a CMAQ annual report to the Federal Highway Administration (FHWA) and Caltrans. The annual report documents the results of emission reduction assessments for projects in San Bernardino County using CMAQ funding for each Federal FY. Each CMAQ project must be analyzed using calculation methodologies recommended and approved by Caltrans and the California Air Resources Board.

The Board has identified funding gaps for transit as a high priority for allocation of CMAQ funds. Additionally, the Board approved Policy 40023 in February 2015 to ensure a proportional share of State and Federal funds are available for each Subarea in accordance with the Measure I 2010-2040 Expenditure Plan. Typically, the Board adopts a 10-year allocation plan for CMAQ funds for transit operators during this allocation process, which is then incorporated in the biennial analysis of the 10-Year Delivery Plan. However, since it is anticipated that additional CMAQ funds will be allocated to meet the zero-emission bus mandate, and some operators are still refining estimates for those needs, a 10-year CMAQ allocation plan will be included in conjunction with the approval of the 2021 Update to the 10-Year Delivery Plan later this calendar year.

An additional fund source available to the transit operators, not included above or identified in Attachment 1, is LTF Article 3 funds. Article 3 funds are made available to transit operators for projects that improve access to transit stops for pedestrians and persons with disabilities and to eligible entities for bicycle and pedestrian facilities. These funds are allocated through a call-for-projects process under separate Board action.

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LTF, STA and SGR funds available for allocation to the individual transit operators are included in the SBCTA FY 2021/2022 Budget. Annual MSI S&D funds are also included in the budget; however, this item includes an additional allocation to Omnitrans for the I Street Access Facility. Depending on the timing of those improvements, a future budget amendment may be necessary. The various other FTA, CMAQ and LCTOP funds are received directly by the transit operators and, therefore, are not included in the SBCTA FY 2021/2022 Budget.

Lastly, because the CRRSAA and ARP were swiftly signed into action, the FTA and Caltrans (who administers CRRSAA for the smaller operators) may be overwhelmed with grant requests, and it is unknown how fast the CRSSA and ARP funds will actually be disbursed to meet the needs of the operators. Consequently, approval of Recommendation C will allow SBCTA to be flexible with reserve LTF funding to meet cash flow needs of the operators to maintain essential transit services through the end of the fiscal year. LTF reserves disbursed under this authority will be replenished in FY 2022/2023 as a reduction to the amount requested.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021.

Responsible Staff:

Nancy Strickert, Transit Program Manager

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

ATTACHMENT 1

Fiscal Year 2021/2022 Operator Allocations

SBCTA Allocations	MBTA	Mtn. Transit	Needles	Omnitrans	VVTA	Total
LTF	\$3,834,010	\$2,832,613	\$261,902	\$0	\$23,246,347	\$30,174,872
LTF Carryover	\$0	\$0	\$0	\$14,586,287	\$0	\$14,586,287
STA - Population	\$207,547	\$3,090,000	\$5,817	\$0	\$0	\$3,303,364
Measure I - S&D	\$140,500	\$127,050	\$22,400	\$9,474,000	\$1,456,700	\$11,220,650
Measure I - CTSA	\$0	\$0	\$0	\$3,158,000	\$0	\$3,158,000
Measure I - S & D - I Street Access Facility	\$0	\$0	\$0	\$7,000,000	\$0	\$7,000,000
CMAQ	\$175,575	\$681,832	\$0	\$0	\$3,690,000	\$4,547,407
FTA 5307 (non-stimulus)	\$0	\$0	\$0	\$4,314,247	\$8,337,734	\$12,651,981
FTA 5339 (non-stimulus)	\$0	\$0	\$0	\$2,034,284	\$990,123	\$3,024,407
FTA 5311 (non-stimulus)	\$437,331	\$309,166	\$43,526	\$0	\$737,302	\$1,527,325
Prior Year Surplus Funds	\$0	\$0	\$0	\$0	\$0	\$0
Allocations/Estimates from other SBCTA Board actions or by other entities						
STA - Operator	\$49,557	\$27,229	\$2,806	\$1,652,838	\$218,432	\$1,950,862
STA - Operator FY2020 Negative Balance ¹	\$0	\$0	-\$237	\$0	-\$33,852	-\$34,089
SGR - Population	\$116,517	\$78,099	\$7,959	\$2,683,866	\$706,462	\$3,592,903
SGR - Operator	\$10,599	\$5,824	\$600	\$353,504	\$46,718	\$417,245
LCTOP - Population	\$79,037	\$52,977	Swapped for STA-Pop	\$580,000	\$479,214	\$1,191,228
LCTOP - Population Carryover- Route 87 ²	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
LCTOP - Operator	\$7,384	\$4,057	Swapped for STA-Pop	\$246,285	\$32,548	\$290,274
FTA 5310 (non-stimulus)	\$0	\$0	\$0	\$831,331	\$0	\$831,331
FTA 5310 COVID-19 Stimulus (CRRSAA + ARPA) ³	\$0	\$0	\$0	\$143,367	\$0	\$143,367
FTA 5311 COVID-19 Rural Stimulus (CARES + CRRSAA) ³	\$2,970,766	\$2,897,513	\$326,767	\$0	\$2,340,469	\$8,535,515
FTA 5307 COVID-19 Stimulus (CARES Carryover/ARPA) ³	\$0	\$0	\$0	\$41,279,402	\$4,572,434	\$45,851,836
Grand Total	\$8,028,823	\$10,106,360	\$671,540	\$89,337,411	\$46,820,631	\$154,964,765

¹ Due to VVTA and Needles STA-Operator shares being negative at the end of FY 2019/2020 because SCO estimate was higher than actual receipts.

² LCTOP Allocated in FY 2020/2021 carried over for Route 87 operations.

³ Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARPA) funds allocated by SBCTA Board under separate actions in April and June 2021. FTA 5311 ARPA apportionment not yet available from Caltrans.

Attachment: Attachment 1 Operator Allocation Table (7783 : Fiscal Year 2021/2022 Transit Operator

Summary of Changes to SRTP Revenue Assumptions for FY 2021/2022¹

Operator	FY 2021/2022 Total Revenues	LTF/ LTF Carryover	STA	SGR	LCTOP	Measure I	CMAQ	FTA Non-Stimulus (5307/5310/5311/ 5337/5339) ²	FTA COVID-19 Stimulus (CARES/CRRSAA/ ARPA) ⁹
MBTA Plan ³	\$ 4,704,990	3,215,552	133,959	106,946	151,262	127,406	563,292	406,573	
Amendment	\$ 8,028,823	3,834,010	257,104	127,116	86,421	140,500	175,575	437,331	2,970,766
Difference	\$ 3,323,833	618,458	123,145	20,170	(64,841)	13,094	(387,717)	30,758	2,970,766
Mountain Transit Plan	\$ 4,099,073	2,770,860	113,613	-	250,000	122,826	560,000	281,774	
Amendment⁴	\$ 10,106,360	2,832,613	3,117,229	83,923	57,034	127,050	681,832	309,166	2,897,513
Difference	\$ 6,007,287	61,753	3,003,616	83,923	(192,966)	4,224	121,832	27,392	2,897,513
Needles Plan ⁵	\$ 616,218	222,407	329,838	-	10,464	12,882		40,627	
Amendment⁶	\$ 671,540	261,902	8,386	8,559	-	22,400		43,526	326,767
Difference	\$ 55,322	39,495	(321,452)	8,559	(10,464)	9,518	-	2,899	326,767
Omnitrans Plan ⁷	\$ -								
Amendment⁸	\$ 89,337,411	14,586,287	1,652,838	3,037,370	1,826,285	19,632,000	-	7,179,862	41,422,769
Difference	\$ 89,337,411	14,586,287	1,652,838	3,037,370	1,826,285	19,632,000	-	7,179,862	41,422,769
VVTA Plan	\$ 33,419,151	18,272,263	247,960	664,186	716,313	1,261,201	3,523,000	8,734,228	
Amendment	\$ 46,820,631	23,246,347	184,580	753,180	511,762	1,456,700	3,690,000	10,065,159	6,912,903
Difference	\$ 13,401,480	4,974,084	(63,380)	88,994	(204,551)	195,499	167,000	1,330,931	6,912,903
Total Original Plan	\$ 42,839,432	24,481,082	825,370	771,132	1,128,039	1,524,315	4,646,292	9,463,202	-
Total Amendment	\$ 154,964,765	44,761,159	5,220,137	4,010,148	2,481,502	21,378,650	4,547,407	18,035,044	54,530,718
TOTAL INCREASE/(DECREASE)	\$ 112,125,333	20,280,077	4,394,767	3,239,016	1,353,463	19,854,335	(98,885)	8,571,842	54,530,718

¹ Does not include all SRTP revenues (i.e., passenger fares, advertising, directly received federal & other revenues)
² FTA FY 2021/2022 apportionments are not available now; amounts are estimates primarily based on FY 2020/2021 apportionments.
³ MBTA revised their vehicle needs and CMAQ decreased.
⁴ Mtn Transit STA allocation includes \$3.09 million for new facilities.
⁵ Needles swapping LCTOP for STA.
⁶ In FY21/22 Needles does not need vehicles and has STA dollars from previous allocations to make bus stop changes
⁷ Omnitrans MSI allocation includes \$7 million for I Street Access Facility.
⁸ Omnitrans SRTP 2021 - 2026 has not been completed. This Amendment adds this current year into their most recent SRTP 2015- 2021.
⁹ CRRSAA & ARPA 5310 Stimulus funds were allocated to the LA/LB UZA, but the RIV/SB & Victor Valley UZAs were allocated to Caltrans.

Attachment: Attachment 2 SRTP Table (7783 : Fiscal Year 2021/2022 Transit Operator Allocations)

Minute Action

AGENDA ITEM: 15

Date: July 7, 2021

Subject:

Fiscal Year 2021/2022 State of Good Repair Program Allocations

Recommendation:

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

A. Allocate \$4,286,414 of State of Good Repair Program – Population Share and Operator Share funding to the following projects:

- i. Engine Overhauls – Morongo Basin Transportation Authority (MBTA) - \$35,000
- ii. Shop Vehicle Replacement (MBTA) - \$39,000
- iii. Shop Equipment (MBTA) - \$15,000
- iv. Facility Facelift Repair (MBTA) – \$38,116
- v. Facilities Improvements (Mountain Transit) - \$83,923
- vi. Preventative Maintenance (City of Needles) - \$8,559
- vii. West Valley Facility Updates (Omnitrans) - \$3,037,370
- viii. Transit Center – Hesperia - Victor Valley Transportation Authority (VVTA) - \$80,530
- ix. Service Vehicles (VVTA) - \$20,000
- x. Regional Bus Replacement (VVTA) - \$490,650
- xi. Paratransit Replacement Vehicles (VVTA) - \$162,000
- xii. Metrolink Capital Maintenance - Southern California Regional Rail Authority (SCRRA) - \$276,266

B. Adopt Resolution No. 21-034 authorizing the San Bernardino County Transportation Authority Executive Director, or his designee, to submit project nominations to the California Department of Transportation for Fiscal Year 2021/2022 State of Good Repair Program funds for the projects listed above.

Background:

Senate Bill (SB) 1, also known as the Road Repair and Accountability Act of 2017, was approved in April 2017 and will provide over \$50 billion in new transportation funding over the next decade to improve transit service and repair highways, bridges and local roads. The State of Good Repair (SGR) Program, derived from the approval of SB 1, is funded from a portion of a Transportation Improvement Fee on vehicle registrations and provides approximately \$105 million annually to transit operators in California for eligible maintenance, rehabilitation and capital projects. While SB 1 addresses a variety of transportation needs, the SGR Program has a specific goal of keeping transit systems in a state of good repair, including the maintenance and rehabilitation of transit facilities and vehicles, and the purchase of new transit vehicles.

Administered by the California Department of Transportation (Caltrans), SGR Program funds are apportioned to eligible agencies using the State Transit Assistance (STA) Program formula. The formula apportions fifty (50) percent of the available SGR funds by population and the remaining fifty (50) percent by operator revenues from the prior fiscal year (FY), in accordance with Public Utilities Code (PUC) Section 99313 and PUC Section 99314, respectively. The State Controller’s Office (SCO) is responsible for determining the estimated funding levels for PUC Section 99313 (Population Share) and PUC Section 99314 (Operator Share) funds.

Entity: San Bernardino County Transportation Authority

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San Bernardino County Transportation Authority (SBCTA), as the regional transportation planning agency, will receive direct allocations of SGR funds in accordance with PUC Section 99312.2(c) and is responsible for allocating SGR-Population Share funds to projects based on local need and sub-allocating SGR-Operator Share funds to the transit operators in the San Bernardino County region based on the amounts published by the SCO. SBCTA is further responsible for providing a list annually to Caltrans of all projects proposed to be funded with SGR funds made available to San Bernardino County. Agencies eligible to receive SGR funds include SBCTA, Omnitrans, Victor Valley Transit Authority (VVTA), Morongo Basin Transit Authority (MBTA), Mountain Transit (MT), City of Needles, and Southern California Regional Rail Authority (SCRRA).

In March 2021, the SBCTA Board of Directors (Board) approved the total FY 2021/2022 SGR-Population Share apportionment in the amount of \$4,286,414, in accordance with estimates released by the SCO. The Board also approved apportioning the funds to the Valley and Mountain/Desert areas based on California Department of Finance Population Data and further apportioning the Mountain/Desert SGR-Population Share apportionment to the Mountain/Desert transit operators in accordance with the population of their respective service areas. The total amount of FY 2021/2022 SGR-Population Share funds available to the Valley and Mountain/Desert is \$2,397,980 and \$909,036 respectively. Additionally, \$285,886 of re-allocated funds from prior years was added to the Valley share for a total of \$2,683,866. As required, SGR-Operator Share funds are allocated to the transit operators in the San Bernardino region based on the amounts determined by the SCO. Because SBCTA has no discretion in the apportionment of the SGR-Operator Share, and Caltrans does not require revised allocation documents, the Board authorized SBCTA staff to release SGR-Operator Share funds as they are received. The final SGR-Population Share apportionments were approved by the Board in March 2021 and the estimated SGR-Operator Share funds to be disbursed are included below in Table 1.

Table 1 – Fiscal Year 2021/2022 SGR-Population Share and Operator Share Apportionments

Agency	Population Share	Operator Share	Total SGR Apportionment
Valley	\$2,683,866 ¹	-	\$2,683,866
Omnitrans	-	\$353,504	\$353,504
SCRRA	-	\$276,266	\$276,266
MBTA	\$116,517	\$10,599	\$127,116
Mountain Transit	\$78,099	\$5,824	\$83,923
City of Needles	\$7,959	\$600	\$8,559
VVTA	\$706,462	\$46,718	\$753,180
Total	\$3,592,903	\$693,511	\$4,286,414

¹ Valley Population Share apportionment is allocated to agencies based on project need and eligibility. Includes \$285,886 of re-allocated funds from prior years that were surplus to the allocation for SBCTA's Santa Fe Depot project.

SBCTA staff contacted all transit operators requesting the submission of a proposed list of projects to be funded with SGR funds. Based on project list submittals and discussions with the operators concerning the availability of funds, SBCTA staff is recommending the following projects for Fiscal Year 2021/2022 SGR allocations:

MBTA Engine Overhauls - \$35,000

MBTA will be using a portion of its SGR money on engine overhauls. This will extend the useful life of their buses.

MBTA Shop Vehicle Replacement- \$39,000

MBTA will be replacing its utility service worker vehicle; the current vehicle is a compressed natural gas 2013 Transit Connect van which has extensive use and exceeds its useful life. This vehicle will be replaced with a newer similar model and power source.

MBTA Shop Equipment – \$15,000

Maintenance staff will be replacing its 15 year old air conditioner recharge and recovery system for current buses and purchasing a new R-1234Yf refrigerant system for recently acquired buses that no longer use the R-134 refrigerant.

MBTA Facility Facelift Repair – \$38,116

This funding will be used to have the administrative building and maintenance shop exterior stucco repaired and repainted.

MT Facilities - \$83,923

Mountain Transit will use the SGR funds for the design, acquisition and construction of new facilities, as well as repair and improvement of existing facilities.

City of Needles Preventative Maintenance - \$8,559

Per an agreement with the City of Needles, MV Transportation provides Needles Area Transit service and facilitates preventative maintenance on the vehicles used for service. The City of Needles will use SGR funds to partially fund the preventative maintenance portion of the MV Transportation contract.

Omnitrans West Valley Facility Updates - \$3,037,370

Omnitrans would utilize this funding to do updates at the West Valley facility and in anticipation of electrification updates. The updates include: Cyclone vacuum system for the two lane service island; construct a restroom next to the fuel island; remove abandoned utilities, conduit, and piping remaining from improvements and changes throughout the life of the fuel island; construct a parapet / screen wall to provide concealment to the overhead equipment; painting; lighting enhancements; replace aged signage; and electrical panel and equipment upgrades as necessary to support the fuel island needs.

VVTA Transit Center – Hesperia – \$80,530

This project will fund a new transfer center in Hesperia adjacent to the current administrative and maintenance facilities. The center will include shelters, benches, security office, restrooms, and an area for vending machines.

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VVTA Service Vehicles - \$20,000

This project will add two (2) service vehicles to VVTA's fleet. This will decrease down time and increase reliability to ensure that the drivers have the support vehicles needed to make service.

VVTA Regional Bus Replacement - \$490,650

As part of VVTA's fleet replacement plan, VVTA systematically replaces transit vehicles that are part of the active vehicle fleet. Five (5) Class H Compressed Natural Gas (CNG) buses will be replaced using SGR funds. The existing buses will be well beyond their useful life and in need of replacement by the time the new buses arrive. Replacement buses to be purchased are CNG.

VVTA Paratransit Replacement Vehicles - \$162,000

As part of VVTA's fleet replacement plan, VVTA systematically replaces transit vehicles that are part of the active vehicle fleet. SGR funds will be used for the purchase of replacement vehicles as outlined in the Transit Asset Management plan. The vehicles being replaced are in poor condition. Six (6) paratransit vehicles will be replaced using SGR funds.

Metrolink Capital Maintenance - \$276,266

SCRRA will use SGR funds to rehabilitate, reconstruct, or replace various Metrolink structures and equipment vital to Metrolink service including: track, track beds, signals, communication systems, facilities and stations, platforms, signage, and rolling stock. This funding will be allocated with SCRRA's FY 2021/2022 Rehabilitation Program subsidy.

Caltrans requires that SBCTA submit an authorizing resolution (Attachment 1) from its governing board that approves the submission of the Certifications and Assurances (Attachment 2), authorizes SBCTA to accept the SGR funds, and authorizes SBCTA's Executive Director, or his designee, to execute the Certifications and Assurances and other relevant documents necessary for funding and completing the SGR-funded projects.

Financial Impact:

This item is consistent with the Fiscal Year 2020/2021 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel has reviewed this item and the Draft Resolution.

Responsible Staff:

Nancy Strickert, Transit Program Manager

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

RESOLUTION NO. 21-034**RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AUTHORIZING THE PROJECTS FUNDED BY CALIFORNIA STATE OF GOOD REPAIR PROGRAM FUNDS**

WHEREAS, the San Bernardino County Transportation Authority (SBCTA) is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair Account (SGR) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 1 (2017) named the Department of Transportation (Department) as the administrative agency for the SGR; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing SGR funds to eligible project sponsors (local agencies); and

WHEREAS, the guidelines require local agencies to execute certifications and assurances, authorized agent forms and other documents in order to receive SGR funds; and

WHEREAS, SBCTA wishes to implement the SGR Projects listed below.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino County Transportation Authority, as follows:

Section 1. The fund recipient, SBCTA, agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and the Authorized Agent documents and applicable statutes, regulations and guidelines for all SGR funded transit projects.

Section 2. The SBCTA Executive Director, Raymond W. Wolfe, is authorized to execute all required documents of the SGR program, and any Amendments thereto with the Department.

Section 3. The submittal of the following project nominations to the Department for Fiscal Year 2021/2022 SGR funds is hereby authorized:

Morongo Basin Transit Authority Engine Overhauls
 Morongo Basin Transit Authority Shop Vehicle Replacement
 Morongo Basin Transit Authority Shop Equipment
 Morongo Basin Transit Authority Facility Facelift Repair
 Mountain Transit Facilities Improvements
 City of Needles Preventative Maintenance
 Omnitrans West Valley Facility Updates
 Victor Valley Transit Authority Transit Center – Hesperia
 Victor Valley Transit Authority Service Vehicles
 Victor Valley Transit Authority Regional Bus Replacement

Victor Valley Transit Authority Paratransit Replacement Vehicles
Metrolink Capital Maintenance

Section 4. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the San Bernardino County Transportation Authority held on July 7, 2021.

By: _____
Curt Hagman, Board President
San Bernardino County Transportation Authority

ATTEST:

By: _____
Marleana Roman, Clerk of the Board
San Bernardino County Transportation Authority

DRAFT

State Transit Assistance State of Good Repair Program

Recipient Certifications and Assurances

Recipient: Name_____.

Effective Date: Date Month, 20xx_____.

In order to receive State of Good Repair Program (SGR) funds from the California Department of Transportation (Department), recipients must agree to following terms and conditions:

A. General

- (1) The recipient agrees to abide by the State of Good Repair Guidelines as may be updated from time to time.
- (2) The potential recipient must submit to the Department a State of Good Repair Program Project List annually, listing all projects proposed to be funded by the SGR program. The project list should include the estimated SGR share assigned to each project along with the total estimated cost of each project..
- (3) The recipient must submit a signed Authorized Agent form designating the representative who can submit documents on behalf of the recipient and a copy of the board resolution authorizing the agent.

B. Project Administration

- (1) The recipient certifies that required environmental documentation will be completed prior to expending SGR funds. The recipient assures that each project approved for SGR funding comply with Public Resources Code § 21100 and § 21150.
- (2) The recipient certifies that SGR funds will be used for transit purposes and SGR funded projects will be completed and remain in operation for the estimated useful lives of the assets or improvements.
- (3) The recipient certifies that it has the legal, financial, and technical capacity to deliver the projects, including the safety and security aspects of each project.

- (4) The recipient certifies that there is no pending litigation, dispute, or negative audit findings related to any SGR project at the time an SGR project is submitted in the annual list.
- (5) Recipient agrees to notify the Department immediately if litigation is filed or disputes arise after submission of the annual project list and to notify the Department of any negative audit findings related to any project using SGR funds.
- (6) The recipient must maintain satisfactory continuing control over the use of project equipment and/or facilities and will adequately maintain project equipment and/or facilities for the estimated useful life of each project.
- (7) Any and all interest the recipient earns on SGR funds must be reported to the Department and may only be used on approved SGR projects or returned to the Department.
- (8) The recipient must notify the Department of any proposed changes to an approved project list by submitting an amended project list.
- (9) Funds will be expended in a timely manner.

C. Reporting

- (1) Per Public Utilities Code § 99312.1 (e) and (f), the recipient must submit the following SGR reports:
 - a. Annual Expenditure Reports within six months of the close of the fiscal year (by December 31st) of each year.
 - b. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of SGR funds. A copy of the audit report must be submitted to the Department within six months of the close of each fiscal year in which SGR funds have been received or expended.

D. Cost Principles

- (1) The recipient agrees to comply with Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The recipient agrees, and will assure that its contractors and subcontractors will be obligated to agree, that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project cost items and (b) those parties shall

comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- (3) Any project cost for which the recipient has received payment that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, are subject to repayment by the recipient to the State of California (State). Should the recipient fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the recipient from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

E. Record Retention

- (1) The recipient agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the recipient, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the recipient, its contractors and subcontractors connected with SGR funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the recipient, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the recipient pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the recipient's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the recipient's contracts with third parties pursuant to Government Code § 8546.7, the recipient, its contractors and subcontractors and the Department shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a

project for audits, examinations, excerpts, and transactions, and the recipient shall furnish copies thereof if requested.

- (3) The recipient, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

- (1) Recipient acknowledges that if a project list is not submitted timely, the recipient forfeits its apportionment for that fiscal year.
- (2) Recipients with delinquent expenditure reports may risk future eligibility for future SGR funding.
- (3) Recipient acknowledges that the Department shall have the right to perform an audit and/or request detailed project information of the recipient’s SGR funded projects at the Department’s discretion from SGR award through 3 years after the completion and final billing of any SGR funded project.. Recipient agrees to provide any requested project information.

I certify all of these conditions will be met.

AGENCY NAME

BY: _____
 AUTHORIZING OFFICER, Title
 Unit/Department

Attachment: Attachment 2 SGR certs_assurances (7784 : Fiscal Year 2021/2022 State of Good Repair Program Allocations)

ATTACHMENT I
(INSERT Agency Board Resolution approving this document)

DRAFT

Minute Action

AGENDA ITEM: 16

Date: July 7, 2021

Subject:

Omnitrans Specialized Transportation Services - Consolidated Transportation Services Agency Budget for Fiscal Year 2021/2022

Recommendation:

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

Approve the Omnitrans Specialized Transportation Services Budget for Consolidated Transportation Services Agency activities for Fiscal Year 2021/2022.

Background:

In November 2015, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved Resolution No. 16-005, designating Omnitrans as the Consolidated Transportation Services Agency (CTSA) for the San Bernardino Valley. As part of this resolution, and subsequent Contract No. 16-1001458, it is required that the CTSA budget be approved by the SBCTA Board. In November 2020, the SBCTA Board approved an amendment to this contract which reappointed Omnitrans as the CTSA and extended Contract No. 16-1001458 for five years.

When Omnitrans assumed CTSA responsibilities, they created a new department known as the Specialized Transportation Services (STS). This would include all activities associated with their paratransit service, Access, and the CTSA services they now provide. Attachment 1 is the Omnitrans STS – CTSA budget for Fiscal Year (FY) 2021/2022, which does not include the entire budget of Omnitrans' STS department.

For a highlighted overview, Table 1 is a budget comparison of the CTSA budget in FY 2020/2021, to the approved FY 2021/2022 budget. To be more efficient, Omnitrans combined its Travel Trainers with its Community Mobility Specialists, which results in a payroll decrease. The major change to their budget is purchased transportation, specifically for OmniRide, a microtransit service that provides a hybrid of general public and focused American with Disabilities Act (ADA), senior/disabled services. As such, the entire OmniRide program is not eligible for Measure I CTSA funding. However, the percentage of OmniRide costs that corresponds with the ADA, senior and disabled ridership share is eligible. This budgeted cost is for the senior and disabled portion of both OmniRide in Chino Hills and the future OmniRide in Upland. The expectation is that this cost will be adjusted to reflect the actual use by seniors and disabled riders in the community. SBCTA will be evaluating this at the end of FY 2021/2022 to ensure compliance.

Entity: San Bernardino County Transportation Authority

Table 1 – CTSA Budget Comparison

Category	FY 2020/2021	FY 2021/2022
Total Payroll & Benefits	\$405,610	\$346,542
Services	\$70,000	\$70,000
Materials & Supplies	\$4,000	\$4,000
Occupancy	\$31,000	\$10,000
Liability	\$4,500	\$4,500
Purchased Transportation	0	\$283,343
Printing	\$9,500	\$9,500
Miscellaneous	\$152,125	\$148,100
Total Expenses	\$676,735	\$875,985
Pass Through Funding to Agencies	\$1,654,315	\$2,282,015
Total	\$2,331,050	\$3,158,000

During FY 2019/2020, a global pandemic (COVID-19) was declared that required people to stay home and socially distance. This had a major impact to transportation all over the country and included the projects that are in place by Omnitrans CTSA. At the end of the third quarter of FY 2019/2020 the Travel Training Program was suspended due to safety concerns. This suspension continued throughout the entire FY 2020/2021. Omnitrans is cautiously optimistic that the Travel Training Program will resume in FY 2021/2022.

Their Travel Reimbursement Program (TREP) continued throughout FY 2020/2021. This program allows the riders the ability to find their own driver with whom they felt safe. During FY 2020/2021, approximately 13,820 trips were taken as part of this program. A project that arose from the pandemic was food delivery. Omnitrans and its partners were able to provide food delivery to those who were unable to travel due to their vulnerability to COVID-19. There were approximately 48,874 trips made specifically for food delivery.

Lastly, through their Measure I CTSA competitive grant process, Omnitrans continues to support Central City Lutheran Mission (Lutheran Social Services of Southern California), City of Chino, City of Grand Terrace, City of Redlands, Community Senior Services, San Bernardino County Department of Aging and Adult Services, Highland Senior Center, Loma Linda University Medical Center - Adult Day Health Services, OPARC, Anthesis, West End Young Men's Christian Association (YMCA), City of Fontana, City of Yucaipa, City of Rancho Cucamonga, and Foothill Aids Project. An estimated \$2,282,015 for pass through is included in the proposed FY 2021/2022 budget. Additionally, during this time period, Omnitrans partners provided 83,654 trips.

Measure I CTSA funds are passed through to Omnitrans on a monthly basis as they are generated. Currently, Omnitrans has a Measure I CTSA balance of approximately \$14.6 million. As part of the Short Range Transit Plan, Omnitrans will identify future CTSA projects and/or programs to which it can be allocated.

Board of Directors Agenda Item

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Staff has reviewed the proposed budget and finds it reasonable in its assumptions. Any future programs will be incorporated into their Short Range Transit Plan update, which is scheduled for approval in fall 2021 and will be presented to the Transit Committee and subsequently the SBCTA Board.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021.

Responsible Staff:

Nancy Strickert, Transit Program Manager

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

OMNITRANS								
3000- EXPENSE REPORT FOR SPECIALIZED TRANSPORTATION SERVICES								
FISCAL YEAR 2022								
GL ACCT CODE	Salary % DESCRIPTION	17% Admin	6% Travel Training	15% TREP	3% RIDE	0% Microtransit	59% Mobility Partners	1.00 Proposed BDGT
501100	Regular Pay - Operators							
501130	Regular Pay - Others	37,302.80	13,165.69	32,914.23	6,582.85		129,462.66	219,428.23
501310	Overtime Pay - Operator	-	-	-	-		-	-
501340	Overtime Pay - Other	-	-	-	-		-	-
TOTAL SALARIES		37,302.80	13,165.69	32,914.23	6,582.85		129,462.66	219,428.23
502210	PERS Employer Expense	4,393.26	1,550.56	3,876.41	775.28		15,247.20	25,842.71
502240	PERS Reimbursement Expense	-	-	-	-		-	-
502270	PacifiCare COPD	2,027.99	715.76	1,789.40	357.88		7,038.30	11,929.32
502320	Health Saving Acct Expense	-	-	-	-		-	-
502330	Life Insurance Expense	196.20	69.25	173.12	34.62		680.94	1,154.14
502360	Employers Medicare Tax Expense	628.23	221.73	554.32	110.86		2,180.32	3,695.46
502370	LTD CO PD Expense	189.97	67.05	167.62	33.52		659.31	1,117.48
502390	Unemployment Insurance expense	-	-	-	-		-	-
502420	Workers Compensation Expense	-	-	-	-		-	-
502450	Sick Leave Expense	1,999.66	705.76	1,764.41	352.88		6,940.01	11,762.73
502451	Sick Leave Expense - Operators	-	-	-	-		-	-
502450	Holiday Pay Expense	1,833.02	646.95	1,617.37	323.47		6,361.67	10,782.50
502481	Holiday Pay Expense - Operators	-	-	-	-		-	-
502490	Floating Holiday Pay Expense	-	-	-	-		-	-
502491	Floating Holiday Pay Expense - Operators	-	-	-	-		-	-
502510	Vacation Pay Expense	2,023.92	714.32	1,785.81	357.16		7,024.18	11,905.39
502511	Vacation Pay Expense - Operators	-	-	-	-		-	-
502580	Car Expense	-	-	-	-		-	-
502600	SDI Reimbursement Expense	519.91	183.50	458.75	91.75		1,804.40	3,058.31
502630	EE Bond Expense	-	-	-	-		-	-
502690	Jury Duty Leave Expense	166.64	58.81	147.03	29.41		578.33	980.23
502691	Jury Duty Leave Expense - Operators	-	-	-	-		-	-
502721	Military Duty Leave Expense	-	-	-	-		-	-
502720	Military Duty Leave Expense - Operators	-	-	-	-		-	-
502780	Deferred Compensation Expense	133.48	47.11	117.78	23.56		463.27	785.20
502790	Bonus Pay	-	-	-	-		-	-
502791	Bonus Pay - Operators	-	-	-	-		-	-
502880	Kaiser COPD	7,497.17	2,646.06	6,615.15	1,323.03		26,019.59	44,101.00
502900	Pension Expense	-	-	-	-		-	-
502980	Payroll Expenses Reimbursement	-	-	-	-		-	-
502990	Payroll Claim Expenses	-	-	-	-		-	-
TOTAL BENEFITS		21,609	7,627	19,067	3,813		74,998	127,114
503060	Professional & Technical Fees	1,700.00	600.00	1,500.00	300.00		5,900.00	10,000.00
503110	Contract Maintenance Services	-	-	-	-		-	-
503160	Custodial Services Expense	-	-	-	-		-	-
503210	Security Services Expense	-	-	-	-		-	-
503260	Fare Collection Service Expense	-	-	-	-		-	-
503310	Contract Labor Expense	-	-	-	-		-	-
503360	Employee Physicals Expense	-	-	-	-		-	-
503990	Other Services	10,200.00	3,600.00	9,000.00	1,800.00		35,400.00	60,000.00
TOTAL SERVICES		11,900.00	4,200.00	10,500.00	2,100.00		41,300.00	70,000.00
504000	Discounts Received	-	-	-	-		-	-
504010	Bus & Other Rolling Stock Parts	-	-	-	-		-	-
504011	Non Rev Rolling Stock Parts	-	-	-	-		-	-
504020	Tire s & Tubes	-	-	-	-		-	-
504030	Preventative Maintenance	-	-	-	-		-	-
504060	Workshop clearing account	-	-	-	-		-	-
504090	LNG/CNG Fuels	-	-	-	-		-	-
504091	CNG Hedging Activities	-	-	-	-		-	-
504100	Gasoline	-	-	-	-		-	-
504110	Diesel Fuel	-	-	-	-		-	-
504120	Oil	-	-	-	-		-	-
504130	Lubricants & Chemicals	-	-	-	-		-	-
504140	CNG Fuel Tax Credit	-	-	-	-		-	-
504190	Computer Supplies	-	-	-	-		-	-
504200	Washer & Cleaner Supplies	-	-	-	-		-	-
504210	Office Supplies	510.00	180.00	450.00	90.00		1,770.00	3,000.00
504220	Small Tools	-	-	-	-		-	-
504230	Clothing & Safety Supplies	170.00	60.00	150.00	30.00		590.00	1,000.00
504240	Tool Allowance	-	-	-	-		-	-
504900	Price Variance	-	-	-	-		-	-
504910	Inventory Adjustment	-	-	-	-		-	-
504990	Other materials & supplies	-	-	-	-		-	-
TOTAL MATERIALS & SUPPLIES		680.00	240.00	600.00	120.00		2,360.00	4,000.00
505020	Utility Other than Propulsion Power	-	-	-	-		-	-
505030	Telephone	1,700.00	600.00	1,500.00	300.00		5,900.00	10,000.00
505040	Data communication Lines	-	-	-	-		-	-
505060	Repairs & Maint - Buildings	-	-	-	-		-	-
505110	Repairs & Maint - Equipment	-	-	-	-		-	-
505160	Repairs & Maint - Office Equipment	-	-	-	-		-	-
505170	R & M Software [Contracts]	-	-	-	-		-	-
505210	Repairs & Maint Grounds	-	-	-	-		-	-
505230	Repairs & Maint Stops & Satations	-	-	-	-		-	-
505960	Other Occupancy Expense	-	-	-	-		-	-
TOTAL OCCUPANCY		1,700.00	600.00	1,500.00	300.00		5,900.00	10,000.00

OMNITRANS								
3000- EXPENSE REPORT FOR SPECIALIZED TRANSPORTATION SERVICES								
FISCAL YEAR 2022								
GL ACCT CODE	Salary % DESCRIPTION	17% Admin	6% Travel Training	15% TREP	3% RIDE	0% Microtransit	59% Mobility Partners	1.00 Proposed BDGT
506110	Property/Official & Emp Liab Insurance	-	-	-	-	-	-	-
506160	General Liab & Veh Liab/Loss Insurance	-	4,500.00	-	-	-	-	4,500.00
506180	General Auto PD/PL Uninsured Ded/IBNR	-	-	-	-	-	-	-
506310	Worker's Comp Excess/Employer's Liab Ex	-	-	-	-	-	-	-
506360	Worker's Comp Self Insured IBNR	-	-	-	-	-	-	-
506960	General Liability/Loss IBNR	-	-	-	-	-	-	-
TOTAL CASUALTY & LIABILITY		-	4,500.00	-	-	-	-	4,500.00
507040	Vehicle License Registration Fees	-	-	-	-	-	-	-
507050	Fuel & Lubricant taxes	-	-	-	-	-	-	-
507990	Other Taxes	-	-	-	-	-	-	-
TOTAL TAXES		-	-	-	-	-	-	-
508220	Purchased Transportation	-	-	-	-	283,342.59	-	283,342.59
508900	Purch Trans Lease Cost - LTF	-	-	-	-	-	-	-
508990	Purch Trans Lease Cost - FTA	-	-	-	-	-	-	-
TOTAL PURCH TRANSPORT		-	-	-	-	283,343	-	283,342.59
509080	Advertising/Promotion Media	765.00	270.00	675.00	135.00	-	2,655.00	4,500.00
509230	Printing Charges	850.00	300.00	750.00	150.00	-	2,950.00	5,000.00
TOTAL PRINTING & ADVERTISING		1,615.00	570.00	1,425.00	285.00	-	5,605.00	9,500.00
508000	Interest Expense	-	-	-	-	-	-	-
509010	Memberships, Dues, Pub, Subscript	-	-	-	-	-	-	-
509020	Travel & Meetings	340.00	120.00	300.00	60.00	-	1,180.00	2,000.00
509030	Postage and Express Mail	-	-	-	-	-	-	-
509070	Bad Debt expense /NSF	-	-	-	-	-	-	-
509100	Bus Pass Sales Discounts	-	140,000.00	-	-	-	-	140,000.00
509200	Safety Training	-	-	-	-	-	-	-
509210	Employee Training	1,020.00	360.00	900.00	180.00	-	3,540.00	6,000.00
509220	Educational Reimbursements	-	-	-	-	-	-	-
509240	Outside Freight	-	-	-	-	-	-	-
509250	Bank Charges	-	-	-	-	-	-	-
509260	Employee Recognition	17.00	6.00	15.00	3.00	-	59.00	100.00
	PO Invoice Over Under	-	-	-	-	-	-	-
509990	Other Miscellaneous Expense	-	-	-	-	-	-	-
590300	Distributed Labor - Maintenance - Direc	-	-	-	-	-	-	-
590400	Allocated Indirect Labor & Benefits	-	-	-	-	-	-	-
TOTAL MISCELLANEOUS EXPENSE		1,377.00	140,486.00	1,215.00	243.00	-	4,779.00	148,100.00
512340	Leases/Rentals - Other	-	-	-	-	-	-	-
512400	Capital Lease - Tires	-	-	-	-	-	-	-
TOTAL LEASES & RENTALS		-	-	-	-	-	-	-
513200	Deprec Exp - Bus Shelters	-	-	-	-	-	-	-
513210	Deprec Exp - Buildings	-	-	-	-	-	-	-
513220	Deprec Exp - Building Improvements	-	-	-	-	-	-	-
513230	Deprec Exp - Land Improvements	-	-	-	-	-	-	-
513240	Deprec Exp -sbX Corridor	-	-	-	-	-	-	-
513240	Deprec Exp -Bus Platforms & Stops	-	-	-	-	-	-	-
513250	Deprec Exp -Transit Centers	-	-	-	-	-	-	-
513260	Deprec Exp -Leasehold Improvements CTSA	-	-	-	-	-	-	-
513300	Deprec Exp - Support Vehicles	-	-	-	-	-	-	-
513310	Deprec Exp - Fixed Route Revenue Vehicl	-	-	-	-	-	-	-
513320	Deprec Exp - Access Revenue Vehicles	-	-	-	-	-	-	-
513400	Deprec Exp - Furniture and Fixtures	-	-	-	-	-	-	-
513410	Deprec Exp - Machinery and Shop Equipme	-	-	-	-	-	-	-
513420	Deprec Exp - Office Equipment	-	-	-	-	-	-	-
513430	Deprec Exp - Computers and Software	-	-	-	-	-	-	-
TOTAL DEPRECIATION		-	-	-	-	-	-	-
564900	Capital Purch Expense - Local	-	-	-	-	-	-	-
564950	Donation to Other Agency	-	-	-	-	-	-	-
564960	Pass Through To Other Agency	-	-	-	-	-	2,282,015.00	2,282,015.00
564990	Capital Purch Expense - Federal	-	-	-	-	-	-	-
TOTAL CAPITAL PURCH EXPENSE		-	-	-	-	-	2,282,015.00	2,282,015.00
TOTAL EXPENSES		76,184	171,389	67,221	13,444	283,343	2,546,419	3,158,000
	Actual %	2.4%	5.4%	2.1%	0.4%	9.0%	80.6%	100%
TOTAL EXPENSES - net Depreciation		76,184	171,389	67,221	13,444	283,343	2,546,419	3,158,000

Attachment: Attachment 1 FY2122 CTSA Budget Draft (7789 : Omnitrans STS-CTSA Budget for Fiscal Year 2021/2022)

Minute Action

AGENDA ITEM: 17

Date: July 7, 2021

Subject:

West Valley Connector-Phase I Construction Management Consultant Services

Recommendation:

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

Authorize the Executive Director, or his designee, to release Request for Proposals No. 21-1002629 for Phase 1 Construction Management Consultant services for the construction of the West Valley Connector Project.

Background:

In May 2020, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) adopted Resolution No. 20-046, on the West Valley Connector (WVC) Project (Project), making findings necessary to approve the Mitigation Monitoring and Reporting Program, adopting a Statement of Overriding Considerations, approving and certifying the Final Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA). Subsequently, on May 12, 2020, the Federal Transit Administration (FTA) rendered its approval of the Findings of No Significant Impact (FONSI), which concluded the Environmental Clearance of the Project.

In December 2019, the SBCTA Board approved the 2020 State Transportation Improvement Program (STIP) proposal which would program funds to the Project, thus reducing the identified funding gap to \$118 million. In January 2020, the Board approved a funding strategy for WVC Project - Phase 1, which included additional allocation of funds and requests for at least \$65 million in grant funds, through upcoming opportunities in the Transit and Intercity Rail Capital Program (TIRCP), Senate Bill (SB) 1 programs, and the Federal Small Starts program. Of these three grant opportunities, SBCTA was successful on the TIRCP grant and was awarded \$15 million of TIRCP funds toward the cost of battery electric buses (BEB), as well as \$65 million in SB1 funding for the construction of the mainline corridor. The project rating package for the Federal Small Starts program was submitted to the FTA in September 2020, and the annual report on funding allocations for Fiscal Year 2020/2021 was issued by the United States Secretary of Transportation on April 5, 2021, announcing the allocation of \$86.75 million to the Project as part of FTA's discretionary Capital Investment Grants (CIG) program. A Small Starts Grant Agreement (SSGA) will still need to be executed with FTA and staff has been holding monthly meetings with FTA staff in an effort to complete the various requirements needed to execute the SSGA. The SSGA defines the project by including its cost, scope, schedule, and level of service, to a maximum level of annual and total CIG financial assistance (subject to Congressional appropriation); establishes the terms and conditions of Federal financial participation; defines the period of time for completion of the Project; and helps FTA oversee the Project and assisting the sponsor in managing the Project in accordance with Federal law.

SBCTA has commenced with the implementation of Phase 1 of the Project and has procured the services of several firms to assist in delivering the Project, including project management, design, outreach, and legal services. The design consultant team, in close coordination with
Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 7, 2021

Page 2

Omnitrans and the cities, is currently working on the final design and recently completed the 90% design documents for the mainline corridor.

As design of the Project progresses, SBCTA staff is seeking approval to release a Request for Proposals (RFP) to procure a Construction Management Consultant (CMC) to assist with the implementation of the Project. The CMC will be tasked with managing the construction of the Project.

The CMC will perform constructability reviews of the final design documents and provide assistance in developing detailed construction contract specifications and terms. The CMC will provide assistance during the bidding of the construction contract for the Project, will assist with cost estimates, and will ultimately provide oversight of all the contractors needed to construct the Project.

Staff is requesting the Board authorize the Executive Director to release RFP No. 21-1002629 for CMC services using the attached Scope of Services. The estimated cost for the CMC services is \$10.7 million.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel and Procurement Manager have reviewed this item and will review the Request for Proposals prior to its release.

Responsible Staff:

Victor Lopez, Director of Capital Delivery

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

WEST VALLEY CONNECTOR PROJECT
CONSTRUCTION MANAGEMENT SERVICES – SCOPE OF WORK
RFP No. 21-1002629

DRAFT

Attachment: WVC CM SOW revised dates 5-27-2022 (7787 : West Valley Connector-Phase I Construction Management Consultant Services)

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1.0 INTRODUCTION

1.1 *West Valley Connector Project*

The San Bernardino County Transportation Authority (SBCTA), along with the public transit operator Omnitrans, are implementing Phase 1 of the West Valley Connector (WVC) Bus Rapid Transit (BRT) project (Project), linking the City of Pomona in Los Angeles County with the cities of Montclair, Ontario, and Rancho Cucamonga, in San Bernardino County, California.

The Project is a 19-mile corridor from downtown Pomona to Victoria Gardens in Rancho Cucamonga located primarily along Holt Avenue/Boulevard and Foothill Boulevard that will connect the cities of Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana in the counties of Los Angeles and San Bernardino, California. The Project will provide limited stops, allowing speed and quality improvements to the public transit system within the corridor. The goals of the Project are to provide enhanced transit service in the most heavily traveled corridor in Omnitrans' service area, and to provide multimodal connectivity with Omnitrans' local bus services, Metrolink commuter rail services (at two stations), and neighboring Foothill Transit, Riverside Transit, and LA Metro transit services, and faster travel to and from the Ontario International Airport.

The Project includes the following elements:

- 19-mile corridor serving Pomona, Montclair, Ontario and Rancho Cucamonga, as well as the Ontario International Airport and two Metrolink stations;
- “sbX branded” BRT limited stop service with 14 service hours per day on weekdays;
 - Phase I/Milliken Alignment: 10-minute peak and 15-minute off-peak headways
- 3.5 miles of dedicated bus lanes with five center median stations on Holt Boulevard in the City of Ontario;
- 33 station platforms at 21 station locations/major intersections spaced 0.5-mile to 1-mile apart. Station design elements include sbX-branded pylons with logo poles and signature lights, benches, trash receptacles, bicycle racks, variable message signs (e-signs) to display real-time bus arrival information, security cameras, light fixtures, shelters/canopies with wind screens, and landscaping;
- Transit signal priority (with signal coordination) and queue jump lanes to bypass traffic congestion at intersections;
- 40-foot battery-operated Electric Buses with sbX branding;
- Street improvements as needed, including utility improvements and reinforced concrete bus pads at stations; and
- Improvement of existing maintenance facility, as well as charging infrastructure to support the corridor BRT operations and new electric buses.

The Project's fleet is comprised of 40-foot-long electric battery powered zero emission buses with sbX branding. The buses have a third door on the left side for boarding at center station platforms. On-route charging infrastructure will be constructed at Pomona Transit Center.

All sbX West Valley Connector Line vehicles will be maintained and stored at the Montclair, West Valley (W.V.) maintenance facility located at 4748 East Arrow Highway, Montclair, CA. This facility will be upgraded to accommodate the new sbX West Valley Connector Line fleet of 18 40-foot electric buses and their maintenance and charging needs. Overhead charging infrastructure will also be

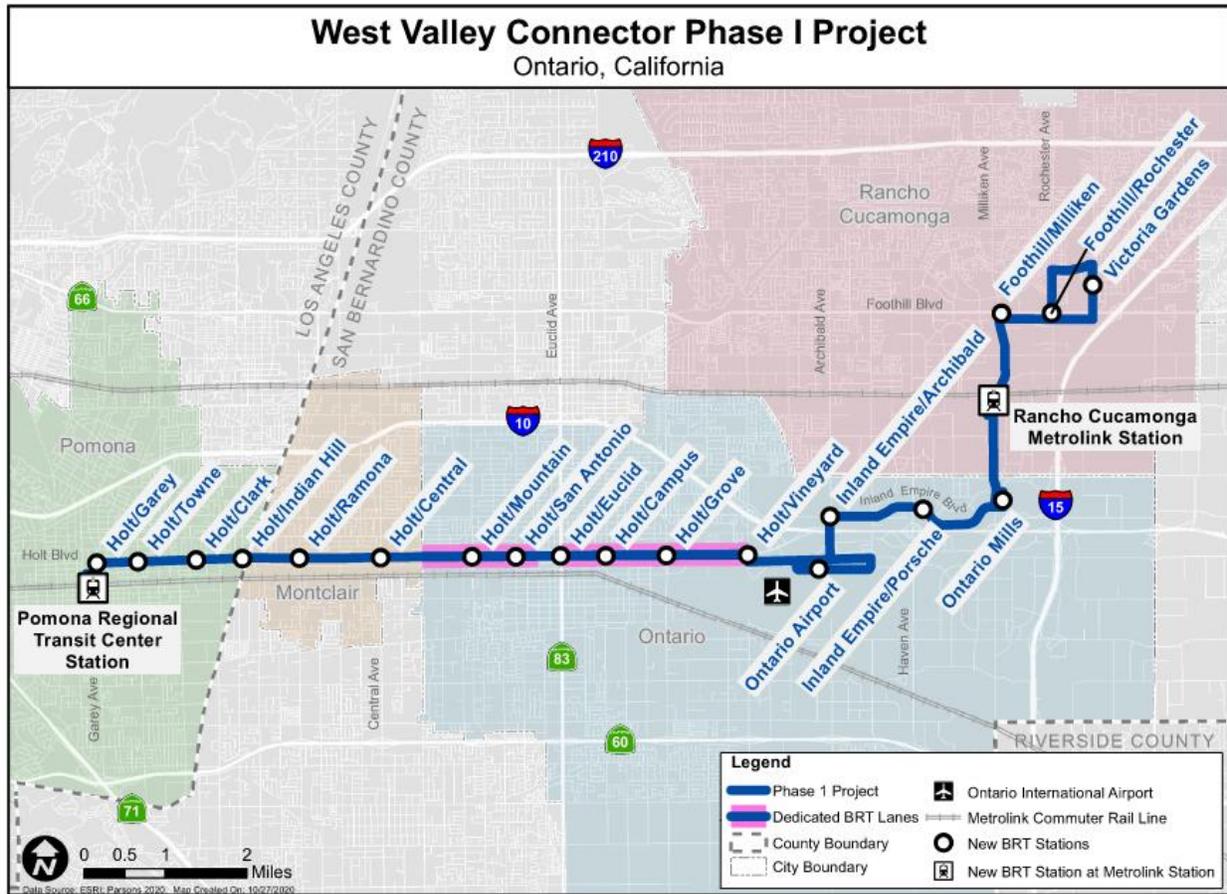
constructed at Omnitrans' West Valley maintenance facility in Montclair. Omnitrans will separately procure construction of the upgrades to the bus maintenance facility.

The BRT line will be operated by Omnitrans and is scheduled to begin operation in the Fall of 2024. Phase 1 of the corridor overlaps with segments of two of Omnitrans' highest-ridership bus routes, Route 61 on Holt Boulevard and Route 66 on Foothill Boulevard. These two corridors were among the ten planned BRT corridors proposed in the *Omnitrans System-Wide Transit Corridors Plan for the San Bernardino Valley* (2011). Omnitrans' first BRT corridor, the successful 15.7-mile sbX E Street Green Line, received a \$75M Small Starts grant and began revenue operations in April 2014, serving the cities of San Bernardino and Loma Linda. The West Valley Connector will be the second BRT corridor to be implemented in the Omnitrans service area.

SBCTA and Omnitrans will use the services of a Construction Management Consultant (CMC), who will provide construction management services for the Project, including construction of the corridor improvements and the bus facility upgrades, and work with other consultants to complete the Project.

1.2 Project Alignment

In Pomona, the alignment starts from the Pomona Regional Transit Center station, along Holt Avenue and into the City of Montclair. In Montclair, the alignment runs on Holt Boulevard between Mills Avenue and Benson Avenue and into the City of Ontario. In Ontario, the alignment continues on Holt Boulevard, starting from Benson Avenue, and then continues to Vineyard Avenue and into Ontario International Airport (loop through Terminal Way). From the airport, it heads north on Archibald Avenue to Inland Empire Boulevard and turns right to go east on Inland Empire Boulevard. On Inland Empire Boulevard, the alignment goes straight into Ontario Mills (loop through Mills Circle), and then heads north on Milliken Avenue into the City of Rancho Cucamonga. In Rancho Cucamonga, the alignment makes a loop into the Rancho Cucamonga Metrolink Station off Milliken Avenue and then continues up Milliken Avenue and turns east onto Foothill Boulevard. The alignment continues east on Foothill Boulevard, turns north onto Day Creek Boulevard, and then terminates with a layover at Victoria Gardens at Main Street. From Victoria Gardens, the alignment begins a return route by continuing north on Day Creek Boulevard, turns west onto Church Street, turns south onto Rochester Avenue, and then turns west back onto Foothill Boulevard, then down Milliken.



1.3 Project Stations

The BRT stations are located at 22 locations/major intersections and include five center platform stations, denoted below with an “*”.

City	Stations
Pomona	Pomona Regional Transit Center Station
	Holt Ave/Garey Ave
	Holt Ave/Towne Ave
	Holt Ave/Clark Ave
	Holt Ave/Indian Hill Blvd
Montclair	Holt Blvd/Ramona Ave
	Holt Blvd/Central Ave
Ontario	Holt Blvd/Mountain Ave*
	Holt Blvd/San Antonio Ave*
	Holt Blvd/Euclid Ave*
	Holt Blvd/Campus Ave*

	Holt Blvd/Grove Ave*
	Holt Blvd/Vineyard Ave
	Ontario International Airport (Two stations)
	Inland Empire Blvd/Archibald Way
	Inland Empire Blvd/Porsche Way
	Ontario Mills
Ranch Cucamonga	Rancho Cucamonga Metrolink Station
	Foothill Blvd/Milliken Ave
	Foothill Blvd/Rochester Ave
	Victoria Gardens between North and South Main St

1.4 Project Fleet and Maintenance Facilities

The Project’s fleet is comprised of 40-foot-long electric battery powered zero emission buses with San Bernardino Valley Express (sbX) branding. sbX buses will hold approximately 96 passengers at maximum capacity.

Omnitrans operates and maintains its existing bus fleets from two major Operations and Maintenance (O&M) facilities: East Valley Vehicle Maintenance Facility (EVVMF), located at 1700 W. 5th Street in the City of San Bernardino, and West Valley Vehicle Maintenance Facility (WVVMF), located at 4748 E. Arrow Highway in the City of Montclair. The WVVMF facility will be upgraded as part of the project to accommodate the new sbX WVC Line fleet of 18 40-foot electric buses and their maintenance and charging needs. In addition, on-route charging infrastructure will be constructed at Pomona Transit Center.

1.5 Project Schedule

The current schedule for the Project reflects a revenue service date of *June 2025 with schedule reserve*. To that end, SBCTA intends to award a construction contract for the mainline in *October 2022* and issue notice to proceed in *December 2022*. Omnitrans intends to release an Invitation for Bids for maintenance facility upgrades in *October 2022*, award the contract in *March 2023*, and issue notice to proceed by *April 2023*. Other key Project dates are anticipated as follows.

Phase/Project Component	Start	Finish
Environmental Analysis	November 2015	June 2020
Final Design	March 2020	April 2022
Right of Way	October 2020	January 2023
Utilities	January 2021	October 2023

Maintenance Facility Upgrades	October 2022	August 2024
Construction Mainline	December 2022	December 2024
Vehicle Procurement	April 2022	September 2024
Anticipated Start of Revenue Service with Schedule Reserve	June 2025	
Anticipated Small Starts Grant Agreement	April 2022	

1.6 Project Costs and Funding

The cost estimate for the Project is approximately \$271.3 million. The tables below show the breakdown of proposed Project cost and funding in year of expenditure dollars.

Project Costs

Description	Amount (\$)
Construction Capital - Mainline	\$99,697,389
Construction Capital – Maintenance Facility	\$0
Vehicles and Charging Infrastructure	\$29,801,727
ROW Capital	\$58,811,789
Utilities	\$16,220,173
ROW/Utility Support	\$11,407,911
Environmental and Design	\$14,557,512
Project Management	\$8,613,733
Construction Management	\$10,745,716
Project Contingency	\$21,475,087
Total Project Cost	\$271,331,037

Project Funding Summary

Fund Source	Amount (\$)
Federal	
CIG Small Starts	\$86,750,000
FTA Section 5307 Funds with Agency from Mid-Valley land sale (80% Federal)	\$20,079,000
FTA Section 5307	\$660,000
Subtotal – Federal	\$107,489,000

State	
Transit & Intercity Rail Capital Program Funds (TIRCP)	\$15,000,000
State Transportation Fund (RIP/STIP-AC)	\$39,745,000
Solutions for Congested Corridors (SCCP)	\$65,000,000
Subtotal – State	\$19,745,000
Local	
Local Transportation Funds (LTF)	\$1,078,000
Measure I Local Sales Tax (Express Bus/Bus Rapid Transit)	\$28,700,000
Local funds from Mid-Valley land sale (20% local)	\$5,020,000
City of Ontario roadway improvements – construction in-kind	9,300,000
Subtotal – Local	\$44,098,000
Grand Total	\$271,332,000

1.7 Summary of CMC Services

The CMC will provide qualified construction management and inspection, materials testing, and contract administration for the entire Project as outlined in this Scope of Work.

The construction administration function is to assure compliance with the technical and administrative provisions of each construction contract. The CMC will prepare a detailed Construction Management Plan (CMP) that will detail safety, quality, change management cost control of all construction activities and contract administration. The CMP will be implemented in conformance with all federal and state regulations, including quality assurance, quantity control, materials testing, source inspection, structural and architectural inspection, and compliance with county, state and federal requirements covering contract procedures and fair employment.

The CMC will oversee the construction of the Project. The CMC is responsible for overseeing the activities of all the construction work by the general contractors. SBCTA intends to award one construction contract for the mainline and Omnitrans intends to award one construction contract for the maintenance facility (individually, “Construction Contractor” and collectively, “Construction Contractors”). The CMC will support both as a single Project. The intent is to bring on the CMC to assist with constructability and bid-ability review and to allow the CMC team to be familiar with the project and organizationally prepared for the start of construction. The CMC will provide oversight of early utility relocation if necessary.

1.8 Reporting Structure and Other Project Consultants

The CMC will report to and receive direction from SBCTA through the PMC Project Manager in accordance with the Project Management Plan, which is attached hereto as Exhibit A and incorporated by reference herein. The PMC Project Manager is responsible for coordination of all SBCTA construction activities and for coordinating the efforts of the total construction team. The PMC Project Manager will be the main contact and primary source of information between the CMC and SBCTA and other consultants working on the Project, and Project stakeholders.

WSP USA is the Project Management Consultant (PMC) for the Project. The PMC provides project management, oversight, expertise and technical support to ensure that the Project advances through the project development, engineering, and construction phases and is ready for revenue service operations. The PMC will serve as integrated staff resources to SBCTA to support the management and oversight of project development, engineering, construction management, and construction contractors to be procured by SBCTA through separate procurements.

The Design Consultant (DC) is Parsons Transportation Group (Parsons). In addition to providing engineering and design, Parsons will be providing design support services. Parsons reports to the PMC who is responsible for management and coordination of all engineering activities including oversight of the DC. Parsons is responsible for advancing the Project engineering design activities beyond the conceptual design/preliminary engineering that was performed during the environmental phase. Parsons will develop the Plans, Specifications, and Estimates (PS&E) to 100-percent package and support the bid and contract award phase.

The public awareness campaign for the WVC BRT Project, which focuses on providing design, right of way, and construction-related information to minimize impacts to residents, businesses and other stakeholders, will be led by SBCTA’s Legislative and Public Affairs department, through an on-call consultant.

DRAFT

Attachment: WVC CM SOW revised dates 5-27-2022 (7787 : West Valley Connector-Phase I Construction Management Consultant Services)

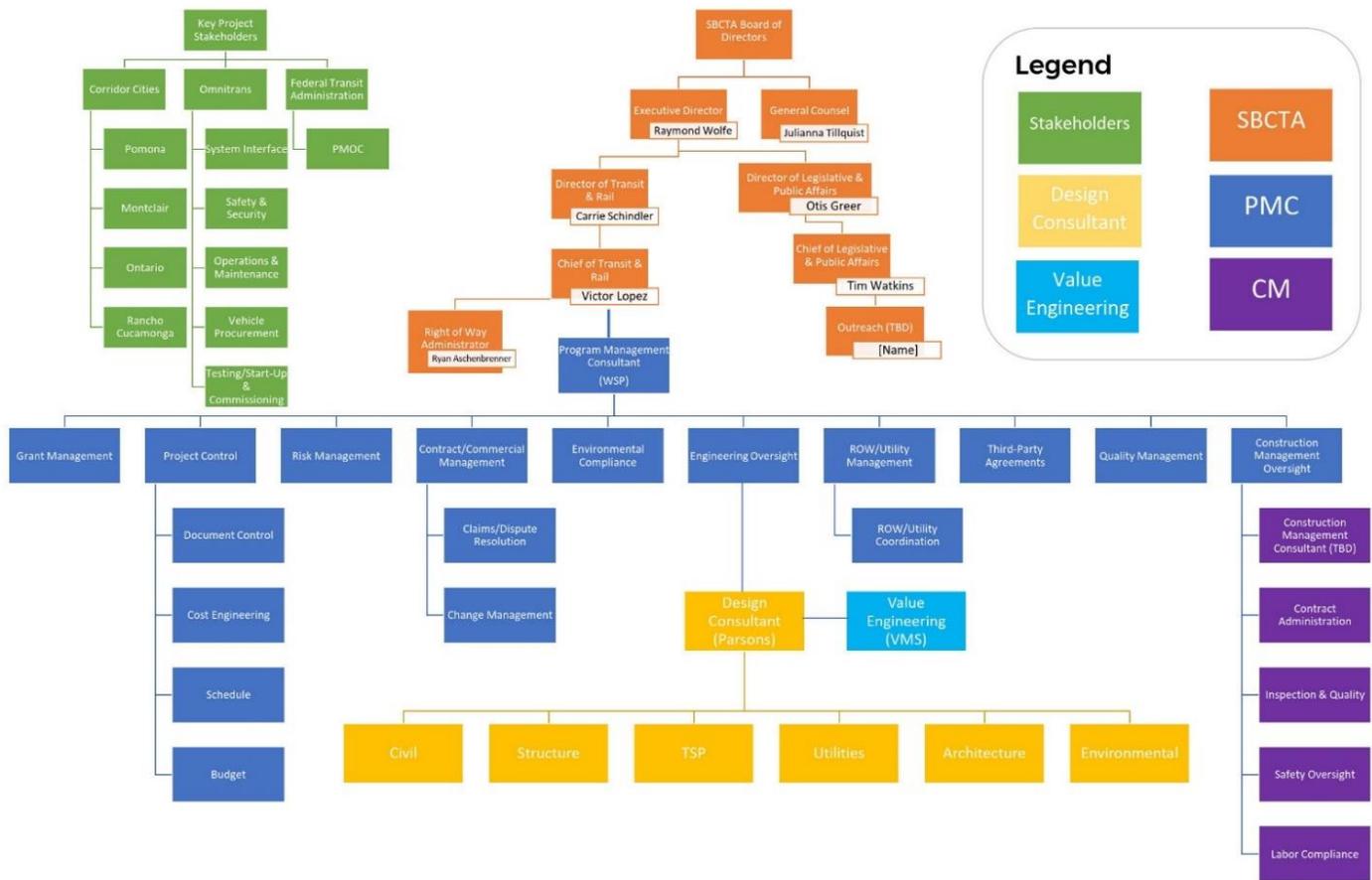


Figure 1 - Project Organizational Chart

2.0 STAFFING REQUIREMENTS

2.1 General

The CMC is expected to provide the necessary personnel to administer the construction support services and to assign qualified field personnel to perform the requested services. The scope of responsibility and the total number of personnel assigned to each phase is left to the discretion of the CMC.

2.2 Project Manager

The CMC will provide a full-time Project Manager to coordinate CMC operations with SBCTA. The Project Manager shall be responsible for all matters related to CMC personnel and operations. The Project Manager will also serve as the Resident Engineer. The Resident Engineer will be responsible for all construction management and construction activity within the Project. The Project Manager must be licensed as a Professional Engineer in the State of California at the time of proposal submittal and through the duration of the CMC Contract.

2.3 Staffing Plan

2.3.1 Proposal Requirements

The Proposal shall include a staffing plan, organization chart and resource-loaded schedule, all of which will be incorporated by reference into the CMC Contract. These submittals will demonstrate the firm's ability to appropriately staff and manage the Project.

2.3.2 Quality and Quantity of Staffing

SBCTA and CMC will jointly determine the quality and quantity of services that are required by CMC personnel. The number of CMC personnel assigned to the Project will vary throughout the duration of the contract. CMC personnel will be assigned, in varying levels of responsibility, as needed by the CMC to meet the Project schedule, Project requirements, and construction activities.

The staffing plan will include, in addition to the Project Manager, Construction Management Quality Assurance Representative, and all other engineers and inspection personnel who will be assigned to direct and coordinate all Project-specific field activities and responsibilities as needed for CMC's satisfactory performance on the Project.

2.3.3 Resumes and SBCTA Approvals

Resumes of personnel must be submitted to SBCTA and if applicable, Omnitrans, for review and approval prior to assignment to the Project. Personnel selected for assignment by CMC shall be made available for personal interviews prior to acceptance by SBCTA. If, in the opinion of SBCTA, an individual lacks adequate experience, the individual may be rejected or may be accepted on a trial basis until such time as the individual's ability to perform the required services has been demonstrated. If, at any time, the performance of CMC personnel is unsatisfactory to SBCTA, SBCTA may release the individual by written notice and may request another qualified person be assigned.

2.4 Key Personnel

The Project Manager and Construction Management Quality Assurance Representative will be Key Personnel. In addition, Key Personnel may be identified by SBCTA and the CMC. Key Personnel shall not be transferred from the Project unless approved in writing by SBCTA. SBCTA shall have the authority to penalize CMC up to \$25,000 for removal of key CMC staff from the Project without prior SBCTA approval. If CMC personnel are on leave of absence, the Project Manager shall provide equally qualified replacement personnel until the assigned personnel returns to the Project.

2.5 Availability and Work Hours

The typical workday includes all hours worked by SBCTA's Construction Contractor including nights and weekends. The Construction Contractor's operations may be restricted to specific hours during the week, which will become the normal workday for CMC's personnel. On days when work is not performed by the Construction Contractor, such as rainy or unsuitable weather days, CMC services will not be provided unless authorized by the SBCTA Project Manager. The Project Manager, with prior concurrence from SBCTA, shall have the authority to increase, decrease, or eliminate CMC personnel work hours dependent on the schedule and requirements of the Construction Contractor.

Unless otherwise directed by SBCTA, the normal work week will consist of 40 hours. From time to time, overtime may be required. However, overtime will be worked only when approved in writing by SBCTA. All overtime pre-planned by CMC personnel shall be approved and authorized by SBCTA prior to each occurrence. If extraordinary circumstances require CMC over- time, the time along with an explanation shall be submitted to SBCTA within five (5) working days of the incident.

3.0 PERFORMANCE STANDARDS

3.1 *Legal Compliance*

All services required herein shall be performed in accordance with Federal Transit Administration (FTA), and where applicable, California Department of Transportation (Caltrans) guidelines, regulations, policies, procedures, manuals, and standards, except as noted in the special provisions.

3.2 *CMC Personnel*

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

Construction team member's conduct shall be professional, ethical, and business-like during all contact between Agency representatives, the Contractor, the public, and any other parties involved with the project. The Resident Engineer (RE) shall handle normal contact and day-to-day flow of correspondence with the Contractor. Construction Management field staff (i.e., RE, office engineers, and inspectors) shall control all project records at the field office in accordance with the WVC Construction Management Plan (to be developed) procedures.

4.0 DUTIES AND RESPONSIBILITIES

4.1 *Primary Construction Management Assignments*

The CMC is responsible for oversight and management of the construction for the Project. The construction management team's primary assignments are as follows, and as more fully described in this Scope of Work:

1. Verify the scope of work is constructed in accordance with the contract documents
2. Oversee the work to ensure it is performed in a safe and productive manner
3. Verify design changes and responses to submittals and Requests for Information (RFI) are submitted to the contractor in a timely manner
4. Confirm the claims avoidance and mitigation techniques are implemented. The Contract is administered in a fair and equitable manner and contractual actions are accurately documented.
5. Always safeguard the best interests of SBCTA Coordinate all safety related matters between the safety program and the contractors

6. Verify constructed facilities and systems meet applicable inspection and test requirements of the quality program
7. Confirm construction contractors effectively implement SBCTA approved QC Programs

4.2 Project Phases

Construction Management activities will be performed in three project phases as generally outlined below and throughout this Scope of Work. This generalized scope of work does not list all of the CMC responsibilities. CMC shall provide complete and comprehensive construction management services for each phase of work, for each construction contract issued by SBCTA to complete the Project.

4.2.1 Pre-Construction Services

The duties will include:

1. Constructability review of PS&E and Special Provisions
2. Bid-ability review
3. Pre-Bid and Contract award support
4. Participating in and providing input for PMOC meetings and correspondence

4.2.2 Construction Services

The duties will include:

1. Administration of construction contracts
2. Coordinate communications between the contractor and all other project participants
3. Coordinate and support public outreach
4. Coordination with the PMC engineering manager for design support by the DC
5. Resident Engineering services
6. Field inspection
7. Office engineering to process, collect, and maintain project communications and records
8. Quality assurance inspections and management of independent quality assurance testing
9. Quality assurance surveying (i.e. verification, control point, and benchmark survey)
10. Liaison with affected stakeholders including government agencies and utilities
11. Analysis and approval of contractor construction schedules and progress payments

12. Review and negotiation of contract changes, disputes, maintenance of project record files and documentation
13. Perform environmental compliance management/mitigation
14. Labor compliance oversight and assist with enforcement
15. Systems inspection, testing, commissioning, start-up support services
16. Monitor construction work in accordance with third party agreements and utility relocation agreements
17. Completion of aerial photos of the construction site quarterly

4.2.3 Post-Construction Services

The duties will include:

1. Tabulate contract work that is either incomplete or requires remedial action for final acceptance
2. Collect and organize records of material testing, inspection and certifications
3. Assist with resolution of change orders
4. Establish dates of substantial completion and final completion
5. Participate in assessing liquidated damages, back charges or similar adjustment to the final contract value
6. Review and approve final progress payment with required documentation
7. Enforce manufacturer warranties
8. Ensure as-built drawings are created and properly stored

5.0 PRE-CONSTRUCTION SERVICES

During the Pre-Construction phase, the CMC will complete the following tasks:

1. Create a complete Construction Management (CM) Plan and Procedures Manual modeled after similar bus rapid transit projects. At a minimum, it should address the control and management of construction- related documents including: Requests for Information; Change Orders; Contractor Submittals; Construction Photos; Operations and Maintenance Manuals; As-built drawings and Project Record Documents. This document shall follow and implement appropriate guidelines in the latest FTA “Project and Construction Management Guidelines.”
2. Perform constructability analysis of the construction documents. Parsons will support this analysis and coordinate with the CMC on appropriate plan, specification and bid item revisions.

3. Participate in risk management sessions to identify and mitigate against construction risk and hazards.
4. Per the specifications, create a project construction schedule detailing phasing and tasks and sub-tasks for each phase. Include all work items from Construction Contractor, SBCTA, third parties and CMC work items.
5. Assist SBCTA, Parsons, and WSP in responding to bid addenda, and bid analysis, pre-qualification of contractors, and recommend award of the construction contracts to the Board.
6. Prior to construction and during the constructability reviews, coordinate with Parsons in conducting an existing conditions surveys identifying potential adverse impacts to schedule and costs and report these to SBCTA.
7. Assist SBCTA with coordination of the pre-bid meeting. Assist in responses to contractor's questions during the bid period.
8. Attend pre-construction meetings as requested.
9. Document existing conditions through digital still photography and submit all photos in digital format to SBCTA prior to start of construction.
10. Perform site reconnaissance and review contract document provisions for site access, staging, parking, utilities, etc. and make recommendations for items to be included in the construction contract documents.
11. Review utility relocation requirements and provide recommendations for structuring the relocation scope of work that will be included in the construction contract documents.
12. Monitor all Construction Environmental Control Plan requirements (address all NEPA/CEQA mitigation and permit requirements as listed in the specifications) with Parsons.
13. Prior to construction, assist Parsons with environmental surveys (prior to start of construction).
14. Prepare a CM Quality Assurance/Quality Control (QA/QC) Plan, including review and audits of construction contractor QA/QC plan. The CMC's QA/QC Plan shall be developed in accordance with "FTA-MA-06-0189-92-1 Quality Assurance and Quality Control Guidelines" and shall be consistent with SBCTA's Program Management Plan (PMP) and Quality Assurance Program.
15. Review contract requirements for Contractor Safety Plan used to govern job-site safety during the construction process.
16. Review project specific testing requirements to be included in the construction contract documents. These will be utilized to ensure that all job materials and construction activities are being reviewed and tested.
17. Review contract specific and overall project start-up and test procedures that will be included in the construction contract documents. These procedures shall comply with all state and

federal agency requirements necessary to make the completed project ready for revenue service.

18. Review systems verification, testing and start-up plan.
19. Review hazardous material identification, notification and remediation policy referenced in the construction contract documents and used to facilitate prompt and legal disposal of job-site hazardous materials during the construction process.
20. Review the draft Storm Water Pollution Prevention Plan (SWPPP), in accordance with the State Water Resource Control Board requirements.
21. Verify that all required permits, easements, utility relocation agreements, cooperative agreements, and memorandums of understanding (MOU's) are complete and the associated requirements are incorporated into the construction plans and special provisions.
22. Review PMP to assist in understanding federal requirements for construction management procedures and reporting.

6.0 CONSTRUCTION SERVICES

6.1 Document Control

CMC will adhere to SBCTA document control procedures and maintain hard copies of records. All documents are to be scanned and saved electronically in the field with weekly backups maintained off site.

6.2 Submittals, Nonconformance Reports (NCR) and Requests for Information (RFI)

CMC will review Construction Contractor submittals for quality and completeness, as well as process and track the submittals according to the Construction Contract. Parsons has a supporting role in responding to RFIs and reviewing non-conformance reports and also in reviewing Construction Contractor submittals and shop drawings for adherence to design and specifications. CMC will coordinate and transmit RFIs and submittals to the Parsons as directed by SBCTA. CMC will facilitate timely review of the following submittals by the Construction Contractor.

1. Progress Payments: Review/approve/reject contractor's monthly progress payment requests. Measure and track quantities installed for all unit rate items and maintain Schedule of Values progress payment in FTA format.
2. Monitor permits, submittals, shop drawings, material procurement, RFIs, bulletins, change requests, change orders, schedules, and recovery plans, coordination with agencies, jurisdictions, utilities, and Engineer of Record.
3. Changes/Claims: Recommend and implement change orders and claim avoidance practices. Analyze, negotiate, facilitate settlement of claims, and process change orders in a timely manner in accordance with the approved PMP procedures. Parsons will revise design documents as required.
4. Track/analyze/report on contractor/subcontractor lien releases.
5. Contractor Insurance: Track policies and renewals including subcontractors.

6. Labor Compliance and Disadvantaged Business Enterprise (DBE) Monitoring: Support SBCTA by obtaining certified payrolls; ensure that DBEs and UDBEs are performing designated work. Obtain contractor's DBE compliance reports. Track and document contractor compliance with prevailing wages and Equal Employment Opportunity (EEO) including performing field interviews of contractor personnel.

6.3 Additional Compliance Tracking

1. Construction Safety and Security: Review contractor's site-specific Safety and Security Plans. Monitor, document, and prepare accident reports. Observe and document in an incident log contractor's compliance with the project safety plan.
2. Storm Water Pollution Prevention (SWPPP): Track compliance with the project SWPPP (and/or Water Quality Control Plan (WQCP)). Perform site inspections to ensure Best Management Practices (BMPs) have been implemented as outlined in the SWPPP/WPQP and that they are properly installed and performing correctly. Perform weekly or daily inspections during the rainy season. Perform run-on/run-off sampling and testing if required by the SWPPP/WQCP.
3. SBCTA has negotiated third party agreements with the corridor cities and will be negotiating agreements with private and district utility companies. The CMC will receive and maintain current copies of such agreements and monitor the construction work for conformance with the terms, conditions, and covenants in these agreements.
4. CMC shall monitor for Contractor's compliance with the labor standards provisions of the Projects and the related wage determination decisions of the Secretary of Labor.
5. CMC personnel shall assist SBCTA and local agencies in obtaining compliance with the safety and accident prevention provisions. CMC will coordinate traffic handling with local agencies.

6.4 Geotechnical Services

Provide construction related geotechnical services necessary to monitor compliance with contract requirements.

6.5 Systems Inspection, Testing Commissioning and Start Up

Perform factory visits, complete manufacturers quality audits, test reports, safety certifications, and verify as-built drawings and calculations. The CMC shall also coordinate with SBCTA and Omnitrans in implementing both construction phase and start-up phase testing as necessary. The CMC shall submit timely reports on problems, progress, and completion of the start-up testing shall be submitted to SBCTA. The CMC shall also provide technical assistance to SBCTA and coordinate the interface between construction and operations personnel for the start of revenue service.

6.6 Survey Support (QA/QC) Services

Monitor construction contractor compliance with surveying requirements; verify layout and controls, perform independent survey checks of line and grade, spot check contractor reference points and verify location and preservation of the critical baseline survey points prior to and after construction (SBCTA provides construction control surveys). The CMC shall include a California licensed surveyor on the

CMC team to provide these services and additional one baseline surveys in the event that the Construction Contractor's survey cannot be relied upon. CMC will provide one set of construction staking for all aspects of the construction. Additional staking will be at the contractor's expense. CMC shall review and provide Quality Assurance and Quality Control of the Contractor's construction surveys for the Project.

6.7 Communication

CMC is responsible for interfacing, coordination, and communication of all activities during construction, and to keep SBCTA well informed at all times. This effort of interfacing, coordination, and communication includes but is not limited to: utility companies; community relations (SBCTA and CMC); labor organizations; cities and the County; Omnitrans; Engineer of Record; architects, artist and other agencies; CMCs; and other entities associated with the Project.

6.8 Design Consultant Coordination

Coordinate with Parsons to facilitate prompt resolution to design and construction related issues.

6.9 Utility Coordination

Assist Construction Contractor and coordinate Project utility requirements with Parsons and WSP. Assist SBCTA with coordination of utility owners for required utility relocation work. Provide knowledgeable utility field inspectors to oversee utility design, and integration of required changes to resolve utility conflicts. These inspectors will be required to coordinate interface milestones, work windows, and monitor the overall efforts of Construction Contractors.

6.10 Maintenance of Traffic and Access to Private Property

CMC will review Construction Contractor's Traffic Plans (Detours and Lane Closures), assist with resolution of issues, and assist with coordination of the traffic plans with the roadway agencies (City of San Bernardino, City of Pomona, City of Montclair, City of Ontario, and City of Rancho Cucamonga) and adjacent property owners.

6.11 Weekly Progress Reports

Prepare weekly progress reports to include daily dairies, project/contract status, deficiency logs, field change notices, new and outstanding issues, actions to be taken, schedule update, calendar days spent and remaining, claims evaluation, and status of all logs including submittals, RFIs, contract change order documents, drawing registers/control logs, etc.

6.12 Monthly Progress Summary Reports

CMC will prepare Monthly Progress Summary Reports indicating CMC and Contractor's contract status, job site conditions, specific conditions encountered, corrective measure taken, progress and record photos, manpower reports, construction schedule update (including narrative), current project cost, and projection of cost including potential change orders, issues and resolutions, itemize all to-date project costs and forecast project costs by totaling base contract payments. It should also include any critical issues requiring action by discussing and prioritizing issues and setting action responsibilities identifying any significant problems with the budget or staffing. Reports will be submitted to the SBCTA.

6.13 Aerial Photos

CMC will prepare aerial photos of the Project site on a quarterly basis. A report will be submitted to the SBCTA.

6.14 Significant Problems

CMC shall immediately notify SBCTA of any significant construction problem that may impact cost, schedules, relations with other entities, or accidents. This notification shall, as soon as practicable, include written recommendations on options to resolve the problem.

6.15 Conferences and Meetings

The CMC will conduct weekly progress, pre-work, weekly safety, and third-party coordination meetings. Conduct and produce meeting minutes and action item lists for weekly contractor progress review meetings for submittal to SBCTA. Provide agendas to include the weekly progress report elements.

6.16 Partnering Program

Prepare, coordinate, facilitate and participate in Partnering Program and conferences at the onset of construction and throughout the duration of construction activities with SBCTA, Parsons, all Construction Contractors, and other key Project stakeholders. This Program shall promote teamwork and open lines of communication to facilitate the successful completion of the Project.

6.17 Public Affairs

CMC will assist SBCTA in providing community meetings to educate the public on the impact of construction work in their local area. Provide support for preparing presentations to cities, agencies, municipalities, SBCTA Board, the public and others as directed. Prepare all agendas, record meeting minutes, and distribute copies to attendees and interested parties.

6.18 Tailgate Briefings – Construction Schedule

CMC will coordinate and monitor the need for tailgate briefings based on the construction schedule. The CMC will schedule the briefings between the Contractor and the Parsons. Additionally, the CMC will notify SBCTA of the need for a briefing and include SBCTA in the briefing.

6.19 Schedule Control

1. Review and monitor contractor's schedule for accuracy, compliance, completed work, and forecast reasonableness.
2. Expand and maintain the Primavera CPM Master Project planning and construction overview schedule to include individual construction contracts with milestones and start-up activities.
3. Review and approve baseline construction schedules, monthly schedule updates, and 3-week look-ahead schedules submitted by contractors for compliance with the construction contract specifications.
4. Provide assistance to develop work-around schedules or recommend other measures required to mitigate delays or expedite the schedule.
5. Review and approve delay analyses submitted by contractors for change order work.
6. Prepare monthly report summarizing contractor progress, critical path analysis, and contractual milestone comparisons of baseline versus current schedule, and resource and cash flow projections.

6.20 Cost Control and Estimating

1. Maintain an up-to-date trend system that identifies all potential cost (and cost of schedule) impacts and forecast to complete.
2. The CMC is responsible for construction contract administration activities, field review and verification of work in place, review and approval of contractor' payment requests, and the negotiation and recommended approval of certain change orders in accordance with approved guidelines. Develop and maintain logs at the field office sites of all-active contract change orders, claims, trends, bid item adjustments, and incurred cost. At the end of each reporting period, CMC will provide a summary of these logs. The summary will show the cumulative totals of the above logs for each contract.
3. Prepare monthly, a three-month look ahead Project Staffing Projections to effectively monitor and compare the CMC costs to the original proposed Work Plan and Budget.
4. The CMC will assist in, or participate in negotiations for contract change orders, including but not limited to preparing an independent cost estimate to help establish a price for extra work and delays. The fair and reasonable cost estimate will be used as a basis for the change order negotiations, and as backup documentation.
5. In preparing cost estimates, the CMC will prepare and maintain complete documentation establishing the basis of the estimates. This documentation prepared in accordance with FTA requirements shall include the basis for all labor, material and equipment costs. Costs shall include all applicable direct and indirect costs, including negotiated profit margins. Any cost necessary to reflect the unique or unusual characteristic of the change order shall be included.

6.21 Inspection Control

1. Provide on-site daily inspections and thorough documentation to check the quality and quantity of the work performed by all trades and guard SBCTA against defects and deficiencies in the work of the contractors. Inspect workmanship, quality, construction means, methods, techniques, and sequences to evaluate the contractor's compliance with the requirements of the construction documents and recommend necessary remedial action to SBCTA and the Contractor.
2. Prepare daily field reports detailing weather conditions, status of work, and the location and type of work performed by the Contractor. For each daily work activity, document the number and classification of craft labor, supervision, equipment and materials used.
3. Any construction work not properly inspected and tested shall be grounds for removal of the CMC or specified personnel.
4. Routine responsibilities associated with providing inspection during construction include, but are not limited to, the following:
 - a. Provide daily inspection and documentation of job-related activities.

- b. Prepare and maintain thorough daily inspection reports.
- c. Provide continual review of plans and specifications to identify discrepancies, and ambiguities, omissions, or conflicts in plans, specifications, and bid schedules that may generate misinterpretations and/or lead to disagreements.
- d. Provide inspection oversight for utility relocations performed by non-SBCTA contractors. Coordinate work schedule with contractor for testing and surveying.
- e. Document information related to manpower, equipment, and time for extra or force account work or claim monitoring.
- f. Attend and document contractor tailgate safety meetings.
- g. Observe and enforce safety attire compliance requirements and on-track safety certification.
- h. Confirm accurate measured quantities and review pay estimates submitted by the contractor.
- i. Provide electronic pictorial and video logbook of construction activities.
- j. Report all discrepancies requiring corrective actions to SBCTA.
- k. Meet with contractor to review proposed work and schedule required inspection.
- l. Provide monthly inspection of contractor's As-Built drawings.
- m. Maintain separate As-Built drawings.
- n. Develop "Punch List" items and follow-up with corrective measures.

6.22 *Material Sampling and Testing*

1. CMC will provide QC, obtain laboratory testing services, and provide independent verification of contractor compliance with specifications.
2. The CMC shall maintain primary responsibility for verification testing for contract compliance of materials sampling and testing. The Construction Contractors have the primary responsibility for materials sampling and testing. The CMC shall satisfy themselves that the Construction Contractor's test, frequency of test, re-tests, and results comply with contract specifications. All materials sampling and testing documentation shall be reviewed by the CMC. A copy of all tests shall be maintained in the Project file.
3. CMC shall provide verification tests as deemed necessary. The Testing Laboratory personnel shall be qualified and certified as applicable with field testing capabilities for soil, concrete, asphalt, welding, and materials testing to complement the CMC's field inspection staff. The scope of testing shall include, but not be limited to on-site inspections and sampling, laboratory materials testing, and off-site source testing and inspection as needed. All test results shall be timely and accurate, so that the contractors work is not impacted.

4. The following represents the minimum anticipated Field Materials Sampling and Testing Requirements:
 - a. Soil – Compaction/Density/Moisture/Resistivity
 - b. Concrete – Materials/Cylinders/Slump/Air Entrainment
 - c. Asphalt Concrete – Yield
 - d. Masonry – Grout/Mortar Test/Reinforcing Steel
 - e. Coring – Asphalt/Concrete

6.23 *Quality Assurance/ Quality Control (QA/QC)*

1. The CMC will submit to SBCTA for approval a QA/QC Plan within 45 calendar days after NTP. The CMC's QA/QC Plan shall identify the individual(s) responsible for QA/QC activities for this contract. The representative shall be responsible for monitoring all construction quality activities for the project and have the authority to act in all issues relating to quality. The representative shall be fully qualified by certification and/or experience and technical training to perform the necessary quality review and monitoring activities and fully implement the QA/QC Plan. The CMC's QA/QC Plan shall be developed in accordance with "FTA-MA-06-0189-92-1 Quality Assurance and Quality Control Guidelines" and shall be consistent with SBCTA's Program Management Plan (PMP) and Quality Assurance Program.
2. Review and accept Construction Contractors' QA/QC plan. Audit the contractor's compliance with the accepted QA/QC Plan.
3. The QA section of the CMC's program will identify all planned and systematic actions necessary to ensure that the scope of work requirements are met to ensure quality throughout all phases of construction. The QA Plan shall identify actions ensuring that equipment and staffing are capable of performing tasks related to the Contract and documenting the quality efforts.
4. The QC section of the CMC's program shall identify the operational techniques and activities, inspections, tests, documentation and other processes that will be used to fulfill requirements specified in the QA section. Provide Resident Engineers, QC inspection, and materials compliance with QA/QC plan and specifications.

6.24 *Project Liaison and Coordination*

The CMC will support SBCTA staff in coordinating program activities and maintaining good working relationships with the following:

- The general public
- FTA
- Omnitrans
- Caltrans
- Other state agencies
- Cities along the Project route
- Utility companies
- Private companies and entities that might be affected by Project construction or implementation

6.25 Environmental Mitigation Compliance Inspection and Reporting

1. Follow construction environmental control plan requirements, ensure contractor compliance with environmental permits such as discharge permits and erosion and sedimentation control requirements, mitigations, monitoring and sound management practices. Provide other environmental compliance services requested by SBCTA
2. CMC shall also conduct tailgate briefings on select environmental topics, if necessary, prior to construction in sensitive areas or in response to ongoing compliance issues. These tailgate briefings should generally be held in coordination with construction tailgate briefings and should simply serve as reminders of key environmental concerns or requirements

6.26 Prevailing Wage Monitoring

1. All contracts are subject to Federal and State prevailing wage laws. The CMC shall be responsible for the day-to-day administration of all Prevailing wage requirements on all construction contracts for the project.
2. The CMC shall have procedures and processes to verify that the weekly certified payrolls are received for all covered construction workers, including all prime and sub-contractors.
3. CMC shall notify SBCTA of any irregularities in the construction contractors' adherence to prevailing wage requirements. In the event of contractor noncompliance with payroll submittal and any other prevailing wage requirements, the CMC shall prepare written notifications to the Prime Contractors itemizing any deficiencies, defining the remedies and noticing of applicable progress payment withholdings and penalties associated with the noncompliance.

7.0 POST-CONSTRUCTION SERVICES

7.1 Contract Closeout

1. Perform final inspection and testing.
2. Prepare comprehensive punch list, resolve outstanding issues, address changes and deficiencies and monitor corrections to completion.
3. Coordinate and schedule final inspections.
4. Balance Change Orders and prepare proposed final estimate. Review and process final payment request.
5. Receive, review, approve, and transmit O&M Manuals from contractor to SBCTA.
6. Produce and issue relief of maintenance and responsibility letter to contractor when authorized.
7. Receive, review, correct, and transmit As-Built Drawings from contractor to SBCTA.
8. Coordinate completion of final reproducible record set of drawings.

9. Receive, review and transmit Warranty/Guarantee documents from contractor to SBCTA.
10. Obtain final acceptance from Cities, Omnitrans, utility companies, and any other relevant Project stakeholders.
11. Produce and issue Final Acceptance to contractor when authorized by SBCTA.
12. Continue claims support in the event that issues are not resolved prior to construction completion.
13. Assess liquidated damages in the event that the contractor exceeds his allowable number of working days.
14. Expedite closeout process and prepare final closeout report.
15. As-Built Drawings: Ensure construction contractor maintains as-builts and coordinate with Parsons. Document and track all design changes. Review final as-built drawings prepared by Parsons to ensure all changes have been incorporated. Verify that all work was completed in conformance with the plans and specifications and provide a letter to SBCTA to this effect.

7.2 Warranties

CMC will monitor and track warranties.

8.0 DELIVERABLES

1. Inspector daily reports, extra work daily diaries and Resident Engineers' daily diaries.
2. Monthly Project Activity Summary Reports.
3. Quarterly aerial photos of the Project site.
4. Monthly Contractor progress payments, back-up documentation, and Contractor payment records.
5. Contractor final payment documents, delivered to SBCTA no later than ten (10) working days after acceptance by SBCTA of the completed construction Project.
6. All Project files, Project reports, correspondence, memoranda, shop drawings, Project logs, project photo and logs, change order data, claims and claim reports, and Contractor payment records.
7. Certified payrolls and fringe benefit statements for all employees, CMC and Contractor, who are subject to the State and/or Federal prevailing wage rates.
8. All material test results will be provided in accordance with the applicable Standard Specifications and Special Provisions, and test methods. Failing tests will be immediately reported to the Resident Engineer. All test results will be recorded on the appropriate forms. The test documents will be legible and show the identity of the tester where appropriate. A

notebook containing all test results and reports will be maintained by CMC throughout the duration of the Project and delivered to SBCTA with the Project files.

9.0 EQUIPMENT AND MATERIALS

9.1 *Provided by CMC*

1. CMC shall provide all necessary equipment including software, materials, supplies, miscellaneous tools, phones, vehicles, and safety equipment required for its personnel to perform the services accurately, efficiently, and safely. The above noted items shall be considered part of the CMCs overhead.
2. CMC personnel shall be provided with vehicles suitable for the location and nature of the work involved.
3. CMC personnel shall be provided with a mobile radio, cellular phone, or other means to assure full-time communication. If a radio system is to be used, CMC shall provide a base station at the field office.
4. CMC personnel shall be provided with all applicable standard plans, specifications, and other standards as appropriate.
5. For Materials Testing, CMC and its staff will be fully equipped at all times to perform the services required, including but not limited to the following:
 - A. An on-site mobile laboratory or laboratory in close proximity to the Project will be required. The type and location of the lab should be such that it can meet the needs of the Project in an efficient, time effective manner. The laboratory is to be fully staffed, equipped, and supplied to conduct all required soils, materials, and concrete breaking tests in a timely manner.
 - B. Field personnel will be provided with all necessary safety equipment to permit work to be performed safely and efficiently within operating rail, highway and construction zone environments.
 - C. All equipment to be calibrated as per Section 3-10 and 3-11 of Caltrans' Quality Assurance Program Manual.

9.2 *Provided by SBCTA*

SBCTA will provide three (3) copies of all Project construction documents including plans, and special provisions, and one (1) copy of all other reports, designer prepared resident engineer files, and contracts. In addition, SBCTA will provide one (1) full size (24" x 36") sets of plans for use in the construction field office as record documents. SBCTA will provide copies of all previously secured permits and Project authorizations.

10.0 LIMITATIONS TO AUTHORITY

10.1 *No Authority*

CMC does not have the authority to take any of the following actions.

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

10.2 *Third-Party Relationships*

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

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

11.0 CONSTRUCTION SAFETY

Safety and security are to be priorities in conducting all work on the WVC BRT Project to ensure the safety and security of employees, the public and emergency responders during the design, construction, and operation of the project. A Safety & Security Management Plan [SSMP] and a Safety and Security Certification Plan [SSCP] (currently in development) will form a framework for the integration of safety and security throughout each phase of the Project lifecycle.

11.1 Safety and Security Management Plan

The CMC will administer the SSMP in accordance with the FTA requirements of Guidance Circular 5800.1. It documents the policies and procedures that will be implemented to ensure all facility and systems design, construction, testing, training, certification, and documentation associated with the project is completed, that all “work around” procedures are in place if any, and all required certifications have been properly authenticated prior to the commencement of revenue service. Furthermore, the SSMP describes the process through which safety and security activities are integrated into the overall project management process; it documents the project’s planned approach:

- To identify all safety and security tasks that will be performed throughout the project;
- To designate project personnel with responsibility for safety and security;
- To assign personnel and resources for their performance;
- To develop policies and procedures for management review and evaluation of safety and security activities.

The CMC may participate in the Safety and Security Review Committee and a Fire/Life Safety and Security Committee will be established and continue to meet on a regular schedule. These and other committees will govern safety and security activities as required by the SSMP.

11.2 Safety and Security Certification Plan

The CMC will assist in administering the SSCP in accordance with guidelines set forth in the FTA Handbook for Transit Safety and Security Certification. The SSCP documents the processes and procedures that will guide Safety and Security Certification of the project prior to the initiation of revenue service. A thorough certification process will verify that the project is designed, constructed, and tested in accordance with industry standards of safety and security.

Safety and Security Certification is the process to confirm that the WVC system operation is deemed safe for patrons, employees, emergency service personnel, and the general public. The certification process functions as the assurance and validation portion of the SSMP and serves to verify satisfactory compliance with a set of formal safety and security requirements.

The certification process, described in detail in the SSCP, includes the following steps:

- Design criteria verification
- Construction conformance verification
- Testing and inspection verification
- Hazard and vulnerability resolution verification
- Operational readiness verification
- Development of Final Safety and Security Certification Verification Report

11.3 Safety and Security Risk Evaluation

CMC will assist in the safety and security risk evaluation will be performed to identify potential safety and security issues with the proposed system and eliminate or minimize the risks associated with those issues through design or procedural mitigations or controls. Safety manages unintentional harm and security deals with intentional harm. Both safety and security risk assessment, described below, include project staff and first responders to capture and minimize hazards and vulnerabilities.

11.3.1 Threat and Vulnerability Assessment

The CMC may participate in the Threat and Vulnerability Assessment is developed to identify potential security threats and vulnerabilities related to various elements of the WVC. This document has been identified as Sensitive Security Information to meet the requirements for 49 CFR Parts 15 and 1520. The main goal is to establish satisfactory provisions for the deterrence, detection, and response to intentional harmful acts in the planning, design, and operation of the system.

11.3.2 Preliminary Hazard Analysis

The CMC may participate in the identification, assessment, and resolution of potential safety hazards are an important means of assuring the highest practical level of safety in any system. This provides the basis for the WVC BRT Project Preliminary Hazard Assessment (PHA). The PHA is part of the hazard management process defined in the SSMP to identify, analyze, and resolve potential hazards related to various elements of the transit system, such as personnel, passengers, system visitors, contractors, facilities, and equipment.

11.4 Site Safety

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

1. CMC's field personnel will wear hard hats with proper suspension, orange vests with reflective tape, sleeved shirt, long pants, and leather boots with ankle support and rubber soled shoes (with steel toes within the railroad right of way) at all times while working in the field.
2. CMC will provide appropriate safety training for all CMC's personnel, including work on and near highways and railroad right-of-way.
3. All safety equipment will be provided by CMC.

12.0 EXHIBITS

The following exhibits are attached to this Scope of Work and incorporated by reference.

Exhibit A – Project Management Plan (latest version)

Minute Action

AGENDA ITEM: 18

Date: July 7, 2021

Subject:

Redlands Passenger Rail Project– Contingency Increase to Construction Contract No. 19-1002070 and Amendment No. 3 to Construction Management Consultant Contract No. 18-1001834

Recommendation:

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

A. Allocate an additional \$6,215,541.70 in State Transit Assistance funds to the Redlands Passenger Rail Project (RPRP) to fund a retrofit of the RPRP Rail Storage and Maintenance Facility (RSMF) needed to remedy non-compliant clearances.

B. Approve an increase in the amount of contingency authorized for Contract No. 19-1002070 with Granite Construction Company for the RPRP RSMF by \$5,500,000, increasing it from \$2,863,400 to \$8,363,400, and authorize the Executive Director, or their designee, upon receipt of valid certificates of insurance, to release contingency as necessary for the completion of the project.

C. Approve Amendment No. 3 to Contract No. 18-1001834 with Lockwood, Andrews & Newnam, Inc., for Construction Management Consultant Services for the RPRP RSMF, increasing the contract amount by \$715,541.70, for a new lump sum amount not-to-exceed \$2,616,409.02.

D. Approve a Fiscal Year 2021/2022 Budget Amendment, increasing Task 0315, Transit Capital, by \$6,215,541.70 in State Transit Assistance funds.

Background:

On June 5, 2019, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved the award of Construction Contract No. 19-1002070, based on the competitive low bid process, for the Redlands Passenger Rail Project (RPRP) Rail Storage & Maintenance Facility (RSMF), to Granite Construction Company, for a fixed lump sum of \$20,855,000. The maintenance facility is a sub-component of the RPRP, a 9-mile reconstructing of the existing Redlands Subdivision, which will provide for commuter rail service between the cities of San Bernardino and Redlands. The maintenance facility project entailed repurposing the existing Inland Empire Maintenance Facility located at 958 West 3rd Street in the City of San Bernardino, east of the San Bernardino Santa Fe Depot and west of Interstate 215 on property owned by SBCTA. The maintenance facility is 95% complete, and includes a pre-engineered metal building, two maintenance bays, a maintenance pit, staff and crew office space, a lunchroom, a machine shop area, and a material storage area. The facility will accommodate a fleet of six (6) two-car multiple units, starting with three (3) diesel multiple units (DMU), and eventually a zero-emission multiple unit (ZEMU).

On April 15, 2021, the California Public Utility Commissions (CPUC) inspected the maintenance facility and identified that the width of the rail vehicle entry doors were not in compliance with CPUC General Order 26D (GO-26D) which requires a minimum 30-inch clearance between a heavy rail vehicle and an object such as a door, wall, curb, etc. WSP USA,

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 7, 2021

Page 2

the designer of record, developed a retrofit design concept to modify the opening to allow for compliance with GO-26D. The concept includes modifying the building to have one large opening instead of three openings and includes removal and modifications of affected structural elements, doors, and appurtenances. The design concept requires coordination with the maintenance facility construction contractor, Granite Construction, and their sub-contractor Butler who designed the pre-engineered metal building. This process is estimated to take 1 to 2 months, and the team is working to have the retrofit complete by mid-October which is when the DMUs are scheduled to arrive. In addition, upon discovery of the non-compliant clearance issue, staff directed the RPRP Program Management Consultant and the Designer of Record, to conduct a thorough review of the completed facility to identify any other clearance issues. Upon review of the facility, it was determined that one of the elevated walkways that allows for maintenance of the vehicle from the roof is in direct conflict with the vehicle envelope and requires retrofit.

Staff is seeking approval to increase the amount of contingency authorized for Contract No. 19-1002070 with Granite Construction Company, for the RPRP RSMF by \$5,500,000 so once the retrofit design is complete, there are sufficient funds to proceed immediately with the contract change order work to minimize additional delay costs. Waiting to request a contingency increase until after the retrofit design is complete would allow for a more accurate cost estimate, but increases the financial risk to the project overall should there be a time delay between knowing the more accurate cost and having an approved allocation for the required funding to support the upcoming contract change order. Should additional funds be required once the final retrofit design is complete, staff will return to the Board for additional funding. Should there be any residual funds remaining after the retrofit work, those funds will be returned for future programming.

In addition, staff is requesting an amendment to the Construction Management Contract No. 18-1001834 with Lockwood, Andrews & Newnam, Inc. to increase the fee by \$715,541.70 to support the retrofit effort.

Financial Impact:

This item is not consistent with the approved Fiscal Year 2021/2022 Budget. A budget amendment is requested in Recommendation D.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel, Procurement Manager and Risk Management have reviewed this item.

Responsible Staff:

Victor Lopez, Director of Capital Delivery

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

General Contract Information

Contract No: 18-1001834 Amendment No.: 3
 Contract Class: Payable Department: Transit
 Vendor No.: 03386 Vendor Name: Lockwood, Andrews & Newnam, Inc.
 Description: Redlands Passenger Rail Project - Rail Storage Maintenance Facility - CMC Services
 List Any Related Contract Nos.: _____

Dollar Amount					
Original Contract	\$	975,902.72	Original Contingency	\$	48,795.14
Prior Amendments	\$	924,964.60	Prior Amendments	\$	(48,795.14)
Current Amendment	\$	715,541.70	Current Amendment	\$	-
Total/Revised Contract Value	\$	2,616,409.02	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	2,616,409.02

Contract Authorization

Board of Directors _____ Date: 07/07/2021 Board _____ Item # 7788

Contract Management (Internal Purposes Only)

Other Contracts _____ Sole Source? No Board Approved Budget Adjustment _____
 State/Local _____ Professional Services (Non-A&E) _____

Accounts Payable

Estimated Start Date: 05/10/2018 Expiration Date: 12/31/2021 Revised Expiration Date: _____
 NHS: N/A QMP/QAP: N/A Prevailing Wage: N/A

							Total Contract Funding:	Total Contingency:	
Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	\$
GL	4150	30	0315	0324	52001		41100000	2,616,409.02	-
GL	1050	30	0315	0324	52010		42218001	1,900,867.32	-
GL							MSI Rail	715,541.70	-
GL							STA	-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-

Victor Lopez

Project Manager (Print Name)

Carrie Schindler

Task Manager (Print Name)

Additional Notes:
 -A contingency release of \$24,694.60 was issued in 2019 to extend pre-construction services, to allow for a 2nd IFB.
 -Amendment No. 1 was executed in 2019 to extend the term to 12/31/2020, and did not include a fee increase.
 -Amendment No. 2 was for \$900K (\$876,169.46 of additional funds and \$23,830.54 from previously authorized contingency funds) and extended the term to 12/31/2021.
 -This Amendment No. 3 is for \$715,541.70 of additional funds.

Attachment: LAN Contract Summary Sheet (2021-05-24) (7788 : RPRP Contingency Increase Contract No. 19-1002070 and Amendment No. 3 No.

AMENDMENT NO. 3 TO CONTRACT NO. 18-1001834

FOR

**CONSTRUCTION MANAGEMENT CONSULTANT SERVICES FOR THE REDLANDS
PASSENGER RAIL PROJECT RAIL MAINTENANCE FACILITY**

(LOCKWOOD, ANDREWS & NEWNAM, INC.)

This AMENDMENT No. 3 to Contract No. 18-1001834 is made by and between Lockwood, Andrews & Newnam, Inc. ("CONSULTANT") and the San Bernardino County Transportation Authority ("SBCTA"). CONSULTANT and SBCTA are each a "Party" and are collectively "Parties".

RECITALS

- A. SBCTA, under Contract No. 18-1001834, has engaged the services of CONSULTANT to provide construction management consultant services for Redlands Passenger Rail Project Rail Maintenance Facility ("Contract"); and
- B. On May 9, 2018, SBCTA and CONSULTANT entered into Agreement 18-1001834 with a period of performance ending December 31, 2019; and
- C. On August 20, 2019, Project Contingency in the amount of \$24,964.60 was authorized to allow CONSULTANT two additional months of pre-construction services; and
- D. On December 12, 2019, SBCTA and CONSULTANT executed Amendment No. 1 to extend the period of performance through December 31, 2020; and
- E. On October 13, 2020, SBCTA and CONSULTANT executed Amendment No. 2 to extend the period of performance through December 31, 2021, and increased the not-to-exceed amount by \$900,000.00; and
- F. SBCTA and CONSULTANT desire to amend the aforesaid contract to increase the contract amount by \$715,541.70.

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

1. Add Articles 3.10 through 3.12 "COMPENSATION" to read as follows:

- 3.10 In addition to the Lump Sum compensation stated in Article 3.8, for extending CMC services, additional compensation is available to the CONSULTANT per the terms of Articles 3.11 and 3.12.
- 3.11 Total compensation to CONSULTANT for full and complete performance of the Scope of Work, identified herein, and in compliance with all the terms and conditions of this Contract, shall be on a Lump Sum basis for all obligations incurred in CONSULTANT's performance of Work, and for which CONSULTANT shall furnish all personnel, facilities, equipment, materials, and

supplies, and Services (except as may be explicitly set forth in this Contract as furnished by SBCTA), and shall not exceed the amount set forth in section 3.12 below

- 3.12 The total Contract Not-To-Exceed Amount, as proposed in Exhibit "C" to this AMENDMENT No. 3, is Seven Hundred Fifteen Thousand Five Hundred Forty-One Dollars and Seventy Cents (\$715,541.70). All Work provided under this Contract is to be performed as set forth in Contract Exhibit "A" "Scope of Work", and shall be reimbursed pursuant to Exhibit "C" "Fee Schedule" on a monthly lump sum basis. SBCTA will not reimburse CONSULTANT for any expenses not shown in Exhibit "C" or agreed to and approved by SBCTA as required under this Contract.
- 2. Exhibit "C" is attached to and incorporated into Amendment No. 3 by this reference.
- 3. Except as amended by this AMENDMENT No. 3, all other provisions of the Contract, as amended, shall remain in full force and effect and are incorporated herein by this reference.
- 4. This AMENDMENT No. 3 is effective upon execution by SBCTA.

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

DRAFT

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No.2 below.

**LOCKWOOD, ANDREWS &
NEWNAM, INC.**

**SAN BERNARDINO COUNTY &
TRANSPORTATION AUTHORITY**

By: _____
Timothy J. Schmidt
Senior Associate

By: _____
Curt Hagman
Board President

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Julianna K. Tillquist
General Counsel

CONCURRENCE:

By: _____
Jeffery Hill
Procurement Manager

DRAFT

Attachment: 18-1001834 Amend No. 3 (7788 : RPRP Contingency Increase Contract No. 19-1002070 and Amendment No. 3 No. 18-1001834)

**EXHIBIT C FEE
SCHEDULE ICE
Construction Management Services for the
Redlands Passenger Rail Maintenance Facility
San Bernardino County Transportation Authority**

Project Schedule																	
Task/Role	Staff	May	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL HOURS	Hourly Rate	OH	Rate +OH	Fee	Billable Rate	TOTAL COST
Increase CM Services (Pre-Commissioning)																	
Increase CM Services (Commissioning /Close-Out)																	
Extended Construction (Post-Commissioning/Close-Out)																	
Increase & Extend CM Services																	
Construction Management and Inspection																	
Construction Manager			156	156			156	156	156		780	\$ 112.00	185.02%	\$ 319.22	8.0%	\$ 344.76	\$ 268,912.95
Structural Lead (Sub-Consultant)		40	80	80			80	80	80		440	\$ 71.45	147.00%	\$ 176.48	8.0%	\$ 190.60	\$ 83,865.30
Office Engineer		69	156	156			156	156	156		849	\$ 51.70	185.02%	\$ 147.36	8.0%	\$ 159.14	\$ 135,113.06
Office Engineer				80			80	80	80		320	\$ 33.00	185.02%	\$ 94.06	8.0%	\$ 101.58	\$ 32,505.96
Material Testing																	
Technician (Sub-Consultant)	TBD						78	78	78		234	\$ 57.22	132.22%	\$ 132.88	8.0%	\$ 143.51	\$ 33,580.49
Extended Construction Revised SUB-TOTAL		40	236	316	0	0	316	316	316	0	1540						\$ 553,977.76
Commissioning /Close-Out																	
Early Submittal Reviews																	
Construction Manager					80	80					160	\$ 112.00	185.02%	\$ 319.22	8.0%	\$ 344.76	\$ 55,161.63
Lead Inspector/Structural					80	80					160	\$ 71.45	147.00%	\$ 176.48	8.0%	\$ 190.60	\$ 30,496.47
Office Engineer					156	156					312	\$ 51.70	185.02%	\$ 147.36	8.0%	\$ 159.14	\$ 49,652.86
Office Engineer					80	80					160	\$ 33.00	185.02%	\$ 94.06	8.0%	\$ 101.58	\$ 16,252.98
Extended Contract Total		40	236	316	160	160	316	316	316	0	1860						\$ 151,563.94
Other Direct Costs																	
Caltrans Survey (Sub-Consultant)							1							\$ 10,000.00			\$ 10,000.00
SUB-TOTAL																	\$ 10,000.00
PRIME CONSULTANT SUB-TOTAL																	
SUB CONSULTANTS SUB-TOTAL																	
TOTAL NOT-TO-EXCEED COST TO EXTEND CM SERVICES \$ 715,541.70																	

Attachment: For Print 18-1001834 Amend No. 3 - Attachment C (7788 : RPRP Contingency Increase Contract No. 19-1002070 and Amendment

Minute Action

AGENDA ITEM: 19

Date: July 7, 2021

Subject:

Approval of Regional Rideshare Program Contracts

Recommendation:

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

A. Approve Agreement No. 21-1002572 between San Bernardino County Transportation Authority (SBCTA), Riverside County Transportation Commission (RCTC), Ventura County Transportation Commission (VCTC), Orange County Transportation Authority (OCTA), and Los Angeles County Metropolitan Transportation Authority (LACMTA), for a total receivable amount of \$852,510 for Regional Rideshare Software.

B. Approve Amendment No. 1 to Contract No. 19-1002203 with Trapeze Software Group, Inc. for Regional Rideshare Software, increasing the contract price from \$350,000 to \$1,057,159; incorporating licenses for LACMTA, OCTA and VCTC into Contract; and updating insurance requirements.

C. Authorize the Executive Director, or his designee, to finalize negotiations of and, upon General Counsel's approval as to form, execute Amendment No. 1 to Cooperative Agreement No. 20-1002371 with RCTC for Rideshare Program Implementation, removing Rideshare Software expenses incorporated into Agreement No. 21-1002572 from the Scope of Work, which reduces the receivable amount from \$200,000 to \$2,500.

D. Approve Memorandum of Understanding No. 21-1002573 between LACMTA, OCTA, RCTC, SBCTA, and VCTC to merge and consolidate the agencies' rideshare databases.

E. Approve and authorize the Executive Director, or his designee, to execute Amendment No. 3 to Contract No. 17-1001683 with Trapeze Software Group, Inc. to update insurance requirements and to amend the number of Option Terms for a maximum not-to-exceed term of June 30, 2024.

Background:

The San Bernardino County Transportation Authority (SBCTA), Riverside County Transportation Commission (RCTC), Ventura County Transportation Commission (VCTC), Orange County Transportation Authority (OCTA), and Los Angeles County Metropolitan Transportation Authority (LACMTA), also referred to as ("regional rideshare agencies"), regularly coordinate on regional rideshare activities including South Coast Air Quality Management District (South Coast AQMD) Rule 2202 On-Road Motor Vehicle Mitigation Options, ride-matching, marketing and outreach, and Federal Transit Administration vanpool subsidy programs. SBCTA's Board of Directors (Board) approved Contract No. 19-1002203 with Trapeze Software Group, Inc. on June 5, 2019 for rideshare software, which transitioned RCTC's and SBCTA's bi-county Inland Empire (IE) Commuter rideshare program to the same rideshare software that LACMTA, OCTA and VCTC utilize, ("regional rideshare software"). RCTC and SBCTA fully transitioned the IE Commuter rideshare program to the regional rideshare software in July 2020, available at IECommuter.org. Now that the regional rideshare agencies operate on the same software, focus has shifted to merging the regional rideshare agencies' rideshare databases, also referred to as the "consolidated database".

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 7, 2021

Page 2

Staff requests the Board's approval of Agreement No. 21-1002572* for Regional Rideshare Software that will authorize SBCTA to make the regional rideshare software available to RCTC, VCTC, OCTA, and LACMTA through June 30, 2024. (*Due to financial system limitations, administrative accounts receivable contracts have been assigned to this contract, 21-1002572 - RCTC, 21-1002640 – VCTC, 21-1002641 – OCTA and 21-1002642 – LACMTA) Incorporating the regional rideshare software and database under one contract will assist in future coordinated efforts and modifications to the regional rideshare software and database, including jointly procuring future software and database services, with no interruptions to the consolidated database. Costs for the Regional Rideshare Software will be shared between the agencies based on county population share, similar to how the regional rideshare agencies implement other activities.

Concurrent with approval of Agreement No. 21-1002572, staff requests approval of Amendment No. 1 to Contract No. 19-1002203 with Trapeze Software Group, Inc., incorporating licenses for VCTC, OCTA and LACMTA, increasing the contract amount from \$350,000 to \$1,057,159 to account for the increased annual maintenance costs by adding VCTC, OCTA and LACMTA, and updating General Provisions of the Insurance requirements. Updates to General Provisions of the Insurance include allowing self-insured retention for Network and Privacy, Professional, and Commercial General Liability policies, which is being recommended due to the low exposure risk and limited personal information collected through the program. Staff also requests approval of and authorization for the Executive Director, or his designee, to execute Amendment No. 3 to Contract No. 17-1001683 with Trapeze Software Group, Inc. for SBCTA's vanpool program online system, to update the same insurance requirements as Agreement No. 19-1002203 and to amend the number of Option Terms for a maximum not-to-exceed term of June 30, 2024. Approval of Amendment No. 3 to Contract No. 17-1001683 will align the vanpool and rideshare software terms, allowing for both programs to be procured under the same contract so they remain operating on the same software and database.

Concurrent with approval of both Agreement No. 21-1002572 and Amendment No. 1 to Contract No. 19-1002203, staff also requests approval of Amendment No. 1 to Cooperative Agreement No. -20-1002371 with RCTC for Rideshare Program Implementation. Amendment No. 1 to Cooperative Agreement No. 20-1002371 removes SBCTA's provision of that portion of the rideshare software that is now incorporated in the five party Regional Rideshare Software Agreement No. 21-1002572.

Lastly, staff requests approval of Memorandum of Understanding (MOU) No. 21-1002573 between SBCTA, RCTC, VCTC, OCTA and LACMTA to merge and consolidate the agencies' rideshare databases. This MOU sets forth the data ownership, privacy, confidentiality and responsibilities of the regional rideshare agencies as users of the regional rideshare consolidated database.

SBCTA's rideshare program was identified in SBCTA's Customer-Based Ridesharing and Transit Interconnectivity Study and Action Plan, specifically noting opportunities for technology improvements. Since transitioning to the regional rideshare software, many of the identified issues have been addressed and strides have been made to improve other aspects of the program. In addition, the regional rideshare agencies' rideshare and Transportation Demand Management (TDM) programs were cited in the Southern California Association of Governments (SCAG)

San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 7, 2021

Page 3

TDM Strategic Plan. In the SCAG TDM Strategic Plan, consolidation of the regional rideshare agencies ride-matching databases was identified, as well as continuation and expansion of the ongoing regional rideshare partnership, including marketing, outreach and employer coordination. The agreements associated with the regional rideshare program will allow the regional rideshare agencies to be on the same contract terms, make software modifications as needed and more easily jointly procure software and maintenance of the regional rideshare consolidated database.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel, Procurement Manager and Risk Management have reviewed this item and the draft agreements.

Responsible Staff:

Nicole Soto, Management Analyst II

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

General Contract Information

Contract No: 21-1002572 Amendment No.: _____
 Contract Class: Receivable Department: Transit
 Customer ID: _____ Customer Name: Riverside County Transportation Commission
 Description: Provision of Regional Rideshare Software

List Any Accounts Payable Related Contract Nos.: 19-1002203, 21-1002640, 21-1002641, 21-1002642

Dollar Amount			
Original Contract	\$	186,444.00	Original Contingency
Prior Amendments	\$	-	Prior Amendments
Current Amendment	\$	-	Current Amendment
Total/Revised Contract Value	\$	186,444.00	Total Contingency Value
			Total Dollar Authority (Contract Value and Contingency)
			\$ 186,444.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7798

Contract Management (Internal Purposes Only)

Local Services

Accounts Receivable																																																																											
Total Contract Funding: \$ <u>186,444.00</u>					Funding Agreement No: <u>21-1002572</u>																																																																						
Beginning POP Date: <u>07/01/2021</u>			Ending POP Date: <u>06/30/2024</u>		Final Billing Date: <u>N/A</u>																																																																						
Expiration Date: <u>N/A</u>																																																																											
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Nicole Soto

Project Manager (Print Name)

Carrie Schindler

Task Manager (Print Name)

Additional Notes:

Attachment: CSS - 21-1002572 - RCTC (7798 : Approval of Regional Rideshare Program Contracts)

General Contract Information

Contract No: 21-1002640 Amendment No.: _____
 Contract Class: Receivable Department: Transit
 Customer ID: 03448 Customer Name: Ventura County Transportation Commission
 Description: Provision of Regional Rideshare Software

List Any Accounts Payable Related Contract Nos.: 19-1002203, 20-1002572, 21-1002641, 21-1002642

Dollar Amount			
Original Contract	\$	34,495.00	Original Contingency
Prior Amendments	\$	-	Prior Amendments
Current Amendment	\$	-	Current Amendment
Total/Revised Contract Value	\$	34,495.00	Total Contingency Value
			\$ -
Total Dollar Authority (Contract Value and Contingency)			\$ 34,495.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7798

Contract Management (Internal Purposes Only)

Local Services

Accounts Receivable									
Total Contract Funding:		\$		34,495.00		Funding Agreement No:		21-1002572	
Beginning POP Date:		07/01/2021		Ending POP Date:		06/30/2024		Final Billing Date:	
Expiration Date:		N/A						N/A	
Local					Services				
Fund	Prog	Task	Sub-Task	Revenue	Total Contract Funding:	Fund	Prog	Task	Sub-Task
GL: 6010	30	0314	0320	42909019	34,495.00	GL:			
GL:					-	GL:			
GL:					-	GL:			
GL:					-	GL:			
GL:					-	GL:			

Nicole Soto

Carrie Schindler

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: CSS - 21-1002640 - VCTC (7798 : Approval of Regional Rideshare Program Contracts)

General Contract Information

Contract No: 21-1002641 Amendment No.: _____
 Contract Class: Receivable Department: Transit
 Customer ID: 03059 Customer Name: Orange County Transportation Authority
 Description: Provision of Regional Rideshare Software

List Any Accounts Payable Related Contract Nos.: 19-1002203, 21-1002572, 21-1002640, 21-1002642

Dollar Amount			
Original Contract	\$	137,466.00	Original Contingency
Prior Amendments	\$	-	Prior Amendments \$ -
Current Amendment	\$	-	Current Amendment \$ -
Total/Revised Contract Value	\$	137,466.00	Total Contingency Value \$ -
Total Dollar Authority (Contract Value and Contingency)			\$ 137,466.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7798

Contract Management (Internal Purposes Only)

Local	Services																																																																		
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Fund	Prog	Task	Sub-Task	Revenue	Total Contract Funding:																																																														
GL:					-																																																														
GL:					-																																																														
GL:					-																																																														
GL:					-																																																														

Nicole Soto
Project Manager (Print Name)

Carrie Schindler
Task Manager (Print Name)

Additional Notes:

Attachment: CSS - 21-1002641 - OCTA (7798 : Approval of Regional Rideshare Program Contracts)

General Contract Information

Contract No: 21-1002642 Amendment No.: _____
 Contract Class: Receivable Department: Transit
 Customer ID: 01216 Customer Name: Los Angeles County Metropolitan Transportation Authority
 Description: Provision of Regional Rideshare Software

List Any Accounts Payable Related Contract Nos.: 19-1002203, 21-1002572, 21-1002640, 21-1002641

Dollar Amount			
Original Contract	\$	494,105.00	Original Contingency
Prior Amendments	\$	-	Prior Amendments
Current Amendment	\$	-	Current Amendment
Total/Revised Contract Value	\$	494,105.00	Total Contingency Value
			Total Dollar Authority (Contract Value and Contingency)
			\$ 494,105.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7798

Contract Management (Internal Purposes Only)

Local		Services	
Accounts Receivable			
Total Contract Funding:	\$	494,105.00	Funding Agreement No: <u>21-1002572</u>
Beginning POP Date:	<u>07/01/2021</u>	Ending POP Date: <u>06/30/2024</u>	Final Billing Date: <u>N/A</u>
Expiration Date:	<u>N/A</u>		
Fund	Prog	Task	Sub-Task
GL: 6010	30	0314	0320
Revenue	Total Contract Funding:		
42904004	494,105.00		
GL:			

Nicole Soto
 Project Manager (Print Name)

Carrie Schindler
 Task Manager (Print Name)

Additional Notes:

Attachment: CSS - 21-1002642 - LACMTA (7798 : Approval of Regional Rideshare Program Contracts)

AGREEMENT NO. 21-1002572

REGIONAL RIDESHARE SOFTWARE AGREEMENT

This Agreement for Services (“AGREEMENT”) is entered into between the Los Angeles County Metropolitan Transportation Authority (“LACMTA”), Orange County Transportation Authority (“OCTA”), Riverside County Transportation Commission (“RCTC”), San Bernardino County Transportation Authority (“SBCTA”) and the Ventura County Transportation Commission (“VCTC”) (each individually a “Party” and collectively the “Parties”) for the Provision of the Regional Rideshare Software (the “Project”).

1. **WHEREAS**, SBCTA has entered into Contract No. 19-1002203 with Trapeze Software Group, Inc. (“Trapeze”), whereby Trapeze provides services and licenses software to support a regional rideshare database (“Regional Rideshare Software”);
2. **WHEREAS**, the Parties desire to enter into this AGREEMENT for SBCTA’s provision of the Regional Rideshare Software as part of the effort to continue coordination of regional rideshare services;
3. **WHEREAS**, the goal of the Project is to maintain and enhance the Regional Rideshare Software, which is necessary to encourage commuters to carpool, vanpool, take bus and rail, telecommute, bike and walk to Southern California worksites;
4. **WHEREAS**, the Parties under a separate Memorandum of Understanding will consolidate their rideshare databases into a single, 5-county regional rideshare database (“Consolidated Database”) to better serve the traveling population of the region;
5. **WHEREAS**, SBCTA has agreed to perform services necessary to implement the Project on the terms and conditions contained herein;

NOW, THEREFORE, the Parties to this AGREEMENT agree to the following terms and conditions:

1. SCOPE OF SERVICES

- A. The Parties understand and agree that LACMTA, OCTA, RCTC and VCTC are intended third-party beneficiaries of the Regional Rideshare and Vanpool Program Online System Agreement dated September 5, 2019 (Contract No. 19-1002203) as amended between SBCTA and Trapeze Software Group, Inc. (“Trapeze”). The foregoing referenced Agreement, attached as Attachment A, is referred to herein as the ‘Software Agreement.’ The Parties agree to comply with Attachment 1, Software License and Maintenance Agreement, to the Software Agreement. SBCTA and its subcontractors shall furnish all technical and professional services necessary to fully and adequately perform the tasks set forth in Exhibit C of the Software Agreement (the “Services”).

- B. SBCTA shall perform the Services in accordance with the Budget attached as Attachment B, which is incorporated herein by reference. A Party(s) may request a modification to the Regional Rideshare Software as further outlined in Section 10 and SBCTA may release contingency funds as allocated in the budget provided the Party requesting the modification provides written approval of such release of contingency, and further provided the total budget amount is not exceeded.
- C. SBCTA understands that some Party(s) may utilize Congestion Mitigation & Air Quality (“CMAQ”) Funding for this Project and will administer the Project in accordance with CMAQ Guidelines, as adopted or amended.

2. TERM

- A. This AGREEMENT shall commence upon execution by SBCTA, and terminate on June 30, 2024, or until otherwise terminated, or unless extended as hereinafter provided by written amendment, except that all indemnity obligations hereunder shall survive termination of this AGREEMENT.
- B. All eligible Project expenses as outlined in this AGREEMENT shall be reimbursed in accordance with the terms and conditions of this AGREEMENT unless otherwise agreed to by the Parties in writing.
- C. Should a Party(s) determine there are insufficient Funds available for the Project or wish to terminate this AGREEMENT for convenience, the terminating Party(s) may terminate their participation in the AGREEMENT by giving written notice to each Party by April 1st of each year. The termination date will be effective as of July 1st of the same year the written notice was provided. If a Party terminates its participation in the AGREEMENT pursuant to this section, the terminating Party(s) will not reimburse SBCTA any costs incurred after the termination date, except Trapeze Work Orders approved by the terminating Party(s) prior to the termination notice, for which work has commenced by Trapeze. The terminating Party(s) share of these costs will be consistent with the established funding percentages outlined in the AGREEMENT.

3. PAYMENT OF COMPENSATION

LACMTA, OCTA, RCTC and VCTC shall reimburse SBCTA for the amounts set forth below (the “Funds”) for the Project:

- A. LACMTA shall reimburse SBCTA an amount not to exceed FOUR HUNDRED NINETY-FOUR THOUSAND, ONE HUNDRED FIVE DOLLARS (\$494,105) for the actual costs of the Services provided under this AGREEMENT, subject to the terms and conditions contained herein.
- B. OCTA shall reimburse SBCTA an amount not to exceed ONE HUNDRED THIRTY-SEVEN THOUSAND, FOUR HUNDRED SIXTY-SIX DOLLARS (\$137,466) for the actual costs of the Services provided under this AGREEMENT, subject to the terms and conditions contained herein.

- C. RCTC shall reimburse SBCTA ONE HUNDRED EIGHTY-SIX THOUSAND, FOUR HUNDRED FORTY-FOUR DOLLARS (\$186,444) for the actual costs of the Services provided under this AGREEMENT, subject to the terms and conditions contained herein.
- D. SBCTA shall be responsible for an amount not to exceed ONE HUNDRED TWENTY-FIVE THOUSAND, TWO HUNDRED NINE DOLLARS (\$125,209) for the actual costs of the Services provided under this AGREEMENT, subject to the terms and conditions contained herein.
- E. VCTC shall reimburse SBCTA an amount not to exceed THIRTY-FOUR THOUSAND, FOUR HUNDRED NINETY-FIVE DOLLARS (\$34,495) for the actual costs of the Services provided under this AGREEMENT, subject to the terms and conditions contained herein.
- F. All costs, if any, associated with the initial implementation of the Consolidated Database will be at no cost to LACMTA, OCTA and VCTC. RCTC and SBCTA will share the initial costs associated with the Consolidated Database as outlined in this AGREEMENT.
- G. The Parties shall jointly fund the Project and contribute their share of the Project as outlined in Attachment B.
- H. All disbursements of Funds shall be on a reimbursement basis only. Such disbursements of Funds shall be considered an estimate subject to adjustment based on any Party's audit results.
- I. Under no circumstances will the total amount of money paid to SBCTA for the Services exceed the Funds, unless otherwise agreed to by the Party(s) in writing.

4. INVOICING

- A. All invoices will be provided to LACMTA, OCTA, RCTC and VCTC on a quarterly basis for only those quarters in which Services have been rendered. The quarterly invoice shall include all appropriate documentation (such as contractor invoices, receipts, etc.). All supporting documents must include a clear justification and explanation of their relevance to the Project.
- B. LACMTA, OCTA, RCTC and VCTC shall make payment to SBCTA within forty-five (45) calendar days after receipt of SBCTA's invoice prepared in accordance with instructions above

Invoices shall be addressed to:**LACMTA**

Accounts Payable
 P.O. Box 512296
 Los Angeles, CA 90051-0296
AccountsPayable@metro.net
 Re: AGREEMENT 21-1002572

OCTA

Accounts Payable
 P.O. Box 14184
 Orange, CA 92863-1584
vendorinvoices@octa.net
 Re: AGREEMENT 21-1002572

RCTC

Accounts Payable
 PO BOX 12008
 Riverside, CA 92502-2208
ap@rctc.org
 Re: AGREEMENT 21-1002572

VCTC

Commuter Services
 751 E. Daily Drive #420
 Camarillo 93010
cgrasty@goventura.org
 Re: AGREEMENT 21-1002572

Payments shall be addressed to:**SBCTA**

1170 W. 3rd Street, 2nd Floor
 San Bernardino, CA 92410

5. AUDIT REQUIREMENTS/PAYMENT ADJUSTMENTS

- A. LACMTA, OCTA, RCTC and VCTC, and/or their designee(s), shall have the right to conduct audits of the Project, as deemed appropriate. LACMTA, OCTA, RCTC and VCTC may commence a final audit within six months of receipt of acceptable final invoice. SBCTA agrees to establish and maintain proper accounting and cash management records and documents in accordance with Generally Accepted Accounting Principles (GAAP). SBCTA shall reimburse LACMTA, OCTA, RCTC and VCTC for any expenditure not in compliance with the Scope of Services and/or not in compliance with other terms and conditions as defined by this AGREEMENT. SBCTA's expenditures submitted to LACMTA, OCTA, RCTC and VCTC for this project shall be in compliance with 2 CFR Subtitle A, Chapter II Part 225 Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A87).
- B. SBCTA's records shall include, without limitation, accounting records, written policies and procedures, contract files, original estimates, correspondence, change order files (including documentation covering negotiated settlements) and invoices (all collectively referred to as "Records"), which Records shall be open to inspection and subject to audit and reproduction by LACMTA, OCTA, RCTC and VCTC auditors or authorized representatives to the extent deemed necessary by LACMTA, OCTA, RCTC and VCTC to adequately permit evaluation of expended costs. These records must be retained by SBCTA for three years following final payment under this AGREEMENT.

6. DEFAULT

A Default under this AGREEMENT is defined as failure of a Party(s) to comply with the terms and conditions contained herein including but not limited to: (i) A Party(s) fails to comply with Attachment 1 to the Software Agreement; (ii) A Party(s) authorizes a Trapeze Work Order as noted in Section 10 without SBCTA participation; (iii) SBCTA authorizes a Trapeze Work Order as noted in Section 10 prior to obtaining written approval from the Party(s).

A waiver by a Party(s) of one default of another Party(s) shall not be considered to be a waiver of any subsequent default of the other Party(s), of the same or any other provision, nor be deemed to waive, amend, or modify this AGREEMENT.

7. REMEDIES:

- A. In the event of a Default by a Party(s), the non-Defaulting Party(s) shall provide written notice of such Default to the Defaulting Party(s) identifying the Default and providing a 30-day period in which to cure the Default. In the event the Defaulting Party(s) fails to cure the Default or commit to cure the Default and commence the same within such 30-day period to the satisfaction of the non-Defaulting Party(s), the following shall apply:
1. If SBCTA is the Defaulting Party: (i) The non-Defaulting Party(s) may terminate their participation in this AGREEMENT; (ii) the non-Defaulting Party(s) may cease making disbursements of Funds to SBCTA, except that the non-Defaulting Party(s) shall reimburse SBCTA for Services provided prior to the event constituting the Default; and/or (iii) the non-Defaulting Party(s) may recover damages and/or expenses from SBCTA's default to the extent allowed by law or in equity.
 2. If LACMTA, OCTA, RCTC or VCTC is the Defaulting Party: (i) SBCTA may cease the provision of the Services; and /or (ii) SBCTA may recover damages and/or expenses resulting from the Defaulting Party(s)'s to the extent allowed by law or in equity.
- B. The remedies described herein are non-exclusive. The Party(s) shall have the right to enforce any and all rights and remedies herein or which may be now or hereafter available at law or in equity.

8. COMMUNICATIONS

- A. The Parties shall ensure that all Communication Materials (as defined in 8.B.) contain recognition of the Parties' contribution to the Project. The Parties shall ensure that at a minimum, all Communications Materials shall include (i) the phrase "This project was partially funded by LACMTA, OCTA, RCTC, SBCTA and VCTC" or alternative acceptable minimum language as approved in writing by the Parties; and (ii) the Parties' logos, with the exception of press releases, which do not require the Parties' logos. Prior to use in Communications Materials, each Party shall verify and approve, in writing, the correct logo.

- B. For purposes of this AGREEMENT, “Communications Materials” include, but are not limited to, literature, newsletters, publications, websites, advertisements, brochures, maps, information materials, video, radio and public service announcements, press releases, press event advisories, and all other related materials.
- C. The Parties shall ensure that any subcontractor, including, without limitation, public relations, public affairs, and/or marketing firms hired by a Party(s) to produce Communications Materials related to this Project will comply with the requirements contained in this Section.

9. OWNERSHIP OF MATERIALS/EQUIPMENT/CONFIDENTIALITY/USE OF DATA

- A. Ownership and Use Rights. Ownership and the right to use all documents, Data, Software or Successor Software (as defined in Section 10), and materials shall be in accordance with the Software Agreement. This AGREEMENT does not confer upon any Party any right or interest in any other Party’s collected or owned technical data.
- B. Confidentiality. All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other materials, either created by or provided to a Party in connection with the performance of this AGREEMENT, shall be held confidential by that Party. No other Party shall use such materials for any purposes, other than the performance of the Services, without the prior written consent of the Party from which the materials were obtained. Nor shall such materials be disclosed to any person or entity for any purpose other than the performance of the Services. Nothing furnished to a Party which is otherwise known to another Party or is generally known, or has become known, to the related industry shall be deemed confidential. Except as required by Section 8 of this AGREEMENT, the Parties shall not use any other Party’s name or insignia, photographs of the project, or any publicity pertaining to the Services in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of that Party.

10. SOFTWARE LICENSING AGREEMENT AND PROVISIONS FOR USE

- A. Software Licensing for the Regional Rideshare Software and products required under this AGREEMENT shall be in accordance with the Software Agreement; in the event of a conflict between the provisions of this AGREEMENT and the Software Agreement, the provisions of the Software Agreement shall control. For the purposes of this AGREEMENT, the below terms are defined as follows:
 - 1. Software: The software programs and products or if the Regional Rideshare Software is replaced, the successor software programs and products, provided such successor software at a minimum performs the same functions as the Regional Rideshare Software, that are licensed to the Parties or to be developed per the Software or Successor Software Module Enhancements noted in the paragraph below and delivered by SBCTA or its subcontractors to the Parties under the AGREEMENT.

2. Software or Successor Software Enhancements: Enhancements or modifications including but not limited to adding features or modules that are not provided under the Software Agreement and that are made to Software or the Successor Software modules by SBCTA or its subcontractors that are funded by a Party(s) or collectively the Parties hereunder for the Project.

3. Data: The information, whether in hard copy, database, keypunch or other formats, which is used as input to the Software or Successor Software or which is or has been generated, collected, analyzed, created, prepared or developed by SBCTA, or its respective subcontractors for the performance of the Project which is funded hereunder.

- B. A Party(s) may request that SBCTA's subcontractors generate Software or Successor Software Enhancements using contingency funds identified in the Budget, Attachment B. The requesting Party(s) may work directly with SBCTA's subcontractors to develop a Work Order for the requested modification(s), but the Work Order provided by SBCTA's subcontractors shall be approved and signed by SBCTA to ensure there is sufficient budget for the enhancement(s). The cost share of the Work Order will be determined based on the number of participating Party(s). If there is only one participating Party, the cost will be the sole responsibility of that Party. If multiple Party(s) participate, the cost will be shared by population share of the participating Party(s) or as otherwise agreed by the participating Party(s). The cost share for each Work Order will be outlined and attached to the Work Order, along with the written approval of all participating Parties, including SBCTA.

The following shall apply for the Software or Successor Software and when any Enhancements (Software or Successor Software) developed for the Project:

1. SBCTA's subcontractors shall deliver the Software or Successor Software and Software or Successor Software Enhancements electronically to the Party(s) online websites. The Party(s) shall hold the Software or Successor Software and Software or Successor Software Enhancements, and other written or electronic materials provided by SBCTA's subcontractors, in confidence, shall use and disclose them only as expressly authorized herein or as required by law and only to its employees, consultants, agents or sublicensees to whom disclosure is necessary for the performance and exercise of its rights hereunder, and shall take reasonable steps to ensure that unauthorized persons will have no access to them.
2. The Party(s) shall not sell, license or otherwise transfer any interest in the Data, Software or Successor Software, Software or Successor Software Enhancements, or other materials developed for utilization in the Project, without the prior written permission of each of the Party(s).

11. SUBCONTRACTORS

SBCTA shall not subcontract any portion of the work required by this Agreement, except as expressly stated herein, without prior written approval of the Parties. The Parties understand and agree that Trapeze will be a subcontractor for services under this AGREEMENT, unless the

Software is at some time replaced with Successor Software. If SBCTA desires to extend or enter a new agreement with Trapeze beyond the terms identified in Section 2 of this AGREEMENT, written approval is required by the Parties.

12. INDEMNIFICATION

- A. No Party, nor any officers, directors, employees or agents thereof are responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by any other Party under or in connection with any work, authority or jurisdiction delegated to any other Party under this AGREEMENT. It is understood and agreed that, pursuant to Government Code Section 895.4, each Party shall fully defend, indemnify and save harmless all other Parties, and their officers, directors, employees and agents from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by the indemnifying Party under or in connection with any work, authority or jurisdiction delegated to the indemnifying Party under this AGREEMENT. This provision shall survive termination of this contract.

13. INSURANCE

- A. Without in any way affecting the indemnity provisions identified in this AGREEMENT, the Parties shall, at their own sole expense, and prior to the commencement of any work, procure and maintain in full force, insurance through the entire term of this AGREEMENT and shall be with at least the limits of liability as identified in this section. Any Party(s) that are a self-insured public entity for purposes of the liabilities identified in this section warrants that through its program of self-insurance, it has adequate coverage or resources to protect against liabilities arising out of the performance of the terms, conditions or obligations of this AGREEMENT.
1. *Professional Liability* - Shall be provided in an amount not less than \$1,000,000, per claim and \$2,000,000 in the aggregate. The Parties shall secure and maintain this insurance or "tail" coverage provided throughout the term of this Agreement and for a minimum of three (3) years after Agreement completion.
 2. *Workers' Compensation* - Workers' Compensation insurance shall be provided in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employers Liability with \$1,000,000 limits, covering all persons providing services on behalf of the respective Party and all risks to such persons under this Agreement.
 3. *Commercial General Liability* - To include coverage for Premises and Operations, Contractual Liability, Personal Injury Liability, Products/Completed Operations Liability, Broad-Form Property Damage and Independent Contractors' Liability, in an amount of not less than \$1,000,000 per occurrence, combined single limit, and \$2,000,000 in the aggregate written on an occurrence form. For products and completed operations a \$2,000,000 aggregate shall be provided.

4. *Automobile Liability* - To include owned, non-owned and hired automobiles, in an amount of not less than \$1,000,000 per occurrence, combined single limit, and in the aggregate written on an occurrence form.
5. *Network and Privacy Insurance* – Each of the parties shall carry Network and Privacy (Errors and Omissions) insurance in an amount of not less than \$1,000,000 per claim and \$1,000,000 in the annual aggregate, protecting itself and each Party from the following exposures related to this Agreement:
- (i) the theft, dissemination and/or unauthorized disclosure or use of confidential information and personally identifiable information (not to be limited to bank information, social security numbers, health information, credit card account information, and confidential corporate information). Such insurance shall also include coverage for credit monitoring, notification expenses and other related costs associated with mitigating a data security or privacy breach; and
 - (ii) the introduction of a computer virus into, or otherwise causing damage to, a computer, computer system, network or similar computer-related property and the data, software, and programs used herein.
 - (iii) If such insurance is maintained on an occurrence basis, the Parties shall maintain such insurance for an additional period of one year following the end of the applicable Term. If such insurance is maintained on a claims-made basis, the parties shall maintain such insurance for an additional period of three years following the end of the applicable Term.
- B. Proof of Coverage – SBCTA shall furnish certificates of insurance to the other Parties and the other Parties shall furnish certificates of insurance to SBCTA evidencing the insurance coverage required above, prior to the commencement of performance of service hereunder, and such certificates shall include the other Party as an additional insured on all insurances except Worker’s Compensation and Professional Liability. The certificates of insurance must be executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth in this Article. If the insurance company elects to cancel or non-renew coverage for any reason, the responsible Party will provide 30 days’ notice of such cancellation or nonrenewal to the other Party. If a Party’s policy is cancelled for nonpayment of premium, the applicable Party shall provide the other Party ten (10) days’ notice. All certificates of insurance are to include the contract number and Program Manager’s name.

14. KEY PERSONNEL AND NOTICES

- A. The Parties have designated the following as key personnel for the Project and will provide written email notice of any key Project staffing changes or other notifications required in this AGREEMENT.

<p>LACMTA: Martin Buford Sr. Manager, Transportation Planning Shared Mobility & Implementation BufordM@metro.net</p>	<p>OCTA: Kristopher Hewkin Marketing Specialist – Vanpool khewkin@octa.net</p>
<p>RCTC: Brian Cunanan Program Manager, Commuter & Motorist Assistance bcunanan@rctc.org</p>	<p>SBCTA: Nicole Soto Mobility Analyst, Transit & Rail nsoto@gosbeta.com</p>
<p>VCTC: Claire Grasty Program Manager, Regional Planning, Rail and TDA Programs cgrasty@goventura.org</p>	

- B. Any and all notices permitted or required to be given hereunder shall be deemed duly given and received (a) upon actual delivery, if delivery is personally made or if made by email during regular business hours, or (b) the first business day following delivery by email when not made during regular business hours. Each such notice shall be sent to the respective Party(s) at the email address indicated above or to any other email address as the respective Party(s) may designate from time to time by a notice given in accordance with this Section. A Party shall notify all other Parties of any contact information changes within five (5) business days of the change.

15. OTHER TERMS AND CONDITIONS

- A. This AGREEMENT shall not be amended, nor any provisions or breach hereof waived, except by written Amendment signed by the Parties.
- B. In the event that there is any legal court (e.g., Superior Court of the State of California or U.S. District Court for the Central District of California) proceeding between the Parties to enforce or interpret this AGREEMENT, to protect or establish any rights or remedies hereunder, the prevailing party shall be entitled to its costs and expenses, including reasonable attorney’s fees.
- C. No Party(s) hereto shall be considered in default in the performance of its obligation hereunder to the extent that the performance of any such obligation is prevented or delayed by unforeseen causes including acts of God, acts of a public enemy, pandemics, and government acts beyond the control and without fault or negligence of the affected party. Each Party hereto shall give notice promptly to the other Parties of the nature and extent of any such circumstances claimed to delay, hinder, or prevent performance of any obligations under this AGREEMENT.

- D. SBCTA shall comply with and ensure that work performed under this AGREEMENT is done in compliance with Generally Accepted Accounting Principles (GAAP), all applicable provisions of federal, state, and local laws, statutes, ordinances, rules, regulations, and procedural requirements including Federal Acquisition Regulations (FAR). .
- E. SBCTA shall not assign this AGREEMENT, or any part hereof, without prior written approval of each Party, and any assignment without said consent shall be void and unenforceable.
- F. This AGREEMENT shall be governed by California law. If any provision of this AGREEMENT is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.
- G. The covenants and agreements of this AGREEMENT shall inure to the benefit of, and shall be binding upon, each of the Parties and their respective successors and assigns.
- H. SBCTA in the performance of the work described in this AGREEMENT is not a contractor nor an agent or employee of LACMTA, OCTA, RCTC or VCTC. SBCTA attests to no organizational or personal conflicts of interest and agrees to notify LACMTA, OCTA, RCTC and VCTC immediately in the event that a conflict, or the appearance thereof, arises. SBCTA shall not represent itself as an agent or employee of LACMTA, OCTA, RCTC or VCTC and shall have no powers to bind LACMTA, OCTA, RCTC or VCTC in contract or otherwise.
- I. This AGREEMENT may be executed in counterparts, each of which shall constitute an original. A manually signed copy of this AGREEMENT which is transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this AGREEMENT for all purposes. This AGREEMENT may be signed using an electronic signature so long as the signature complies with Government Code § 16.5 and the Uniform Electronic Transactions Act, Civil Code §§ 1633.1 et seq.

-----SIGNATURES ON FOLLOWING PAGES-----

Attachment: 21-1002572 (7798 : Approval of Regional Rideshare Program Contracts)

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed by their duly authorized representatives as of the dates indicated below:

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____
Stephanie Wiggins Date
Chief Executive Officer

APPROVED AS TO FORM:

Rodrigo A. Castro-Silva
County Counsel

By: _____
Deputy Date

DRAFT

Attachment: 21-1002572 (7798 : Approval of Regional Rideshare Program Contracts)

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed by their duly authorized representatives as of the dates indicated below:

ORANGE COUNTY TRANSPORTATION AUTHORITY

By: _____
Georgia Martinez Date
Department Manager,
Contracts and Procurement

APPROVED AS TO FORM:

By: _____
James M. Donich Date
General Counsel

DRAFT

Attachment: 21-1002572 (7798 : Approval of Regional Rideshare Program Contracts)

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed by their duly authorized representatives as of the dates indicated below:

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

By: _____
Anne Mayer Date
Executive Director

APPROVED AS TO FORM:

By: _____
Best Best & Krieger, LLP Date

DRAFT

Attachment: 21-1002572 (7798 : Approval of Regional Rideshare Program Contracts)

ATTACHMENT B - BUDGET

(July 1, 2021 - June 30, 2024)

Fiscal Year	County	RidePro Licenses ¹	RidePro Maintenance ¹	RidePro Incentives Maintenance ²	RidePro Hosting ¹	RidePro Incentives Hosting ²	SiSense Reporting Services ¹	Email Services ¹	Vanpool ¹	Regional Consolidated Database ³	Total Costs
FY 22	LACMTA	\$0	\$89,920	\$17,872	\$18,782	\$4,856	\$17,204	\$804	\$0	\$0	\$149,438
FY 22	OCTA	\$0	\$27,568	\$0	\$5,758	\$0	\$5,275	\$247	\$0	\$0	\$38,847
FY 22	RCTC	\$0	\$20,053	\$3,986	\$4,188	\$1,083	\$3,837	\$179	\$21,425	\$9,558	\$64,309
FY 22	SBCTA	\$0	\$18,639	\$3,705	\$3,893	\$1,007	\$3,566	\$167	\$0	\$9,558	\$40,534
FY 22	VCTC	\$0	\$7,540	\$0	\$1,575	\$0	\$1,443	\$67	\$0	\$0	\$10,625
FY 22 Totals		\$0	\$163,720	\$25,562	\$34,196	\$6,946	\$31,324	\$1,464	\$21,425	\$19,116	\$303,753
FY 23	LACMTA	\$0	\$94,416	\$18,766	\$19,721	\$5,099	\$18,064	\$845	\$0	\$0	\$156,910
FY 23	OCTA	\$0	\$28,947	\$0	\$6,046	\$0	\$5,538	\$259	\$0	\$0	\$40,790
FY 23	RCTC	\$0	\$21,056	\$4,185	\$4,398	\$1,137	\$4,029	\$188	\$15,805	\$0	\$50,798
FY 23	SBCTA	\$0	\$19,571	\$3,890	\$4,088	\$1,057	\$3,744	\$175	\$0	\$0	\$32,525
FY 23	VCTC	\$0	\$7,917	\$0	\$1,654	\$0	\$1,515	\$71	\$0	\$0	\$11,156
FY 23 Totals		\$0	\$171,906	\$26,841	\$35,906	\$7,293	\$32,890	\$1,538	\$15,805	\$0	\$292,179
FY 24	LACMTA	\$0	\$99,137	\$19,704	\$20,707	\$5,354	\$18,968	\$887	\$0	\$0	\$164,756
FY 24	OCTA	\$0	\$30,394	\$0	\$6,348	\$0	\$5,815	\$272	\$0	\$0	\$42,829
FY 24	RCTC	\$0	\$22,108	\$4,394	\$4,618	\$1,194	\$4,230	\$198	\$16,596	\$0	\$53,338
FY 24	SBCTA	\$0	\$20,549	\$4,084	\$4,292	\$1,110	\$3,932	\$184	\$0	\$0	\$34,151
FY 24	VCTC	\$0	\$8,313	\$0	\$1,736	\$0	\$1,590	\$74	\$0	\$0	\$11,714
FY 24 Totals		\$0	\$180,501	\$28,183	\$37,701	\$7,658	\$34,535	\$1,615	\$16,596	\$0	\$306,787
3-year Subtotals:		\$0	\$516,127	\$80,586	\$107,803	\$21,896	\$98,749	\$4,617	\$53,826	\$19,116	\$902,719

County Split:	2010 Census Population	5-Way Split All Parties ¹	3-Way Split LACMTA, RCTC and SBCTA ²	2-Way Split RCTC and SBCTA ³	RCTC - 100% ⁴	FY22 Annual Costs	FY22 Estimated Contingency	FY23 Annual Costs	FY23 Estimated Contingency	FY24 Annual Costs	FY24 Estimated Contingency	Total Annual Costs	Total Contingency	Total Contract Not-to-Exceed
LACMTA	9,818,605	54.92%	69.92%	0.00%	0.00%	\$149,438	\$7,666.67	\$156,910	\$7,666.67	\$164,756	\$7,666.67	\$471,105	\$23,000	\$494,105
OCTA	3,010,232	16.84%	0.00%	0.00%	0.00%	\$38,847	\$5,000.00	\$40,790	\$5,000.00	\$42,829	\$5,000.00	\$122,466	\$15,000	\$137,466
RCTC	2,189,641	12.25%	15.59%	50.00%	100.00%	\$64,309	\$6,000.00	\$50,798	\$6,000.00	\$53,338	\$6,000.00	\$168,444	\$18,000	\$186,444
SBCTA	2,035,210	11.38%	14.49%	50.00%	0.00%	\$40,534	\$6,000.00	\$32,525	\$6,000.00	\$34,151	\$6,000.00	\$107,209	\$18,000	\$125,209
VCTC	823,318	4.61%	0.00%	0.00%	0.00%	\$10,625	\$333.33	\$11,156	\$333.33	\$11,714	\$333.33	\$33,495	\$1,000	\$34,495
Totals:	17,877,006	100.00%	100.00%	100.00%	100.00%	\$303,753	\$25,000	\$292,179	\$25,000	\$306,787	\$25,000	\$902,719	\$75,000	\$977,719

¹ Modules funded by all Parties, refer to the 5-Way Split in the above chart.
² Modules funded by LACMTA, RCTC and SBCTA, refer to the 3-Way Split in the above chart.
³ Regional Consolidated Database is funded by RCTC and SBCTA equally 50%/50%, refer to the 2-Way Split in the above chart.
⁴ Vanpool is funded by RCTC 100%.

CONTINGENCY FUNDS
 An additional \$75,000 in contingency funds is available to the Parties under the Software Agreement for modifications or enhancements to any portion of the Regional Rideshare Software. Additional funds have been added to each Party's not-to-exceed amount as identified in the table below and in Section 3 of the AGREEMENT to allow for contingency release as requested by any Party(s). As outlined in the AGREEMENT Section 10, the requesting Party(s) may work directly with SBCTA's subcontractors to develop a Work Order for the requested modification(s), but the Work Order provided by SBCTA's subcontractors shall be approved and signed by SBCTA to ensure there is sufficient budget for the enhancement(s). The cost share of the Work Order will be determined based on the number of participating Party(s). If there is only one participating Party, the cost will be the sole responsibility of that Party. If multiple Party(s) participate, the cost will be shared by population share of the participating Party(s) or as otherwise agreed by the participating Party(s). The cost share for each Work Order will be outlined and attached to the Work Order, along with the written approval of all participating Parties, including SBCTA. For budgeting purposes, Contingency has been estimated for each Fiscal Year, although the amounts may be adjusted across the Fiscal Years upon a Party's request as long as the Total Contingency and Contract amounts are not exceeded.

Attachment: 21-1002572 (7798 : Approval of Regional Rideshare Program Contracts)

General Contract Information

Contract No: 19-1002203 Amendment No.: 1
 Contract Class: Payable Department: Transit
 Vendor No.: 03325 Vendor Name: Trapeze Software Group
 Description: Regional Rideshare Software

List Any Related Contract Nos.: 21-1002572

Dollar Amount					
Original Contract	\$	350,000.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	707,159.00	Current Amendment	\$	-
Total/Revised Contract Value	\$	1,057,159.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	1,057,159.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7798

Contract Management (Internal Purposes Only)

Other Contracts Local Sole Source? N/A No Budget Adjustment Professional Services (Non-A&E)

Accounts Payable

Estimated Start Date: 07/31/2019 Expiration Date: 06/30/2022 Revised Expiration Date: _____
 NHS: N/A OMP/QAP: N/A Prevailing Wage: N/A

							Total Contract Funding:	Total Contingency:	
							\$	\$	
			Sub-			PA Level	Revenue Code Name		
	Fund	Prog	Task	Task	Object	Revenue			
GL	4180	30	0314	0320	52001	41100000	MSI Valley TMS	123,249.62	-
GL	4280	30	0314	0320	52001	41100000	MSI Victor Valley TMS	30,812.41	-
GL	6010	30	0314	0320	52001	42902010	RCTC	48,086.97	-
GL	6010	30	0314	0320	52001	42902011	RCTC	2,500.00	-
GL	6010	30	0314	0320	52001	42902012	RCTC	186,444.00	-
GL	6010	30	0314	0320	52001	42904004	LACMTA	494,105.00	-
GL	6010	30	0314	0320	52001	42901004	OCTA	137,466.00	-
GL	6010	30	0314	0320	52001	42909019	VCTC	34,495.00	-
GL								-	-
GL								-	-

Nicole Soto Carrie Schindler
 Project Manager (Print Name) Task Manager (Print Name)

Additional Notes:

Attachment: CSS - 19-1002203 - Trapeze (7798 : Approval of Regional Rideshare Program Contracts)

AMENDMENT NO. 1 TO CONTRACT NO. 19-1002203

FOR

**REGIONAL RIDESHARE AND VANPOOL PROGRAM ONLINE SYSTEM
(TRAPEZE SOFTWARE GROUP, INC. DBA TRIPSPARK TECHNOLOGIES)**

This Amendment No. 1 to Contract No. 19-1002203 is made and entered into by and between the San Bernardino County Transportation Authority (“SBCTA” or “Licensee”), whose address is 1170 W. 3rd Street, 2nd Floor, San Bernardino, California 92410-1715, and Trapeze Software Group, Inc. dba TripSpark Technologies (“CONSULTANT” or “TripSpark”), whose address is 5265 Rockwell Drive NE, Cedar Rapids, Iowa 52402. SBCTA and CONSULTANT are each a “Party” and collectively the “Parties”.

RECITALS

- A. The parties entered into Contract No. 19-1002203 (“Contract”) on September 5, 2019, setting forth the terms and conditions for Regional Rideshare and Vanpool Program Online System; and
- B. SBCTA and CONSULTANT desire to incorporate the rideshare database systems of Los Angeles County Metropolitan Transportation Authority (“LACMTA”), Orange County Transportation Authority (“OCTA”) and Ventura County Transportation Commission (“VCTC”) into the Regional Rideshare Online System (“Software”); and
- C. CONSULTANT desires to permit SBCTA the right to add LACMTA, OCTA and VCTC as sublicensees (“Sublicensees”) of the Software pursuant to the Contract; and
- D. SBCTA and CONSULTANT desire to update insurance requirements.

NOW, THEREFORE, in consideration of the above recitals, and the terms and conditions contained herein, SBCTA and CONSULTANT agree as follows:

1. CONSULTANT permits SBCTA to allow Sublicensees’ access to the Software products identified in Exhibit A-1, attached hereto and incorporated herein, subject to the Software operational metric use restrictions as identified in Exhibit A, “License,” to Attachment 1 to the Contract, and strictly in accordance with the Contract, limited for use by Sublicensees for their internal business purposes only.
2. CONSULTANT AND SBCTA acknowledge and agree CONSULTANT shall not provide any implementation Services as a result of Sublicensees’ access pursuant to Section 1 above.
3. SBCTA agrees and represents to CONSULTANT that the Sublicensees shall comply with the terms and conditions of the Contract, and strictly in accordance with the use restrictions as identified under Attachment 1 of the Contract.

4. With the exception of TripSpark providing direct Software maintenance support to the Sublicensees for the Software products identified in Exhibit A-1, attached hereto, SBCTA acknowledges and agrees TripSpark shall have no other obligations or liability to Sublicensees pursuant to the Contract or otherwise.
5. SBCTA acknowledges and agrees it shall be liable to CONSULTANT for Sublicensees' breach of any of the terms and conditions of the Contract.
6. As a result of Sublicensees' Software access pursuant to Section 1 above, SBCTA shall pay the fees identified in Exhibit B.1, "Cost Proposal Form," to Attachment 1 to the Contract. Exhibit B.1, "Cost Proposal Form," attached hereto, is added to Exhibit B to Attachment 1.
7. ARTICLE 3. COMPENSATION, Section 3.2 is deleted in its entirety and replaced with the following:

"The total Contract Not-To-Exceed Amount is One Million Fifty-Seven Thousand One Hundred Fifty-Nine Dollars (\$1,057,159), as identified under Exhibit B.1 to Attachment 1 to the Contract, (Software License and Maintenance Agreement). All Work provided under this Contract is to be performed as set forth in Exhibit C, "Scope of Work," to Attachment 1 and shall be reimbursed pursuant to Exhibit B.1, "Price Form," to Attachment 1. The rates identified in Exhibit B.1 shall remain fixed for the term of this Contract and include CONSULTANT's direct labor costs, indirect costs, and profit. All expenses shall be reimbursed for the amounts identified in Exhibit B.1. Any travel expenses must be pre-approved by SBCTA and shall be reimbursed for per diem expenses at a rate not to exceed the current authorized rates for state employees under the State Department of Human Resources rules located at <http://www.calhr.ca.gov/employees/pages/travel-reimbursements.aspx>. SBCTA will not reimburse CONSULTANT for any expenses not shown in Exhibit B.1 or agreed to and approved by SBCTA as required under this Contract."
8. ARTICLE 21 GENERAL PROVISIONS, Sections 21.1.3 and 21.1.4 are amended as follows:
 - a. The per occurrence limit amount of Commercial General Liability coverage in Section 21.1.3 shall be \$1 million.
 - b. The umbrella or excess liability amount for any project with a Contract Value of \$25,000,000 or less in Section 21.1.4 shall be \$6,000,000.
 - c. ARTICLE 21.2 GENERAL PROVISIONS, Section 21.2.1 Qualifications of Insurance Carriers is deleted in its entirety and replaced with the following:

"If policies are written by insurer carriers authorized and admitted to do business in the state of California, then the insurer carriers must have a current A.M. Best rating of A-VIII or better. If policies are written by insurance carriers that are non-admitted but authorized to conduct business in the state of California, then they must meet the current A.M. Best rating of A-X or better, unless otherwise approved in writing by SBCTA's Risk Manager."

d. ARTICLE 21.2 GENERAL PROVISIONS, Section 21.2.2 Additional Insurance Coverage is deleted in its entirety and replaced with the following:

“All policies, except those for Workers’ Compensation, Professional Liability insurance, and Cyber Liability, shall be endorsed by ISO Form CG 20 10 11 85, or if not available, then ISO Form CG 20 38, to name San Bernardino County Transportation Authority, and their officers, directors, members, employees, agents and volunteers, as additional insureds (“Additional Insureds”). With respect to general liability arising out of or connected with work or operations performed by or on behalf of the CONSULTANT under this Contract, coverage for such Additional Insureds shall not extend to liability to the extent prohibited by section 11580.04 of the Insurance Code. The additional insured endorsements shall not limit the scope of coverage for SBCTA to vicarious liability but shall allow coverage for SBCTA to the full extent provided by the policy.”

e. ARTICLE 21.2 GENERAL PROVISIONS, Section 21.2.4 Deductibles is deleted in its entirety and replaced with the following:

“Deductibles or Self-Insured Retention: Regardless of the allowance of exclusions or deductibles by SBCTA, CONSULTANT shall be responsible for any deductible amount and any self-insured retention amount and shall warrant that the coverage provided to SBCTA is consistent with the requirements of this Article. CONSULTANT will pay, and shall require its subconsultants to pay, all deductibles, self-insured retentions, co-pay obligations, premiums and any other sums due under the insurance required in this Article. CONSULTANT will advise SBCTA in writing as to the amounts of any deductible or self-insured retention, or as to any increase in any insurance deductible or self-insured retention under any insurance required above. There will be no deductibles in excess of \$500,000 per occurrence or claim under the insurance required of CONSULTANT. Furthermore, self-insured retention is allowed for the following policies: 1) Network and Privacy Insurance and Professional Liability in an amount not to exceed \$1,000,000 per occurrence, loss or claim and Commercial General Liability in an amount not to exceed \$25,000 per occurrence, loss or claim.”

- 9. The Recitals set forth above are incorporated herein by this reference.
- 10. Except as amended by this Amendment No. 1, all other provisions of the Contract shall remain in full force and effect and are incorporated herein by this reference.
- 11. This Amendment No. 1 is effective upon execution by SBCTA.

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

Attachment: 19-1002203-1 (7798 : Approval of Regional Rideshare Program Contracts)

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment below.

TRAPEZE SOFTWARE GROUP, INC.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Tom Cooper
Director of Finance

By: _____
Curt Hagman
President, Board of Directors

Date: _____

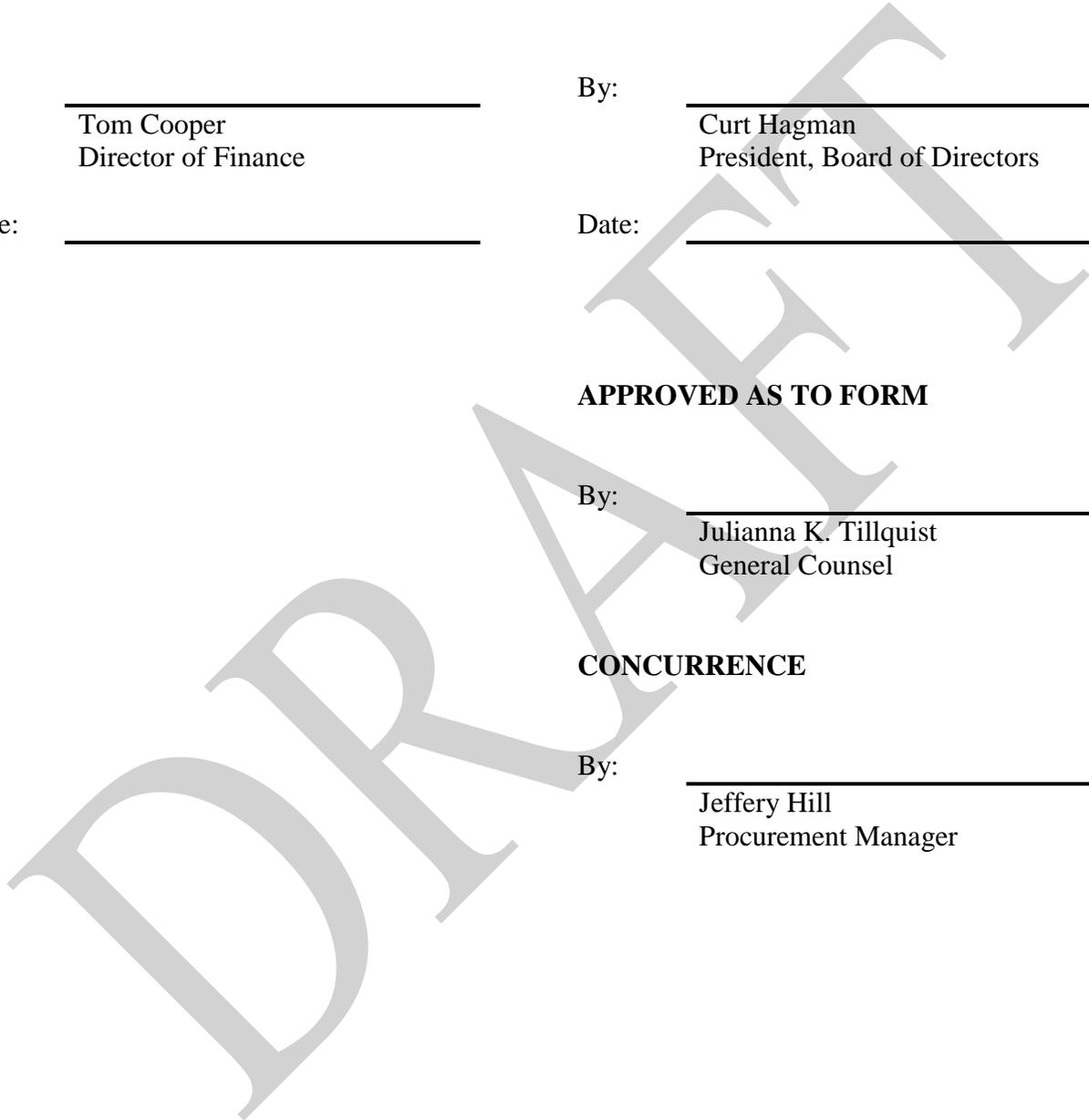
Date: _____

APPROVED AS TO FORM

By: _____
Julianna K. Tillquist
General Counsel

CONCURRENCE

By: _____
Jeffery Hill
Procurement Manager



Attachment: 19-1002203-1 (7798 : Approval of Regional Rideshare Program Contracts)

Exhibit A-1

Additional Sublicensee Software Access

LACMTA

- RidePro Admin
- RidePro Web
- RidePro Trip
- RidePro AVR
- RidePro Incentives

OCTA

- RidePro Admin
- RidePro Web
- RidePro Trip
- RidePro AVR

VCTC

- RidePro Admin
- RidePro Web
- RidePro Trip
- RidePro AVR

DRAFT

Exhibit B-1

Exhibit B - Cost Proposal Form										
RCTC/SBCTA License & Implementation										
Description	Project Administration	RidePro Admin (License Expansion)	RidePro Web (license expansion)	RidePro Pool Management (license expansion)	RidePro Maintenance Monitoring (license expansion)	RidePro AVR (new module)	RidePro Trip (new module)	RidePro Sisense (1 additional developer)	RidePro Incentives (new module)	Total
License/Hardware Fees	\$0	\$62,225	\$79,059	\$29,525	\$12,674	\$50,936	\$58,706	\$0	\$58,706	\$351,829
Discount	\$0	-\$62,225	-\$79,059	-\$29,525	-\$12,674	-\$50,936	-\$58,706	\$0	-\$58,706	-\$351,829
Implementation Service	\$22,000	\$6,875	\$37,188	\$7,500	\$0	\$5,625	\$938	\$2,500	\$13,125	\$95,750
Expense	\$1,700	\$0	\$4,500	\$0	\$0	\$0	\$0	\$0	\$0	\$6,200
Total	\$23,700	\$6,875	\$41,688	\$7,500	\$0	\$5,625	\$938	\$2,500	\$13,125	\$101,950

Annual Maintenance & Hosting (July 1, 2021 - June 30, 2024)										
Fiscal Year	County	RidePro Licenses ¹	RidePro Maintenance ¹	RidePro Incentives Maintenance ²	RidePro Hosting ¹	RidePro Incentives Hosting ²	SiSense Reporting Services ¹	Email Services ¹	Vanpool ³	Total Costs
FY 22	LACMTA	\$0	\$89,920	\$17,872	\$18,782	\$4,856	\$17,204	\$804	\$0	\$149,438
FY 22	OCTA	\$0	\$27,568	\$0	\$5,758	\$0	\$5,275	\$247	\$0	\$38,847
FY 22	RCTC	\$0	\$20,053	\$3,986	\$4,188	\$1,083	\$3,837	\$179	\$15,053	\$48,379
FY 22	SBCTA	\$0	\$18,639	\$3,705	\$3,893	\$1,007	\$3,566	\$167	\$0	\$30,976
FY 22	VCTC	\$0	\$7,540	\$0	\$1,575	\$0	\$1,443	\$67	\$0	\$10,625
FY 22 Totals		\$0	\$163,720	\$25,562	\$34,196	\$6,946	\$31,324	\$1,464	\$15,053	\$278,266
FY 23	LACMTA	\$0	\$94,416	\$18,766	\$19,721	\$5,099	\$18,064	\$845	\$0	\$156,910
FY 23	OCTA	\$0	\$28,947	\$0	\$6,046	\$0	\$5,538	\$259	\$0	\$40,790
FY 23	RCTC	\$0	\$21,056	\$4,185	\$4,398	\$1,137	\$4,029	\$188	\$15,805	\$50,798
FY 23	SBCTA	\$0	\$19,571	\$3,890	\$4,088	\$1,057	\$3,744	\$175	\$0	\$32,525
FY 23	VCTC	\$0	\$7,917	\$0	\$1,654	\$0	\$1,515	\$71	\$0	\$11,156
FY 23 Totals		\$0	\$171,906	\$26,841	\$35,906	\$7,293	\$32,890	\$1,538	\$15,805	\$292,179
FY 24	LACMTA	\$0	\$99,137	\$19,704	\$20,707	\$5,354	\$18,968	\$887	\$0	\$164,756
FY 24	OCTA	\$0	\$30,394	\$0	\$6,348	\$0	\$5,815	\$272	\$0	\$42,829
FY 24	RCTC	\$0	\$22,108	\$4,394	\$4,618	\$1,194	\$4,230	\$198	\$16,596	\$53,338
FY 24	SBCTA	\$0	\$20,549	\$4,084	\$4,292	\$1,110	\$3,932	\$184	\$0	\$34,151
FY 24	VCTC	\$0	\$8,313	\$0	\$1,736	\$0	\$1,590	\$74	\$0	\$11,714
FY 24 Totals		\$0	\$180,501	\$28,183	\$37,701	\$7,658	\$34,535	\$1,615	\$16,596	\$306,787
3-year Subtotals:		\$0	\$516,127	\$80,586	\$107,803	\$21,896	\$98,749	\$4,617	\$47,454	\$877,232

Summary						
County Split:	Implementation + ODC's	FY22 Costs	FY23 Costs	FY24 Costs	FY 22-24 Contingency	Total Costs
LACMTA	\$0.00	\$149,438.46	\$156,910.39	\$164,755.74	\$23,000.00	\$494,104.60
OCTA	\$0.00	\$38,847.38	\$40,789.75	\$42,829.18	\$15,000.00	\$137,466.31
RCTC	\$66,516.64	\$48,378.91	\$50,797.86	\$53,337.71	\$18,000.00	\$237,031.13
SBCTA	\$38,409.99	\$30,975.75	\$32,524.54	\$34,150.73	\$18,000.00	\$154,061.00
VCTC	\$0.00	\$10,625.01	\$11,156.26	\$11,714.06	\$1,000.00	\$34,495.33
Totals:	\$104,926.63	\$278,265.51	\$292,178.79	\$306,787.43	\$75,000.00	\$1,057,158.37

*Summary table for SBCTA's internal use. For purposes of this Contract, the Contingency amounts assigned to the agencies as shown in the table above are estimates only and can be adjusted by SBCTA per a separate contract between the agencies.

CONTINGENCY:

\$75,000 contingency for modifications or enhancements is available and can only be used to pay for project work upon express written authorization by SBCTA pursuant to a mutually agreed upon work order.

Attachment: 19-1002203-1 (7798 : Approval of Regional Rideshare Program Contracts)

ASSUMPTIONS:

- Taxes, if applicable, are not included.
- RidePro Sisense is a third party licensed service.
- RidePro Software to be configured to recognize service areas of vanpool services of SBCTA and Sublicensee, pursuant to Exhibit C “Statement of Work.” Prequalification and subsidy application processes will recognize geographic boundaries of other programs, and refer applicants to the other programs when geographically qualifying for them.
- Generic Software modules provided in base price. No additional software customizations are known to be required at this time. Software customizations can incur additional fees, which would be funded via implementation contingency upon SBCTA authorization.
- Existing web site branding of www.RideTheLoop.com will be retained, with existing functionality.
- Project Introduction/Operational review would be conducted via webinar.
- Software license would be limited to use by the public within client's service region.
- Software and Database installation will be on TripSpark provided servers.
- Services do include configuration of mobile apps for iPhone or Android, for each of www.ridetheloop.com, vanclub.net, iecommute.org.
- Implementation Contingency can only be used to pay for project work upon express written authorization by SBCTA.
- Long term Software Maintenance Support fees, Hosting Service fees and Third Party Sisense fees will cover both SBCTA and Sublicensees for the corresponding annual periods identified above only. For all future annual renewal periods subsequent to the June 30, 2024 expiry date, pricing will be subject to prevailing TripSpark pricing.
- Services presume that Sublicensees will utilize same operating procedures as SBCTA. TripSpark will provide standard Services. Should Services beyond those enumerated in Exhibit C “Statement of Work” are requested by Licensee, Services will be billed at the current daily 2021 rate of \$1,300 US per day. All future yearly rates are subject to TripSpark’s then prevailing pricing.

PAYMENT SCHEDULE:

- 1) \$76,462.51 of RCTC/SBCTA License & Implementation Fee has already been paid by SBCTA to TripSpark as of the effective date of this Amendment No. 1 including an additional \$476.63 in applicable taxes and \$2,500 contingency.
- 2) \$22,786.69 of RCTC/SBCTA License & Implementation Fee due upon execution of Amendment No. 1.
- 3) \$2,700.80 of RCTC/SBCTA License & Implementation Fee due upon Regional Rideshare Database Merger Services Completion pursuant to Exhibit C-Statement of Work.
- 4) 100% of Annual maintenance fees, Third-Party Sisense Services fees, and Hosting fees billed annually on the annual renewal date of July 1. Effective July 1, 2024, all future annual Software maintenance fees, Third-Party Sisense Services fees and Hosting Services fees shall be subject to the TripSpark's then prevailing pricing.

General Contract Information

Contract No: 20-1002371 Amendment No.: 1
 Contract Class: Receivable Department: Transit
 Customer ID: _____ Customer Name: Riverside County Transportation Commission
 Description: Rideshare Program Implementation Services

List Any Accounts Payable Related Contract Nos.: _____ 19-1002203

Dollar Amount					
Original Contract	\$	200,000.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	(197,500.00)	Current Amendment	\$	-
Total/Revised Contract Value	\$	2,500.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	2,500.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7798

Contract Management (Internal Purposes Only)

Local Professional Services (Non-A&E)

Accounts Receivable											
Total Contract Funding:		\$		2,500.00		Funding Agreement No:		20-1002371			
Beginning POP Date:		07/01/2020		Ending POP Date:		06/30/2022		Final Billing Date:		N/A	
Expiration Date:		06/30/2022									
Fund Prog Task Sub-Task Revenue Total Contract Funding:					Fund Prog Task Sub-Task Revenue Total Contract Funding:						
GL:											
GL:	6010	30	0314	0320	42902011						2,500.00
GL:											-
GL:											-
GL:											-
GL:											-

Nicole Soto Carrie Schindler
 Project Manager (Print Name) Task Manager (Print Name)

Additional Notes:
 \$48,087.00 billed to 6010.30.0314.0320.42902010 under contract 19-1002204

Attachment: CSS - 20-1002371 RCTC AR (7798 : Approval of Regional Rideshare Program Contracts)

AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT NO. 20-1002371
BY AND BETWEEN
SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY
AND RIVERSIDE COUNTY TRANSPORTATION COMMISSION
FOR
THE PROVISION OF RIDESHARE
PROGRAM IMPLEMENTATION

This Amendment No. 1 to Cooperative Agreement (“Amendment No. 1”) is made and entered into as of July 1, 2021 by and between the San Bernardino County Transportation Authority (“SBCTA”), whose address is 1170 W. 3rd Street, 2nd Floor, San Bernardino, California 92410-1715, and Riverside County Transportation Commission (“RCTC”), located at 4080 Lemon St, Riverside, California 92501. SBCTA and RCTC are each a “Party” and collectively the “Parties”.

RECITALS:

- A. **WHEREAS**, The Parties entered into a Cooperative Agreement dated July 1, 2020 for the Provision of Rideshare and Vanpool Program Implementation and Software (“Cooperative Agreement”); and
- B. **WHEREAS**, The Parties desire to reduce the provision of rideshare and vanpool software from the Cooperative Agreement, the balance of which will be transferred to a new five (5)-county regional rideshare software agreement with Los Angeles County Metropolitan Transportation Authority (LACMTA), Orange County Transportation Authority (OCTA), RCTC, SBCTA and Ventura County Transportation Commission (VCTC); and
- C. **WHEREAS**, The Parties operate a bi-county Rideshare program (“PROJECT”) which provides services and support for each Party’s respective Transit and/or Multi-modal programs (“RIDESHARE AND MULTI-MODAL PROGRAMS ”); and
- D. **WHEREAS**, The Parties desire to add miscellaneous rideshare and multi-modal services required for maintaining and improving the Parties’ RIDESHARE AND MULTI-MODAL PROGRAMS to this agreement, which are either costs shared by RCTC and SBCTA or administered by RCTC on behalf of SBCTA; and
- E. **WHEREAS**, RCTC will engage and has the necessary resources to manage contractors providing miscellaneous rideshare and multi-modal services (“MISCELLANEOUS SERVICE CONTRACTORS”).

NOW THEREFORE, in consideration of the above recitals, and the terms and conditions contained herein, SBCTA and RCTC agree to amend the Cooperative Agreement as follows:

1. Capitalized terms used in the Cooperative Agreement and also set forth in the Recitals to this Amendment No. 1 shall have the meaning as set forth in this Amendment No. 1. Capitalized terms not otherwise defined herein shall have the meaning as set forth in the Cooperative Agreement.
2. Attachment 1 – Software License and Maintenance Agreement is deleted in its entirety.

3. Exhibit B – SBCTA SOFTWARE CONTRACTOR is replaced with Exhibit B.1.
4. ARTICLE 2. COMPENSATION, Subsection 2.3.2 is deleted in its entirety and replaced with the following:

“2.3.2 That RCTC’s total obligation to SBCTA shall not exceed Two Thousand Five Hundred Dollars (\$2,500), for the services rendered through the SOFTWARE CONTRACTOR.”
5. ARTICLE 4. INDEMNIFICATION AND INSURANCE, Subsection 4.2 is deleted in its entirety and replaced with the following:

“4.2 Without in any way affecting the indemnity provisions identified in this Agreement, RCTC shall, at their own sole expense, and prior to the commencement of any work, procure and maintain in full force, insurance through the entire term of this Agreement and shall be written with at least the following limits of liability:

4.2.1 Professional Liability - Shall be provided in an amount not less than \$1,000,000, per claim and \$2,000,000 in the aggregate. RCTC shall secure and maintain this insurance or “tail” coverage provided throughout the term of this Agreement and for a minimum of three (3) years after Agreement completion.

4.2.2 Workers' Compensation - Workers’ Compensation insurance shall be provided in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employers Liability with \$1,000,000 limits, covering all persons providing services on behalf of the respective Party and all risks to such persons under this Agreement.

4.2.3 Commercial General Liability - To include coverage for Premises and Operations, Contractual Liability, Personal Injury Liability, Products/Completed Operations Liability, Broad-Form Property Damage and Independent Contractors' Liability, in an amount of not less than \$1,000,000 per occurrence, combined single limit, and \$2,000,000 in the aggregate written on an occurrence form. For products and completed operations a \$2,000,000 aggregate shall be provided.

4.2.4 Automobile Liability - To include owned, non-owned and hired automobiles, in an amount of not less than \$1,000,000 per occurrence, combined single limit, and in the aggregate written on an occurrence form.

4.2.5 Network and Privacy Insurance – RCTC shall carry, or shall cause its contractors to carry, Network and Privacy (Errors and Omissions) insurance in an amount of not less than \$1,000,000 per claim and \$1,000,000 in the annual aggregate, protecting itself and the other Party from the following exposures relating to RCTC or any of their contractors performance under the Agreement:

- (i) the theft, dissemination and/or unauthorized disclosure or use of Confidential Information and personally identifiable information (not to be limited to bank information, social security numbers, health information, credit card account information, and confidential corporate information). Such insurance shall also include coverage for credit monitoring, notification expenses and other related costs associated with mitigating a data security or privacy breach; and

(ii) the introduction of a computer virus into, or otherwise causing damage to, a computer, computer system, network or similar computer-related property and the data, software, and programs used herein.

If such insurance is maintained on an occurrence basis, RCTC or their contractors shall maintain such insurance for an additional period of one year following the end of the applicable Term. If such insurance is maintained on a claims-made basis, RCTC or their contractors shall maintain such insurance for an additional period of three years following the end of the applicable Term.

4.2.6 Proof of Coverage – RCTC shall furnish certificates of insurance to SBCTA evidencing the insurance coverage required above, prior to the commencement of performance of services hereunder, and such certificates shall include SBCTA as an additional insured on all insurances except Workers’ Compensation and Professional Liability. Prior to commencing any work, RCTC shall furnish SBCTA with a certificate(s) of insurance, executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth in this Article. If the insurance company elects to cancel or non-renew coverage for any reason, RCTC will provide 30 days’ notice of such cancellation or nonrenewal to SBCTA. If RCTC’s policy is cancelled for nonpayment of premium, RCTC shall provide SBCTA ten (10) days’ notice. RCTC shall maintain such insurance from the time RCTC commences performance of services hereunder until the completion of such Services. All certificates of insurance are to include the contract number and Project Manager’s name.

4.2.7 Additional Insured - All policies, except for Workers’ Compensation and Professional Liability policies, shall contain endorsements naming SBCTA and its officers, employees, agents, and volunteers as additional insureds with respect to liabilities arising out to the performance of Services hereunder. The additional insured endorsements shall not limit the scope of coverage for SBCTA to vicarious liability but shall allow coverage for SBCTA to the full extent provided by the policy.

4.2.8 Waiver of Subrogation Rights – RCTC shall require the carriers of the above required coverages to waive all rights of subrogation against SBCTA, its officers, employees, agents, volunteers, contractors, and subcontractors. All general auto liability insurance coverage provided shall not prohibit RCTC or its contractors, employees or agents from waiving the right of subrogation prior to a loss or claim. RCTC hereby waives all rights of subrogation against SBCTA.

4.2.9 All policies required to be carried by RCTC herein are to be primary and non-contributory with any insurance carried or administered by SBCTA.

4.2.10 Certificates/Insurer Rating/Cancellation Notice -

(i) RCTC shall maintain and shall require their contractors to maintain such insurance from the time the PROJECT commences until the PROJECT is completed, except as may be otherwise required by this Section.

(ii) RCTC may legally self-insure, but shall require their contractors to place insurance with insurers having an A.M. Best Company rating of no less than A:VIII and licensed to do business in California.

(iii) RCTC and their consultants shall replace certificates, policies and endorsements for any insurance expiring prior to completion of the PROJECT.”

6. ARTICLE 7. CONFIDENTIAL INFORMATION/NON-DISCLOSURE, Subsections 7.1, 7.2, 7.3 7.4 and 7.5 are deleted in their entirety and replaced with the following:

“7.1 Confidential Information. “Confidential Information” shall include: all data or information accessible in connection with the PROJECT; all personal information of PROJECT participants, including but not limited to a participant’s residence address, employment address or hours of employment used for the purpose of assisting private entities in the establishment or implementation of carpooling or ridesharing programs and subject to California Penal Code Section 637.6, as well as names, biographical information, demographic information, use data, contact information, or similar personal information of participants; and any and all data, content, materials, documents and/or other information related to the PROJECT designated, from time to time, in writing by the Parties as Confidential Information.

7.2 Non-Disclosure. Except as required by law, both Parties shall hold the Confidential Information in confidence, shall take reasonable precaution to protect and keep the Confidential Information confidential, shall not disclose the Confidential Information to any person or party not specifically authorized in writing by the affected Party to receive the Confidential Information, and shall not use the Confidential Information for any purpose other than as necessary to operate the PROJECT. Further, neither Party shall disclose a participant’s personal information, including but not limited to a participant’s residence address, employment address or hours of employment, used for the purpose of assisting private entities in the establishment or implementation of ridesharing programs, to any other person or use such information for purposes other than as necessary to operate the PROJECT, without the prior written consent of the participant, as required by California Penal Code section 637.6. Parties shall limit access to the Confidential Information only to individuals who are directly involved in operation of the PROJECT, and shall further ensure that such individuals are legally bound to maintain the confidentiality of the Confidential Information on substantially the same terms as set forth herein. The foregoing restrictions on disclosure shall not apply to Confidential Information which is (a) becomes, through no act or fault of the recipient, publicly known, b) received by recipient from a third party without a restriction on disclosure or use, (c) independently developed by recipient without reference to the Confidential Information, or (d) is required by law, or process of law, to be disclosed.

7.3 Expiration. Immediately upon (a) the expiration or termination of this Agreement, or (b) a request by a Party, the other Party shall turn over to requesting Party all Confidential Information of or directly pertaining to the requesting Party, as identified in Article 6.1, and all documents or media containing any such Confidential Information, and any and all copies or extracts thereof, except that each Party’s legal counsel may retain one copy of all Confidential Information in its office solely for archival legal purposes. The foregoing shall not be interpreted to require the Parties to remove Confidential Information stemming from PROJECT databases to which each Party may be entitled a copy, nor to cease use of such information on termination of this Agreement, provided that such use is for operation of the Rideshare Program.

The Parties recognize that, pursuant to this provision, a Party may request copies of or export files from PROJECT databases containing Confidential Information of commuters and employers participating in the PROJECT. The requesting Party shall be solely responsible for maintaining the confidentiality and security of such data, and shall indemnify the other Party, pursuant to Article 6.1 of this Agreement, for any claims arising out of use or retention of such data.”

7.4 Key Personnel. The Parties shall designate key personnel (“Key Personnel”) requiring access to the RIDESHARE AND MULTI-MODAL PROGRAMS. Key Personnel shall use Confidential Information only and strictly for the operation of the PROJECT, and shall not disclose or share such Confidential Information, whether or not employed or in any way associated with either Party, who has not been specifically approved in writing to receive such Confidential Information.

7.5 Non-Disclosure and Confidentiality Agreement. To protect Confidential Information, each Party shall require each of its Key Personnel to execute a Non-Disclosure and Confidentiality Agreement substantially in the form of Exhibit D, attached hereto and incorporated by this reference. Each Party shall provide the other Party a signed Non-Disclosure and Confidentiality Agreement for each Key Personnel designated below or designated from time-to-time by SBCTA’s or RCTC’s Executive Director or designee, respectively, prior to the Parties’ disclosure of any log-in information or other Confidential Information to such Key Personnel. SBCTA and RCTC, respectively, designate the following individuals as Key Personnel requiring access to the PROJECT:

SBCTA	RCTC
Nicole Soto, Mobility Analyst	Brian Cunanan, Program Manager
Nancy Strickert, Transit Manager	Ariel Alcon Tapia, Sr. Management Analyst

MISCELLANEOUS PROVISIONS TO AMENDMENT NO. 1

- 7. The Recitals set forth above are incorporated herein by this reference.
- 8. Except as amended by this Amendment No. 1, all other provisions of the Agreement shall remain in full force and effect.
- 9. This Amendment No. 1 is effective upon execution by the Parties.
- 10. This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.
- 11. A manually signed copy of this Amendment No. 1 which is transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment No. 1 for all purposes. This Amendment No. 1 may be signed using an electronic signature.

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

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement below.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

**RIVERSIDE COUNTY
TRANSPORTATION COMMISSION**

By: _____
Raymond W. Wolfe
Executive Director

By: _____
Anne Mayer,
Executive Officer

Date: _____

Date: _____

APPROVED AS TO FORM

APPROVED AS TO FORM

By: _____
Julianna K. Tillquist
General Counsel

By: _____
Best, Best & Krieger, LLP,
General Counsel

Date: _____

Date: _____

DRAFT

Attachment: 20-1002371-1 (7798 : Approval of Regional Rideshare Program Contracts)

General Contract Information

Contract No: 21-1002573 Amendment No.: _____
 Contract Class: Payable Department: Transit
 Vendor No.: Multiple Vendor Name: LACMTA, OCTA, RCTC and VCTC
 Description: Regional Rideshare Consolidated Database

List Any Related Contract Nos.: 21-1002572

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

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7798

Contract Management (Internal Purposes Only)

Zero Dollar Contracts Sole Source? N/A N/A

Zero Dollar MOU/COOP/JPA

Accounts Payable

Estimated Start Date: 07/07/2021 Expiration Date: 12/31/2039 Revised Expiration Date: _____

NHS: N/A OMP/QAP: N/A Prevailing Wage: N/A

Total Contract Funding: Total Contingency:

Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	\$
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-
GL								-	-

Nicole Soto

Carrie Schindler

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: CSS - 21-1002753 Regional Consolidated Database MOU (7798 : Approval of Regional Rideshare Program Contracts)

**REGIONAL RIDESHARE CONSOLIDATED DATABASE PROJECT
MEMORANDUM OF UNDERSTANDING NO. 21-1002573**

This MOU is entered into between LACMTA, OCTA, RCTC, SBCTA and VCTC for the Regional Rideshare Consolidated Database Project (the “Project”).

1. **WHEREAS**, SBCTA has entered into Contract No. 19-1002203 with Trapeze, whereby Trapeze provides regional rideshare software to support a regional rideshare database.
2. **WHEREAS**, the Parties have entered into a Regional Rideshare Software Agreement.
3. **WHEREAS**, the Parties desire to enter into this MOU as part of the effort to merge the regional rideshare databases allowing for a Consolidated Database and establish the roles and responsibilities of the Parties for the Project.
4. **WHEREAS**, SBCTA has agreed to perform services necessary to implement the Project through its Contract with Trapeze on the terms and conditions contained herein;

NOW, THEREFORE, the parties to this MOU agree to the following terms and procedures:

1. DEFINITIONS

- A. **Commuter Account Data** - Data related to rideshare participants including, but not limited to, PII
- B. **Confidential Information** - Log-in information and all Software, Data and PII
- C. **Consolidated Database** - 5-county regional rideshare database
- D. **Employer Data** - Data related to employer participants in any Party’s rideshare program
- E. **ETC** - Employer Transportation Coordinator
- F. **Initial Term** - Effective as of the date signed by all Parties through July 31, 2021
- G. **Key Personnel** - Designated by the Parties and authorized to access the Consolidated Database
- H. **LACMTA** - Los Angeles County Metropolitan Transportation Authority
- I. **MOU** - Memorandum of Understanding
- J. **OCTA** - Orange County Transportation Authority
- K. **Parties** - LACTMA, OCTA, RCTC, SBCTA and VCTC collectively
- L. **Party** - LACTMA, OCTA, RCTC, SBCTA and VCTC individually
- M. **PII** - Personally Identifiable Information of rideshare participants, including names, phone numbers, home address, employer and work address, email addresses, and any other information that could be used to identify a person
- N. **Primary county rideshare service provider for commuters** – Assigned by commuter home destination
- O. **Primary county rideshare service provider for employers** – Assigned by employer work destination
- P. **RCTC** - Riverside County Transportation Commission

- Q. **Regional Rideshare Software Agreement** - Agreement No. 21-1002572 for SBCTA's provision of the regional rideshare software on behalf of LACMTA, OCTA, RCTC and VCTC.
- R. **Regional rideshare software** - Services and licenses software to support a regional rideshare database
- S. **Renewal Term(s)** - Additional one year periods following the Initial Term
- T. **Rideshare service provider** - For employers with multiple sites, the location of the applicable ETC or employer's headquarters dictate which Party is the rideshare service provider
- U. **SBCTA** - San Bernardino County Transportation Authority
- V. **The Project** - Implementation and operation of the Consolidated Database
- W. **Trapeze** - Trapeze Software Group, Inc.
- X. **VCTC** - Ventura County Transportation Commission

2. SCOPE OF SERVICES

- A. SBCTA shall furnish all technical and professional services, including labor, material, equipment, transportation, supervision and expertise, necessary to fully and adequately perform the merger of the two existing rideshare databases. SBCTA will perform the merger at no cost to LACMTA, VCTC or OCTA. RCTC will share in certain costs related to the Project, as per the Regional Rideshare Software Agreement related to such cost sharing.
- B. Once the merger of the databases has been completed, the Parties agree to participate in quarterly meetings to ensure program continuity and agreed upon software changes and updates to ensure mutually beneficial upgrades for all Parties. Additional meetings can be requested by the Parties as needed.

3. TERM

The Agreement shall be effective as of the date signed by all Parties. Upon expiration of the Initial Term the **MOU** shall automatically renew for additional Renewal Terms. Any Party may withdraw from the MOU at any time by providing the other Parties with written notice of such withdrawal 30 days prior to such withdrawal. Subject to such withdrawal, the Parties shall retain data as identified in Section 8, Ownership of Materials/Equipment/Confidentiality/Use of Data.

4. DEFAULT

A Default under this MOU is defined as any one or more of the following: (i) A Party fails to comply with the terms and conditions contained herein; or (ii) A Party fails to perform its obligations set forth in this MOU.

5. REMEDIES

Any Party that fails to comply with its obligations regarding access to the Consolidated Database, or use and maintenance of PII and other confidential information, as defined below, following written notice of such Default, shall be immediately restricted from access to the Consolidated Database until the Parties agree on and implement a plan for correction. The Parties shall not unreasonably withhold approval of such plan.

In the event of a Default by any Party not addressed as set forth above, any non-Defaulting party(s) shall provide written notice of such Default to the party in Default providing a 30-day period to cure the Default. In the event the Defaulting party fails to cure the Default, or commit to cure the Default and commence the same within such 30-day period to the satisfaction of the non-Defaulting party(s), such non-Defaulting party(s) may terminate their participation in the MOU. The remedies described herein are non-exclusive. The Parties have the right to enforce any and all rights and remedies herein or which may be now or hereafter available at law or in equity.

6. INDEMNITY

No Party nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by any other Party, or such other Party's contractors, sub-contractors, and/or its agents under or in connection with any activity covered by this MOU. It is understood and agreed that each Party, to the extent permitted by law, will defend, indemnify, and save harmless all other Parties and all of their respective officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, or other theories and assertions of liability occurring by reason of: (i) the indemnifying Party's breach of any obligations under this MOU; or (ii) any negligent act, omission or willful misconduct of the indemnifying Party, or its officers, agents, employees, contractors or subcontractors in connection with the Project; or (iii) use or storage of any data accessed through the Consolidated Database contrary to the provisions of this MOU.

7. SOFTWARE LICENSING AGREEMENT AND PROVISIONS FOR USE

- A. Software Licensing for the computer software and products required under this MOU shall be in accordance with the Regional Rideshare Software Agreement, the provisions of which shall control over the terms of this MOU. For the purposes of this MOU, the below terms are defined as follows:
1. Software: The software programs and products developed or to be developed and delivered to the Parties under the Regional Rideshare Software Agreement.
 2. Data: The information, whether in hard copy, database, keypunch or other formats, which is used as input to the Software or which is or has been generated, collected, analyzed, created, prepared or developed by Trapeze, or its respective subcontractors for the performance of the Project, which is used by the Parties for the Project.

B. The following rules shall apply to all Data:

1. The Parties shall hold the Data in confidence, shall use and disclose Data only as expressly authorized in the Regional Rideshare Software Agreement, herein, and only to its employees, agents or sub licensees to whom disclosure is necessary or appropriate for the performance and exercise of its rights hereunder, or as required by law, and shall take reasonable steps to ensure that unauthorized persons will have no access to them.
2. The Parties shall not sell, license or otherwise transfer any interest in the Data or other materials in some manner developed for utilization in the Program, without the prior written permission of each Party's Executive Officer or designee.

C. Notwithstanding the foregoing, rideshare participant data, including PII, may be used and disclosed without prior written permission for ridesharing and ridematching purposes in accordance with each respective Party's rideshare program, and the requirements herein. Such data and PII is knowingly and voluntarily provided by participants for purposes of ridesharing and ridematching.

8. OWNERSHIP OF MATERIALS/EQUIPMENT/CONFIDENTIALITY/USE OF DATA

- A. Ownership and Use Rights. Ownership and the right to use all documents, Data, Software and materials shall be in accordance with the Regional Rideshare Software Agreement.
- B. Use of Data. As a user of the Consolidated Database, Data is accessible to the Parties in electronic media as outlined in the Regional Rideshare Software Agreement. Subject to the limits below, Data is accessible 24 hours, 7 days a week to all Parties to input, use, access and manipulate the Data to prepare reports and perform other ridematching functions contemplated by this MOU, or part of a Party's rideshare program. If electronic access to Data is interrupted for a Party(s), Data owned by the Party(s) as outlined below shall be provided upon availability to the Party(s) but no later than 30 days after a written email request has been made to SBCTA or, at the direction of SBCTA, to Trapeze. All Data shall be delivered electronically in electronic media format.

It is the intent of the Parties that Commuter Account Data and Employer Data be accessible as detailed above, subject to the following:

1. A Party shall have access to and shall have non-exclusive ownership of any:
 - i. Commuter Account Data for commuters originating in the county of that Party, regardless of the commuter's destination.
 - ii. Commuter Account Data for commuters destined for an employer in the county of that Party, regardless of the home address of the commuter.
 - iii. All Employer Data for employers located within the county of that Party.
 - iv. All Employer Data for employers with commuter accounts originating in the county of the Party.

Upon expiration or termination of this MOU, each Party shall have the right to retain files associated with the Party, as detailed above, including PII, on the condition that any Party exercising this right shall be solely responsible for maintaining the confidentiality and security of such PII.

- C. Maintenance of Data. The Parties agree to cooperatively develop standard operating procedures which address data maintenance, such as but not limited to, unsubscribing, purging, deletion or modification of Commuter Account and Employer Data.

9. SAFEGAURDING PERSONALLY IDENTIFIABLE INFORMATION

- A. The Parties acknowledge that the Data may include PII of rideshare participants. Furthermore, as is customary for this program, participants are not allowed to use their social security number and/or driver's license number, in whole or in part, as a personal identifier. Therefore, the PII in the Consolidated Database is not intended to contain social security or driver's license information.
- B. The Parties warrant and certify that they, and their third party contractors that administer or may assist in administering their rideshare programs, will only use PII for the operation and management of the Project or respective rideshare program, and will not sell or otherwise provide PII to any person or entity for any other purpose, and that they will observe security measures meeting reasonable industry standards. The Parties further warrant that they will comply with all applicable statutes, rules, regulations and orders of the United States, the State of California and their own respective agencies relating to the handling and confidentiality of PII and agree to, consistent with Section 6, Indemnification, indemnify any other Party against any loss, cost, damage or liability by reason of a Party's, or its third party contractor's, violation of this provision.
- C. Each Party shall immediately notify the other Parties when it discovers that there may have been a breach in security which has or may have resulted in compromise to the PII. For purposes of this section, immediately is defined as within two hours of discovery.

10. KEY PERSONNEL

Each Party shall designate in writing Key Personnel authorized to access the Consolidated Database. Key Personnel shall be granted log-in information to enable access to the Consolidated Database. Key Personnel shall use Confidential Information only for regional rideshare purposes and shall not otherwise disclose or share such log-in information, or any other Confidential Information, with any individual or party not authorized to access the Consolidated Database. Each Party shall share the name(s) of its Key Personnel with all other Party's on an annual basis.

Each Key Personnel shall execute a Non-Disclosure and Confidentiality Agreement, in a form to be agreed upon by the Parties, prior to accessing the Consolidated Database.

11. ASSIGNING “PRIMARY COUNTY RIDESHARE SERVICE PROVIDER”

- A. The Parties agree to utilize a home destination basis for assigning “primary county rideshare service provider” for commuters.
- B. The Parties agree to utilize a work destination basis for assigning “primary county rideshare service provider” for employers.
- C. For employers with multiple sites, the location of the applicable ETC or employer’s headquarters shall dictate which Party shall be considered the “rideshare service provider”.

12. OTHER TERMS AND CONDITIONS

- A. This MOU, along with its Attachments, constitutes the entire understanding among the Parties with respect to the subject matter herein. The MOU shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the Parties.
- B. In the event that there is any legal court (e.g., Superior Court of the State of California or the U.S. District Court for the Central District of California) proceeding between any two or more of the Parties to enforce or interpret this MOU, to protect or establish any rights or remedies hereunder, the prevailing Party shall be entitled to its costs and expenses, including reasonable attorney’s fees.
- C. No Party hereto shall be considered in default in the performance of its obligations hereunder to the extent that the performance of any such obligation is prevented or delayed by unforeseen causes including acts of God, acts of a public enemy, and government acts beyond the control and without fault or negligence of the affected Party. Each Party hereto shall give notice promptly to the others of the nature and extent of any such circumstances claimed to delay, hinder, or prevent performance of any obligations under this MOU.
- D. No Party may assign this MOU, or any part thereof, without prior written approval of all other Parties, and any assignment without said consent shall be void and unenforceable.
- E. This MOU shall be governed by California law. If any provision of this MOU is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.
- F. The covenants and agreements of this MOU shall inure to the benefit of, and shall be binding upon, each of the Parties and their respective successors and assigns.
- G. Notice will be given to the Parties at the address specified below, unless otherwise notified in writing of change of address.

- H. All rights and obligations hereunder that by their nature are to continue after any withdrawal from, expiration or termination of this MOU, including, but not limited to, the indemnification and confidentiality obligations, shall survive any such withdrawal, expiration or termination.
- I. This MOU may be executed in counterparts, each of which shall constitute an original. A manually signed copy of this MOU which is transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this MOU for all purposes. This MOU may be signed using an electronic signature, provided such electronic signature complies with Government Code § 16.5 and the Uniform Electronic Transactions Act, Civil Code §§ 1633.1 et seq.

-----SIGNATURES ARE ON THE FOLLOWING PAGES-----

DRAFT

IN WITNESS WHEREOF, the parties have caused this MOU to be executed by their duly authorized representatives as of the dates indicated below:

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____
Stephanie Wiggins Date
Chief Executive Officer

APPROVED AS TO FORM:

Rodrigo A. Castro-Silva
County Counsel

By: _____
Deputy Date

DRAFT

Attachment: 21-1002573 (7798 : Approval of Regional Rideshare Program Contracts)

IN WITNESS WHEREOF, the parties have caused this MOU to be executed by their duly authorized representatives as of the dates indicated below:

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

By: _____
Curt Hagman Date
President, Board of Directors

APPROVED AS TO FORM:

By: _____
Julianna K. Tillquist Date
General Counsel

DRAFT

Attachment: 21-1002573 (7798 : Approval of Regional Rideshare Program Contracts)

AMENDMENT NO. 3 TO CONTRACT NO. 17-1001683

FOR

VANPOOL PROGRAM ONLINE SYSTEM

(TRAPEZE SOFTWARE GROUP, INC. DBA TRIPSPARK TECHNOLOGIES)

This Amendment No. 3 to Contract. No. 17-1001683 (referred to as “Contract”), is made and entered into by and between the San Bernardino County Transportation Authority (“SBCTA”), whose address is 1170 W. 3rd Street, 2nd Floor, San Bernardino, California 92410-1715, and Trapeze Software Group, Inc. dba TripSpark Technologies (“CONSULTANT”) whose address is 5265 Rockwell Drive NE, Cedar Rapids, Iowa 52402. SBCTA and CONSULTANT are each a “Party” and collectively the “Parties”.

RECITALS

- A. On July 26, 2017, SBCTA and CONSULTANT entered into Contract No. 17-1001683 for Vanpool Program Online System; and
- B. On April 9, 2020, SBCTA and CONSULTANT exercised the first option year, extending the Contract Term through June 30, 2021; and
- C. On June __, 2021, SBCTA and CONSULTANT exercised the second option year, extending the Contract Term through June 30, 2022; and
- D. SBCTA and CONSULTANT desire to add two additional one-year Option Terms, for a maximum not-to-exceed term of June 30, 2024; and
- E. SBCTA and CONSULTANT desire to update insurance requirements.

NOW, THEREFORE, in consideration of the above recitals, and the terms and conditions contained herein, SBCTA and CONSULTANT agree as follows:

1. ARTICLE 2 CONTRACT TERM, Section 2.2 is deleted in its entirety and replaced with the following:

“2.2 SBCTA at its sole discretion may extend the original term of the Contract for four one-year option(s). The maximum term of this Contract, including the Option Term(s), if exercised, will not extend beyond June 30, 2024.”
2. ARTICLE 21 GENERAL PROVISIONS, Sections 21.1.3 and 21.1.4 are amended as follows:
 - a. The per occurrence limit amount of Commercial General Liability coverage in Section 21.1.3 shall be \$1 million.
 - b. The umbrella or excess liability amount for any project with a Contract Value of \$25,000,000 or less in Section 21.1.4 shall be \$6,000,000.

- c. ARTICLE 21.2 GENERAL PROVISIONS, Section 21.2.1 Qualifications of Insurance Carriers is deleted in its entirety and replaced with the following:

“If policies are written by insurer carriers authorized and admitted to do business in the state of California, then the insurer carriers must have a current A.M. Best rating of A-VIII or better. If policies are written by insurance carriers that are non-admitted but authorized to conduct business in the state of California, then they must meet the current A.M. Best rating of A-X or better, unless otherwise approved in writing by SBCTA’s Risk Manager.”

- d. ARTICLE 21.2 GENERAL PROVISIONS, Section 21.2.2 Additional Insurance Coverage is deleted in its entirety and replaced with the following:

“All policies, except those for Workers’ Compensation, Professional Liability insurance, Cyber Liability, shall be endorsed by ISO Form CG 20 10 11 85, or if not available, then ISO Form CG 20 38, to name San Bernardino County Transportation Authority, and their officers, directors, members, employees, agents and volunteers, as additional insureds (“Additional Insureds”). With respect to general liability arising out of or connected with work or operations performed by or on behalf of the CONSULTANT under this Contract, coverage for such Additional Insureds shall not extend to liability to the extent prohibited by section 11580.04 of the Insurance Code. The additional insured endorsements shall not limit the scope of coverage for SBCTA to vicarious liability but shall allow coverage for SBCTA to the full extent provided by the policy.”

- e. ARTICLE 21.2 GENERAL PROVISIONS, Section 21.2.4 Deductibles is deleted in its entirety and replaced with the following:

“Deductibles or Self-Insured Retention: Regardless of the allowance of exclusions or deductibles by SBCTA, CONSULTANT shall be responsible for any deductible amount and any self-insured retention amount and shall warrant that the coverage provided to SBCTA is consistent with the requirements of this Article. CONSULTANT will pay, and shall require its subconsultants to pay, all deductibles, self-insured retentions, co-pay obligations, premiums and any other sums due under the insurance required in this Article. CONSULTANT will advise SBCTA in writing as to the amounts of any deductible or self-insured retention, or as to any increase in any insurance deductible or self-insured retention under any insurance required above. There will be no deductibles in excess of \$500,000 per occurrence or claim under the insurance required of CONSULTANT. Furthermore, self-insured retention is allowed for the following policies: 1) Network and Privacy Insurance and Professional Liability in an amount not to exceed \$1,000,000 per occurrence, loss or claim and Commercial General Liability in an amount not to exceed \$25,000 per occurrence, loss or claim.”

3. The Recitals set forth above are incorporated herein by this reference.
4. Except as amended by this Amendment No. 3, all other provisions of the Contract shall remain in full force and effect and are incorporated herein by this reference.
5. This Amendment No. 3 is effective upon execution by SBCTA.

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

DRAFT

Attachment: 17-1001683-3 (7798 : Approval of Regional Rideshare Program Contracts)

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment below.

TRAPEZE SOFTWARE GROUP, INC.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Tom Cooper
Director of Finance

By: _____
Raymond W. Wolfe
Executive Director

Date: _____

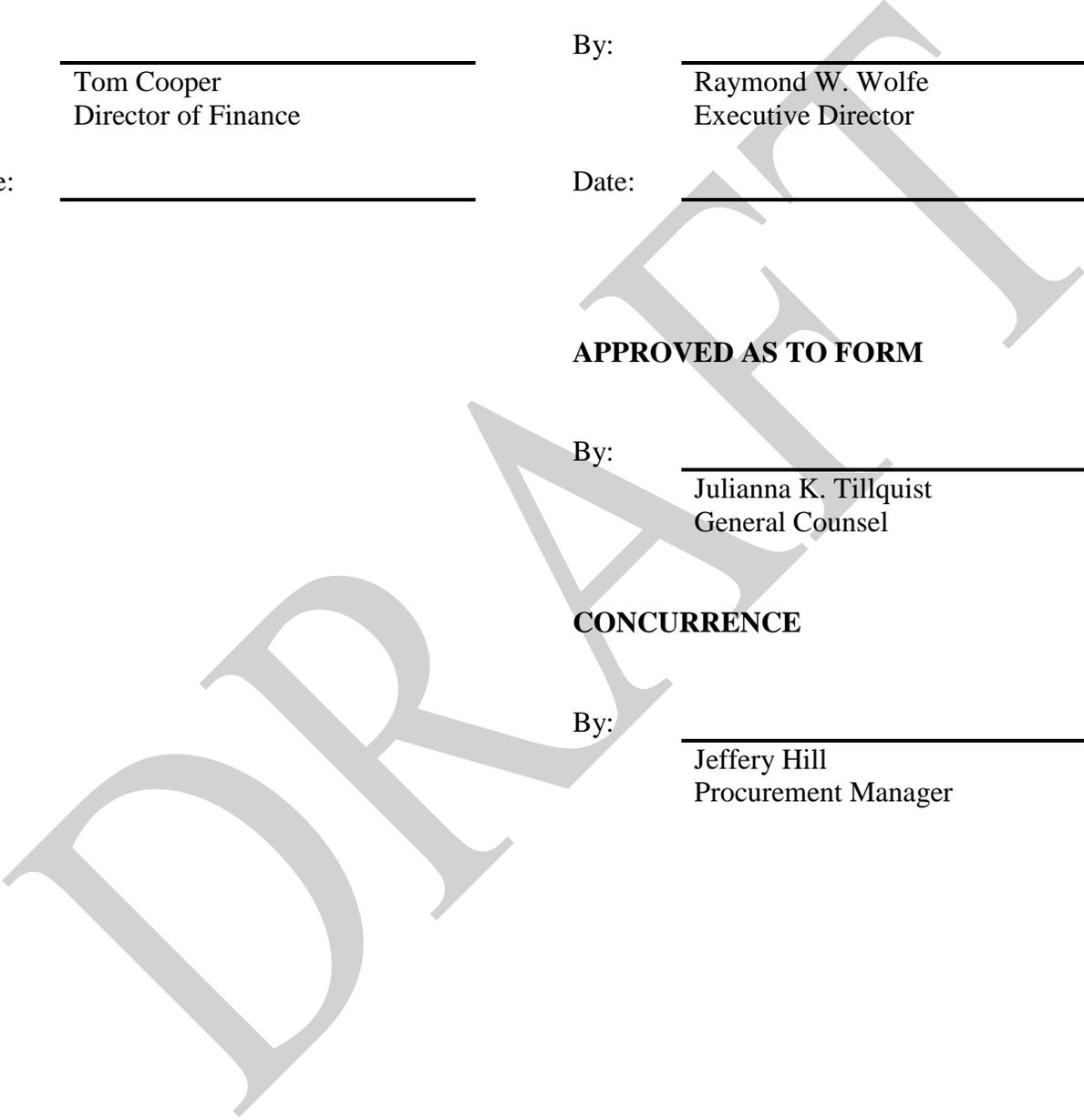
Date: _____

APPROVED AS TO FORM

By: _____
Julianna K. Tillquist
General Counsel

CONCURRENCE

By: _____
Jeffery Hill
Procurement Manager



Attachment: 17-1001683-3 (7798 : Approval of Regional Rideshare Program Contracts)

Minute Action

AGENDA ITEM: 20

Date: July 7, 2021

Subject:

Measure I 2021 Population Estimates

Recommendation:

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

Adopt the 2021 Population Estimates in Attachment B for use in the allocation of Measure I Local Street Projects Program and Transportation Development Act funds and in the apportionment of shares of certain State and Federal funds.

Background:

Allocation of revenue authorized by Ordinance No. 04-01 is estimated within the Transportation Expenditure Plan, but funds are allocated by percentage of the actual revenue received. Population estimates for the cities and unincorporated territory within each Measure I Subarea are used in the allocation of Measure I Local Street Projects Program funds, commonly referred to as local pass-through funds. The Valley distribution formula for local pass-through funds is based strictly upon population, while the Mountain/Desert formula contains both population and point of generation components as detailed below:

San Bernardino Valley Subarea Expenditure Plan, Section F “Local Street Projects” states:

“Allocations to local jurisdictions shall be on a per capita basis using the most recent State Department of Finance population estimates for January 1, with the County’s portion based upon unincorporated population in the Valley Subarea. Estimates of unincorporated population within the Valley Subarea shall be determined by the County Planning Department, reconciled with the State Department of Finance population estimate for January 1 of each year.”

Mountain/Desert Expenditure Plan, Section C “Local Street Projects” Paragraph 2 states:

“...funds in the general Local Street Projects category shall be allocated to local jurisdictions based upon population (50 percent) and tax generation (50 percent). Population calculations shall be based upon the most current State Department of Finance estimates for January 1 of each year. Estimates of unincorporated population within each subarea shall be determined by the County Planning Department, reconciled with the State Department of Finance population estimates. Tax generation calculations shall be based upon State Board of Equalization data.”

Additionally, San Bernardino County Transportation Authority (SBCTA) uses population in the allocation and/or apportionment of Transportation Development Act (TDA) funds (Local Transportation Fund and State Transit Assistance funds) and certain State and Federal funds (Surface Transportation Program, Congestion Mitigation and Air Quality, State Transportation Improvement Program, Local Partnership Program, Federal Transit Administration Section 5311 Rural Grants, Senate Bill 1 State of Good Repair, and Low Carbon Transit Operations Program).

The formulas are updated annually using the State Department of Finance (DOF) population estimates as of January 1 of each year. The DOF estimating process begins with a county estimate that is produced by using customary demographic data inputs (births, deaths, school enrollment, administrative data, etc.) and applying standard demographic methodology. Growth or decline at the local level (city/unincorporated area) is estimated using data collected from local jurisdictions, mainly housing unit change and annexations, and group quarters

Entity: San Bernardino County Transportation Authority

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changes (college dorms, prisons, military barracks) collected from a variety of government agencies and educational segments. That local estimate is then aligned to the county-level figure which is based on changes in annual counts for births, deaths, school enrollment, migration, medical care enrollment data, and group quarters population. Once DOF has the data necessary to produce the annual sub-county report, the DOF timeframe for actually calculating and producing the estimates is very limited due to the timing of the data collection (as it becomes available) and the statutory deadline that they are under. It should be noted that while the total County population and City estimates incorporate 2020 census counts, the County unincorporated totals were created using 2010 census blocks and 2019 census data because the 2020 census block data has not been released yet. Additional information from the DOF website is included as Attachment A to this agenda item.

According to DOF, local agencies that have comments or feedback pertaining to a population estimate are encouraged to first contact their planning department, building department or community development department locally to express their concerns. The housing unit changes that drive population estimates locally come directly from a survey completed by local planning, building and community development departments. In the event that a number of housing units were not reported by the local jurisdiction, DOF can revise a previous year to include those units given the proper documentation. This may result in a higher population for a previous year but does not directly impact current year transportation funds to the jurisdiction for the current year.

The San Bernardino County Demographic Research Unit takes the DOF estimates and disaggregates the unincorporated population by Measure I Subarea based on building permit activity. Urban areas are defined by California Department of Transportation (Caltrans) Urban Area Boundaries within the unincorporated areas. Both are controlled to the DOF Unincorporated total.

The January 1, 2021 population estimates are recommended for approval and use in allocation of Measure I Local Street Projects Program funds and the other TDA, State, and Federal funds. Both the 2021 population estimates (Attachment B) and the 2020 population estimates (Attachment C) are attached to this agenda item for comparison purposes. As there were only minor fluctuations in the population statistics, there should be no significant shift in Measure I fund allocations related to population. The distribution of Measure I funds will be adjusted retroactively to January 1, 2021, to reflect each jurisdiction's relative proportion of population within the Measure I Subarea.

This item has no direct impact on the San Bernardino County Transportation Authority's budget. The adopted population estimates are incorporated into the allocation formula for distribution to local jurisdictions.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 9, 2021.

Responsible Staff:

Michele Fogerson, Chief of Fund Administration

Board of Directors Agenda Item
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Approved
Board of Directors
Date: July 7, 2021
Witnessed By:

San Bernardino County Transportation Authority

Attachment A

Department of Finance Population Estimate Methodology

Source: State of California, Department of Finance, May 1, 2021.

http://dof.ca.gov/Forecasting/Demographics/Estimates/e-1/documents/E-1_2021PressRelease.pdf

OVERVIEW

California's population dipped by 182,083 residents last year, bringing the state's total to 39,466,855 people as of January 1, 2021. California's negative growth rate of -0.46 percent represents the first 12-month decline since state population estimates have been recorded. In San Bernardino County, Twentynine Palms was the fastest growing city with a population of 29,967, representing a 3.9-percent growth rate over the previous 12 months.

The population estimates are produced annually by the Department of Finance for use by local areas to calculate their annual apportionments limit. The State Controller's Office uses Finance's estimates to update their population figures for distribution of state subventions to cities and counties, and to comply with various state codes. Additionally, estimates are used for research and planning purposes by federal, state, and local agencies, the academic community, and the private sector.

Changes to the housing stock are used in the preparation of the annual city population estimates. Estimated occupancy of housing units and the number of persons per household further determine population levels. Changes in city housing stock result from new construction, demolitions, housing unit conversions, and annexations. The sub-county population estimates are then adjusted to be consistent with independently produced county estimates.

Related population reports are available on the Department's website:

[E-1 Population Estimates for Cities, Counties, and the State — January 1, 2020 and 2021 \(ca.gov\)](#)

Contents

This report provides revised population estimates as of January 1, 2020, and provisional population estimates as of January 1, 2021, for the state, counties, and cities and includes a calculation of annual percent change. The total County population and City estimates incorporate 2020 census counts. However, the County unincorporated totals were created using 2010 census blocks and 2019 census data because the 2020 census block data has not been released yet.

Methodology

City and Unincorporated Area Estimates. The Housing Unit Method (HUM) is used to estimate total and occupied housing units, household size, household population, and group quarters population. American Community Survey (ACS) data were used to distribute 2010 census housing units into our standard housing types (single detached units, single attached units, two to four units, five plus or apartment units, and mobile homes). Housing units are estimated by adding new construction and annexations and subtracting demolitions, and adjusting for units lost or gained by conversions. Annual housing unit change data are supplied by local jurisdictions and the U.S. Census Bureau. Occupied housing units are estimated by applying a derived civilian vacancy rate to the estimated civilian housing units. Vacancy rates are based on 2010 Census benchmark data, adjusted to incorporate the directional changes described by the latest available ACS data. Exact data on foreclosures or other housing market indicators are not reliably available to adjust vacancy rates and are not used.

Military occupied housing units are added to civilian occupied housing units to calculate total occupied housing units. Military surveys are used to track military changes including base realignments and closures. Household population estimates are derived by multiplying the number of occupied housing units by the current persons per household. The persons per household estimates are based on 2010 census benchmark data and are adjusted by raking the current county population series into these estimates. The group quarters population is based on the Census Bureau's 2010 SF1 File counts on group quarters and annually adjusted using reported changes for group quarters by state, federal, and local agencies. The household and group quarters populations are summed to produce the initial city population estimates. These estimates are aligned to the county estimates described below.

State Estimate. The state population is estimated using the Driver License Address Change (DLAC) Method. This composite method separately estimates the population under age 18, 18 through 64, and 65 years and older. Administrative records such as births, deaths, driver license address changes, tax return data, Medicare and Medi-Cal enrollment, immigration reports, elementary school enrollments, and group quarters population are among the data used in this method. All data used to develop these estimates are in summary tables and do not reveal the identity of any individual.

County Estimates. Most of county populations estimates result from averaging the first three methods below. We use a Vital Statistics Method in nine counties (Alpine, Calaveras, Inyo, Mariposa, Modoc, Sierra, Siskiyou, Trinity, and Tuolumne) with populations 65,000 or less.

DLAC Method. A modified version of the state Driver License Address Change (DLAC) method is used for counties. County proportions of the state total result from changes in county population values for births, deaths, school enrollment, foreign and domestic migration, medical care and medical aid enrollments, and group quarters population.

Ratio-Correlation Method. This method models changes in household population as a function of changes in the distributions of births, driver licenses, school enrollments, labor force, and housing units. Estimates of county group quarters are added.

Tax Return Method. County proportions are derived by the U.S. Census Bureau using matched federal income tax returns to estimate inter-county migration along with vital statistics, group quarters, and other information for the population aged 65 and over.

Vital Statistics Method. County population estimates result from changes in county population values for births, deaths, and group quarters population.

Data Considerations

Sources. Data used in estimation models come from administrative records of several state and federal government departments and agencies, and from the local jurisdictions for which Finance produces population estimates. Because timeliness and coverage in these series vary, corrections, smoothing, and other adjustments may be applied. Changes to 2010 Summary File 1 data in the classification of student housing on or near campus was necessary to remain consistent with the census group quarters definition. In only a few instances, some student housing (residence hall and apartment units) counted as household population in the census was redefined as group quarters student housing population. College dorm group quarters population is defined as student population living in residence halls and apartment units located on or near college campuses.

Suggested Citation

State of California, Department of Finance, *E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2020 and 2021*. Sacramento, California, May 2021.

MEASURE I 2021 POPULATION SUMMARY
PREPARED BY SAN BERNARDINO COUNTY PLANNING

ATTACHMENT

PLANNING REGION	(1) DOF/CO 2021	(2) ADJUSTMENT	2021 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL	POP CHANGE FROM 2020	%SUBAR CHANG FROM 20
WEST VALLEY							
CHINO	88,184		88,184	5.59%	4.053%	(925)	-0.0
CHINO HILLS	82,661		82,661	5.24%	3.799%	252	0.0
FONTANA	213,944		213,944	13.57%	9.832%	944	0.0
MONTCLAIR	39,598		39,598	2.51%	1.820%	108	0.0
ONTARIO	182,004		182,004	11.54%	8.365%	(867)	-0.0
RANCHO CUCAMONGA	175,131		175,131	11.10%	8.049%	(391)	0.0
UPLAND	78,513		78,513	4.98%	3.608%	(301)	-0.0
UNINCORPORATED URBAN	44,038	(6)	44,038	2.79%	2.024%	1,375	0.0
UNINCORPORATED RURAL	1,821	(7)	1,821	0.12%	0.084%	(240)	-0.0
TOTAL WEST VALLEY			905,894	57.44%	41.633%	(45)	0.1
EAST VALLEY							
COLTON	54,198		54,198	3.44%	2.491%	80	0.0
GRAND TERRACE	12,399		12,399	0.79%	0.570%	(27)	0.0
HIGHLAND	55,060		55,060	3.49%	2.530%	(263)	-0.0
LOMA LINDA	24,895		24,895	1.58%	1.144%	360	0.0
REDLANDS	71,154		71,154	4.51%	3.270%	202	0.0
RIALTO	102,567		102,567	6.50%	4.714%	(1,986)	-0.1
SAN BERNARDINO	216,291		216,291	13.71%	9.940%	(1,655)	-0.0
YUCAIPA	55,634		55,634	3.53%	2.557%	(78)	0.0
UNINCORPORATED URBAN	77,874	(6)	77,874	4.94%	3.579%	884	0.0
UNINCORPORATED RURAL	1,159	(7)	1,159	0.07%	0.053%	(1,473)	-0.0
TOTAL EAST VALLEY			671,231	42.56%	30.848%	(3,956)	-0.1
TOTAL VALLEY			1,577,125	100.00%	72.481%	(4,001)	0.0
MOUNTAINS							
BIG BEAR LAKE	5,189		5,189	10.15%	0.238%	(17)	0.0
UNINCORPORATED URBAN	36,891	(6) (3)	36,891	72.15%	1.695%	297	1.0
UNINCORPORATED RURAL	9,053	(7) (3)	9,053	17.70%	0.416%	(642)	-1.1
TOTAL MOUNTAINS			51,133	100.00%	2.350%	(362)	0.0
NORTH DESERT							
BARSTOW	24,205		24,205	41.51%	1.112%	(63)	0.0
UNINCORPORATED URBAN	23,390	(6)	23,390	40.11%	1.075%	903	1.7
UNINCORPORATED RURAL	10,722	(7)	10,722	18.39%	0.493%	(1,073)	-1.7
TOTAL NORTH DESERT			58,317	100.00%	2.680%	(233)	0.0

Attachment: Attachment B - Population Estimate 2021 (7761 : Measure I 2021 Population Estimates)

MEASURE I 2021 POPULATION SUMMARY
PREPARED BY SAN BERNARDINO COUNTY PLANNING

ATTACHMENT

PLANNING REGION	(1) DOF/CO 2021	(2) ADJUSTMENT	2021 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL	POP CHANGE FROM 2020	%SUBAR CHANG FROM 20
COLORADO RIVER							
NEEDLES (RURAL)	5,353		5,353	70.72%	0.246%	105	-0.0
UNINCORPORATED URBAN	0	(6)	0	0.00%	0.000%	0	0.0
UNINCORPORATED RURAL	2,216	(7)	2,216	29.28%	0.102%	44	0.0
TOTAL COLORADO RIVER			7,569	100.00%	0.348%	149	0.0
MORONGO BASIN							
TWENTYNINE PALMS	29,967	(4)	29,967	38.70%	1.377%	709	0.6
YUCCA VALLEY	22,330		22,330	28.84%	1.026%	94	-0.1
UNINCORPORATED URBAN	7,941	(6)	7,941	10.26%	0.365%	1,304	1.6
UNINCORPORATED RURAL	17,193	(7)	17,193	22.20%	0.790%	(1,502)	-2.1
TOTAL MORONGO BASIN			77,431	100.00%	3.559%	605	0.0
VICTOR VALLEY							
ADELANTO	35,147	(5)	35,147	8.69%	1.615%	(516)	-0.1
APPLE VALLEY	74,350	(5)	74,350	18.39%	3.417%	(44)	0.0
HESPERIA	96,053	(5)	96,053	23.76%	4.414%	(340)	-0.0
VICTORVILLE	127,170	(5)	127,170	31.45%	5.844%	738	0.2
UNINCORPORATED URBAN (3)	37,835	(6) (5)	37,835	9.36%	1.739%	2,994	0.7
UNINCORPORATED RURAL (3)	33,779	(7) (5)	33,779	8.35%	1.552%	(3,587)	-0.8
TOTAL VICTOR VALLEY			404,334	100.00%	18.582%	(755)	0.0
TOTAL DESERT			547,651			(234)	
TOTAL MOUNTAIN/DESERT			598,784		27.519%	(596)	0.0
SUMMARY:							
TOTAL INCORPORATED	1,871,997		1,871,997		86.033%	(3,881)	0.0
TOTAL UNINCORPORATED	303,912		303,912		13.967%	(716)	0.0
TOTAL COUNTY	2,175,909		2,175,909		100.000%	(4,597)	0.0

(1) - CITY FIGURES FROM DOF JANUARY 1, 2021 ESTIMATES; UNINCORPORATED FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTAL.

(2) - THIS COLUMN CONTAINS ADJUSTMENTS NECESSARY TO MODIFY CITY TOTALS AS SPECIFIED IN MEASURE I.

(3) - THE WRIGHTWOOD COMMUNITY AND AREAS NORTH OF LONE PINE CANYON ROAD WERE EXCLUDED FROM THE MOUNTAIN AREA AND INCLUDED IN THE VICTOR VALLEY AS SPECIFIED IN MEASURE I.

(4) - THE POPULATED PORTIONS OF THE TWENTYNINE PALMS MARINE BASE HAVE BEEN ANNEXED BY THE CITY OF TWENTYNINE PALMS.

(5) - WITH THE CLOSING OF GEORGE AIR FORCE BASE, THERE IS NO LONGER AN ALLOCATION OF POPULATION TO THE CITIES IN THE VICTOR VALLEY.

(6) - UNINCORPORATED URBAN FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTALS AND CALTRANS URBAN AREA BOUNDARIES.

(7) - UNINCORPORATED RURAL FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTALS AND BASED ON AREAS OUTSIDE THE CALTRANS URBAN AREA BOUNDARIES.

Attachment: Attachment B - Population Estimate 2021 (7761 : Measure I 2021 Population Estimates)

MEASURE I 2020 POPULATION SUMMARY PREPARED BY SAN BERNARDINO COUNTY PLANNING						ATTACHMENT C	
PLANNING REGION	(1) DOF/CO 2020	(2) ADJUSTMENT	2020 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL	POP CHANGE FROM 2019	%SUBAREA CHANGE FROM 2019
WEST VALLEY							
CHINO	89,109		89,109	5.64%	4.087%	(720)	0.01%
CHINO HILLS	82,409		82,409	5.21%	3.779%	(1,955)	-0.07%
FONTANA	213,000		213,000	13.47%	9.768%	922	0.20%
MONTCLAIR	39,490		39,490	2.50%	1.811%	(73)	0.02%
ONTARIO	182,871		182,871	11.57%	8.387%	4,603	0.41%
RANCHO CUCAMONGA	175,522		175,522	11.10%	8.050%	(3,890)	-0.13%
UPLAND	78,814		78,814	4.98%	3.614%	333	0.07%
UNINCORPORATED URBAN	42,663	(6)	42,663	2.70%	1.957%	(4,505)	-0.25%
UNINCORPORATED RURAL	2,061	(7)	2,061	0.13%	0.095%	(289)	-0.02%
TOTAL WEST VALLEY			905,939	57.30%	41.547%	(5,574)	0.24%
EAST VALLEY							
COLTON	54,118		54,118	3.42%	2.482%	(273)	0.02%
GRAND TERRACE	12,426		12,426	0.79%	0.570%	(228)	-0.01%
HIGHLAND	55,323		55,323	3.50%	2.537%	(455)	0.01%
LOMA LINDA	24,535		24,535	1.55%	1.125%	200	0.03%
REDLANDS	70,952		70,952	4.49%	3.254%	(887)	-0.01%
RIALTO	104,553		104,553	6.61%	4.795%	(2,718)	-0.10%
SAN BERNARDINO	217,946		217,946	13.78%	9.995%	(1,287)	0.06%
YUCAIPA	55,712		55,712	3.52%	2.555%	868	0.09%
UNINCORPORATED URBAN	76,990	(6)	76,990	4.87%	3.531%	(5,548)	-0.30%
UNINCORPORATED RURAL	2,632	(7)	2,632	0.17%	0.121%	(497)	-0.03%
TOTAL EAST VALLEY			675,187	42.70%	30.965%	(10,825)	-0.24%
TOTAL VALLEY			1,581,126	100.00%	72.512%	(16,399)	-0.36%
MOUNTAINS							
BIG BEAR LAKE	5,206		5,206	10.11%	0.239%	(255)	-0.33%
UNINCORPORATED URBAN	36,594	(6) (3)	36,594	71.06%	1.678%	(125)	0.88%
UNINCORPORATED RURAL	9,695	(7) (3)	9,695	18.83%	0.445%	(442)	-0.55%
TOTAL MOUNTAINS			51,495	100.00%	2.362%	(822)	-0.02%
NORTH DESERT							
BARSTOW	24,268		24,268	41.45%	1.113%	118	-0.97%
UNINCORPORATED URBAN	22,487	(6)	22,487	38.41%	1.031%	(90)	-1.25%
UNINCORPORATED RURAL	11,795	(7)	11,795	20.15%	0.541%	1,588	2.22%
TOTAL NORTH DESERT			58,550	100.00%	2.685%	1,616	0.09%

MEASURE I 2020 POPULATION SUMMARY PREPARED BY SAN BERNARDINO COUNTY PLANNING						ATTACHMENT C	
PLANNING REGION	(1) DOF/CO 2020	(2) ADJUSTMENT	2020 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL	POP CHANGE FROM 2019	%SUBAREA CHANGE FROM 2019
COLORADO RIVER							
NEEDLES (RURAL)	5,248		5,248	70.73%	0.241%	163	0.66%
UNINCORPORATED URBAN	0	(6)	0	0.00%	0.000%	0	0.00%
UNINCORPORATED RURAL	2,172	(7)	2,172	29.27%	0.100%	0	-0.66%
TOTAL COLORADO RIVER			7,420	100.00%	0.340%	163	0.01%
MORONGO BASIN							
TWENTYNINE PALMS	29,258	(4)	29,258	38.08%	1.342%	300	-0.23%
YUCCA VALLEY	22,236		22,236	28.94%	1.020%	186	-0.23%
UNINCORPORATED URBAN	6,637	(6)	6,637	8.64%	0.304%	307	0.26%
UNINCORPORATED RURAL	18,695	(7)	18,695	24.33%	0.857%	442	0.19%
TOTAL MORONGO BASIN			76,826	100.00%	3.523%	1,235	0.08%
VICTOR VALLEY							
ADELANTO	35,663	(5)	35,663	8.80%	1.636%	527	0.08%
APPLE VALLEY	74,394	(5)	74,394	18.36%	3.412%	930	0.12%
HESPERIA	96,393	(5)	96,393	23.80%	4.421%	31	-0.14%
VICTORVILLE	126,432	(5)	126,432	31.21%	5.798%	(111)	-0.22%
UNINCORPORATED URBAN (3)	34,841	(6) (5)	34,841	8.60%	1.598%	2,425	0.55%
UNINCORPORATED RURAL (3)	37,366	(7) (5)	37,366	9.22%	1.714%	(1,292)	-0.38%
TOTAL VICTOR VALLEY			405,089	100.00%	18.578%	2,510	0.21%
TOTAL DESERT			547,885			5,524	
TOTAL MOUNTAIN/DESERT			599,380		27.488%	4,702	0.36%
SUMMARY:							
TOTAL INCORPORATED	1,875,878		1,875,878		86.029%	(3,671)	0.29%
TOTAL UNINCORPORATED	304,628		304,628		13.971%	(8,026)	-0.29%
TOTAL COUNTY	2,180,506		2,180,506		100.000%	(11,697)	0.00%
<p>(1) - CITY FIGURES FROM DOF JANUARY 1, 2020 ESTIMATES; UNINCORPORATED FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTAL.</p> <p>(2) - THIS COLUMN CONTAINS ADJUSTMENTS NECESSARY TO MODIFY CITY TOTALS AS SPECIFIED IN MEASURE I.</p> <p>(3) - THE WRIGHTWOOD COMMUNITY AND AREAS NORTH OF LONE PINE CANYON ROAD WERE EXCLUDED FROM THE MOUNTAIN AREA AND INCLUDED IN THE VICTOR VALLEY AS SPECIFIED IN MEASURE I.</p> <p>(4) - THE POPULATED PORTIONS OF THE TWENTYNINE PALMS MARINE BASE HAVE BEEN ANNEXED BY THE CITY OF TWENTYNINE PALMS.</p> <p>(5) - WITH THE CLOSING OF GEORGE AIR FORCE BASE, THERE IS NO LONGER AN ALLOCATION OF POPULATION TO THE CITIES IN THE VICTOR VALLEY.</p> <p>(6) - UNINCORPORATED URBAN FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTALS AND CALTRANS URBAN AREA BOUNDARIES.</p> <p>(7) - UNINCORPORATED RURAL FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTALS AND BASED ON AREAS OUTSIDE THE CALTRANS URBAN AREA BOUNDARIES.</p>							

Minute Action

AGENDA ITEM: 21

Date: July 7, 2021

Subject:

Capital Project Needs Analysis Submittals and Funding Allocations for the Measure I Valley Major Street Program/Arterial Sub-program for Fiscal Year 2021/2022

Recommendation:

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

Approve the Project List for the Measure I Valley Major Street Program/Arterial Sub-program allocations for Fiscal Year 2021/2022 as referenced in Attachment A.

Background:

In the Measure I 2010-2040 Strategic Plan, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved creation of the San Bernardino Valley Arterial Sub-program under the Major Street Projects Program. Strategic Plan Policy No. 40006 requires each Valley Subarea jurisdiction to execute a Jurisdiction Master Agreement (JMA) to be eligible for reimbursement of Measure I San Bernardino Valley Arterial Sub-program funds. The agreement serves as a multi-year contract for the entirety of Measure I 2010-2040. The City of Chino Hills is the only jurisdiction that has not yet executed a JMA as they had the majority of their funds allocated to them through the Project Advancement Agreement process.

Additionally, as required by policy, Valley jurisdictions must prepare, adopt, and annually submit to SBCTA by September 30th, their Capital Project Needs Analysis (CPNA), a list of projects for which they plan to request reimbursement of the public share in the next five years as shown in Attachment A. Projects listed in the first two years and any unreimbursed expenditures from prior years are eligible for reimbursement in Fiscal Year (FY) 2021/2022. Besides identifying the need for Measure I funds by project phase, the complete submittal also lists other anticipated funding sources, including the required development mitigation fair share funds.

Reimbursement is subject to each jurisdiction's equitable share and arterial fund allocation limits; therefore, approval of the list does not guarantee availability of funds for reimbursement. However, there is an allowance for a jurisdiction to advance up to five years of allocations if there is a sufficient fund balance in the cumulative arterial fund and the advance is approved by the SBCTA Board. To date, advances have been approved for the cities of Montclair, Ontario, San Bernardino, Upland, and Yucaipa. The arterial project list also contains projects where arterial funds have been pledged as collateral for development share term loans. These projects are prioritized for use of arterial funds.

The Arterial Sub-program current year funding allocations were approved by the SBCTA Board on April 7, 2021, as part of the FY 2021/2022 Budget planning process. Attachment B shows the Board-approved total allocations to date, project reimbursements to date, and arterial funds identified as collateral for development impact fee term loans. Beginning in FY 2021/2022, adjustments are made to each city's share over a fifteen-year period to achieve fair share equity between actual program revenue and approved allocations among jurisdictions. Also listed as additional information is the total of each agency's five-year CPNA need for funds and whether

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 7, 2021

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they have a Board-approved five-year advance. Based on the submittals, additional cities may be in need of five-year advances in order to complete their projects, but these would be presented to the Board at a future date as needed.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and recommended for approval (17-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 10, 2021.

Responsible Staff:

Michele Fogerson, Chief of Fund Administration

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

**CAPITAL PROJECT NEEDS ANALYSIS
VALLEY ARTERIAL SUB-PROGRAM - FY2021/2022 to FY2025/2026**

Jurisdiction	Project	DEV LOAN?	5-YR Advance	Nexus Project Cost	Current Cost Estimate	MI Prior	MI FY 21/22	MI FY 22/23	MI FY 23/24	MI FY 24/25	MI FY 25/26	MI Future	MI Total
Chino	Widen Pine Ave from El Prado Rd to SR-71 from 2 to 4 lanes			27,948,000	40,000,000	0	0	4,000,000	4,000,000	4,000,000	4,101,848	0	16,101,848
	Widen Edison Ave from Central Ave to Euclid Ave from 4 to 6 lanes			8,546,376	10,500,000	0	2,000,000	0	0	0	0	0	2,000,000
						0	2,000,000	4,000,000	4,000,000	4,000,000	4,101,848	0	18,101,848
Chino Hills	Widen Pine Ave from SR-71 to Chino Creek (north side only)			4,201,000		0	0	0	0	0	3,625,463	0	3,625,463
						0	0	0	0	0	3,625,463	0	3,625,463
Colton	Improvement of La Cadena Dr from Rancho Ave to Litton Ave including bridge replacement at Santa Ana River			4,514,025	26,054,640	572,263	447,730	392,743	291,087	0	0	0	1,703,823
	Widen Reche Cyn Rd from S. Crystal Ridge to Riverside County Line from 2 to 4 lanes			3,338,430		50,754	0	225,600	225,600	451,200	451,200	0	1,404,354
	Widen Mount Vernon Ave grade separation on the Alhambra Line			9,494,000	11,149,708	351,015	300,412	279,123	279,123	0	0	0	1,209,673
					974,032	748,142	897,466	795,810	451,200	451,200	0	0	4,317,850
Fontana	Widen Sierra Ave from Summit Av to I-15 Widen from 2 to 6 lanes			9,258,000		271,600	0	0	0	0	0	6,014,582	6,286,182
	Widen Foothill Blvd from Hemlock to Almeria from 4 to 6 lanes			11,897,000		1,222,200	0	0	0	0	0	0	1,222,200
	Widen Citrus Ave from Jurupa Ave to Slover Ave from 2 to 4 lanes			6,747,218		0	0	0	0	0	0	0	0
	Widen Foothill Blvd from Citrus Ave to Maple Ave from 4 to 6 lanes			8,353,966		112,826	0	0	0	0	0	0	112,826
	Widen Sierra Ave from Foothill Blvd to Baseline Ave from 4 to 6 lanes			10,353,020		6,902,938	0	0	0	0	0	0	6,902,938
	Widen Beech Ave from Miller Ave to Foothill Blvd from 2 to 4 lanes			5,358,448		3,248,879	0	0	0	0	0	0	3,248,879
	Widen Slover Ave from Etiwanda Ave to 800' e/o Etiwanda from 2 to 4 lanes			6,943,848	5,059,440	5,297,037	0	0	0	0	0	0	5,297,037
						17,055,480	0	0	0	0	0	6,014,582	23,070,062
Fontana Sphere	Widen Cherry Ave Bridge from Merrill Ave to Whittram from 4 to 6 lanes			10,200,000	10,957,067	584,205	0	0	0	0	0	5,803,765	6,387,970
	Ph I: Widen San Bernardino Ave from Cherry Ave to Fontana City Limits from 2 to 4 lanes			2,031,000	15,000,000	74,516	302,227	4,590,292	2,096,961	2,776,270	0	0	9,840,266
						658,721	302,227	4,590,292	2,096,961	2,776,270	0	5,803,765	16,228,236
Grand Terrace	Extend Commerce Wy from 900' n/o DeBerry Rd to Main St from 0 to 4 lanes			3,500,000		0	550,000	600,000	950,000	200,000	0	0	2,300,000
						0	550,000	600,000	950,000	200,000	0	0	2,300,000
Highland	SR-210 / 5th Ave Interchange			3,300,000	16,300,000	0	263,816	263,816	175,322	1,288,749	1,288,749		3,280,452
	SR-210 / Baseline Interchange	Yes		13,260,000	31,730,814	564,144	2,877,979	2,877,979	2,877,977	0	0		9,198,079
						564,144	3,141,795	3,141,795	3,053,299	1,288,749	1,288,749	0	12,478,531

Attachment: Attach A Art Proj for Reimb (7762 : CPNA Project List and Funding Allocation for Valley

ATTACHMENT A

CAPITAL PROJECT NEEDS ANALYSIS
VALLEY ARTERIAL SUB-PROGRAM - FY2021/2022 to FY2025/2026

Jurisdiction	Project	DEV LOAN?	5-YR Advance	Nexus Project Cost	Current Cost Estimate	MI Prior	MI FY 21/22	MI FY 22/23	MI FY 23/24	MI FY 24/25	MI FY 25/26	MI Future	MI Total
Loma Linda	Intersection Improvements at Mound St and Anderson St			1,000,000	500,000	0	306,000	0	0	0	0	0	306,000
	Widen California St from Barton Rd to Redlands Blvd from 2 to 6 lanes			4,100,000	4,206,000	178,300	1,046,620	1,346,400	0	0	0	0	2,571,320
						178,300	1,352,620	1,346,400	0	0	0	0	2,877,320
Montclair	I-10 / Monte Vista Ave interchange	Yes	Yes	5,850,000	33,005,900		182,230			0	0	0	182,230
						0	182,230	0	0	0	0	0	182,230
Ontario	Spot Widen Airport Dr from Kettering to Etiwanda Ave from 2 to 4 lanes, including intersection at Etiwanda/Slover			5,270,000		958,098	902,498	0	0	0	0	0	1,860,596
	Widen Holt Blvd from Benson Ave to Vineyard Ave from 4 to 6 lanes			48,817,215	4,419,234	1,990,466	465,063	0	0	0	0	0	2,455,529
	Replace 4th St structure between I-10 westbound ramps and I-10 eastbound ramps and widen to 5 lanes			21,567,000	21,566,769	9,873,149	2,117,973	0	0	0	0	0	11,991,122
	Replace 4th St structure between I-10 westbound ramps and I-10 eastbound ramps and widen to 5 lanes	Yes	Yes			1,210,265	1,691,332	0	0	0	0	0	2,901,597
	Widen Grove Ave from I-10 to Holt Blvd from 4 to 6 lanes, Including W. Cuc. Creek Bridge			32,200,000	4,100,000	205,065	347,500	729,750	0	0	0	0	1,282,315
	Widen Holt Blvd from Benson Ave to Vineyard Ave from 4 to 6 lanes			48,817,215	2,400,000	199,476	347,500	729,750	0	0	0	0	1,276,726
	Widen Mountain Ave from Sixth Street to s/o Holt Blvd			7,467,000	4,419,234	1,990,466	465,063	0	0	0	0	0	2,455,529
						16,426,985	6,336,929	1,459,500	0	0	0	0	0
Rancho Cucamonga	Widen Wilson Ave from East Ave to Wardman/Bulloch from 0 to 4 lanes			6,000,000	7,434,218	3,209,663	794,856	709,691	685,061	0	0	0	5,399,271
	Construct a Traffic Signal at the Intersection of Milliken and 5th			350,000	738,737	526,720	0	0	0	0	0	0	526,720
	Construct a Traffic Signal at the Intersection of Rochester and Jersey			350,000	738,737	526,720	0	0	0	0	0	0	526,720
	Widen Victoria Ave from EHS to I-15			305,000	412,341	411,870	0	0	0	0	0	0	411,870
	Construct a Traffic Signal at the Intersection of East and Miller			350,000	738,737	526,720	0	0	0	0	0	0	526,720
	Construct a Traffic Signal at the Intersection of 6th and Rochester			350,000	738,737	526,720	0	0	0	0	0	0	526,720
	Construct a Traffic Signal at the Intersection of Camelian and Banyan			363,000	600,297	428,012	0	0	0	0	0	0	428,012
	Construct a Traffic Signal at the Intersection of 6th and Hellman			350,000	709,133	505,612	0	0	0	0	0	0	505,612
	Construct a Traffic Signal at the Intersection of 6th and Utica			363,000	595,946	424,910	0	0	0	0	0	0	424,910
						7,086,947	794,856	709,691	685,061	0	0	0	0

Attachment: Attach A Art Proj for Reimb (7762 : CPNA Project List and Funding Allocation for Valley

CAPITAL PROJECT NEEDS ANALYSIS
VALLEY ARTERIAL SUB-PROGRAM - FY2021/2022 to FY2025/2026

Jurisdiction	Project	DEV LOAN?	5-YR Advance	Nexus Project Cost	Current Cost Estimate	MI Prior	MI FY 21/22	MI FY 22/23	MI FY 23/24	MI FY 24/25	MI FY 25/26	MI Future	MI Total
Redlands	Construct a Traffic Signal at the Intersection of Ford St and I-10 WB			441,660	442,000	84,590	78,438	176,870	0	0	0	0	339,898
	Construct a Traffic Signal at the Intersection of Ford St and I-10			441,660	442,000	84,590	78,438	176,870	0	0	0	0	339,898
	Intersection Improvements at University and Colton			500,000	500,000	38,450	76,900	269,150	0	0	0	0	384,500
	Widen Citrus Ave from Dearborn St to Wabash Ave from 2 to 4 lanes			1,583,891	1,584,000	0	0	0	38,450	205,169	0	0	243,619
	to Texas St from 2 to 4 lanes (to be added)			1,500,000	1,500,000	0	115,350	173,025	115,350	749,775	0	0	1,153,500
	Widen San Bernardino Ave from Church St to Wabash Ave from 2 to 4 lanes			3,565,000	3,565,000	0	0	0	76,900	416,567	0	0	493,467
	I-10 / University Ave Interchange	Yes		940,000	940,000	0	652,202	0	0	0	0	0	652,202
						207,630	1,001,328	795,915	230,700	1,371,511	0	0	3,607,084
Rialto	Construct Pepper Ave from N. Terminus to Highland Ave to 4 lanes			14,882,000		8,878,008	0	0	0	0	0	0	8,878,008
	Widen Riverside Ave from Gateway Plaza to San Bernardino Ave from 4 to 6 lanes			1,233,000		2,825,497	0	0	0	0	0	0	2,825,497
	Widen Alder Ave from Baseline Rd to Renaissance Pkwy from 2 to 4 lanes			4,600,000		6,429,792	0	0	0	0	0	0	6,429,792
	Widen Randall Ave from West City Limits to Riverside Ave from 2 to 4 lanes			4,413,000		3,145,800	0	0	0	0	0	0	3,145,800
	Widen Ayala Dr from Baseline Rd to Renaissance Pkwy from 2 to 4 lanes			3,200,000		5,044,901	0	0	0	0	0	0	5,044,901
	Widen Cactus Av from Valley Bl to Foothill Bl from 3 to 4 lanes			1,775,733		481,229	0	0	0	0	0	0	481,229
	Construct a Traffic Signal at the Intersection of Riverside and Linden with intersection improvements			649,000		524,958	0	0	0	0	0	0	524,958
						27,330,185	0	0	0	0	0	0	27,330,185
San Bernardino, City of	Reconstruct Mt Vernon Bridge to 4 lanes (local match)		Yes	16,058,000	172,213,709	2,637,391	4,209,584	2,000,000	0	0	0	0	8,846,975
	Widen "H" St from Kendall Dr to 40th St from 2 to 4 lanes		Yes	1,237,753		350,641	0	0	0	0	0	0	350,641
	Widen State Street from 16th St to Foothill Blvd from 0 to 4 lanes		Yes	44,000,000	6,759,500	292,062	2,422,110	0	0	0	0	0	2,714,172
	Widen 5th St from Sterling to Victoria from 2 to 6 lanes		Yes	879,289	11,382,000	0	0	0	0	0	0	0	0
	Widen 40th St from Acre Ln to Electric Ave from 2 to 4 lanes		Yes	3,975,121	3,971,000	1,144,089	1,275,000	0	0	0	0	0	2,419,089
						4,424,183	7,906,694	2,000,000	0	0	0	0	14,330,877

Attachment: Attach A Art Proj for Reimb (7762 : CPNA Project List and Funding Allocation for Valley

ATTACHMENT A

CAPITAL PROJECT NEEDS ANALYSIS
VALLEY ARTERIAL SUB-PROGRAM - FY2021/2022 to FY2025/2026

Jurisdiction	Project	DEV LOAN?	5-YR Advance	Nexus Project Cost	Current Cost Estimate	MI Prior	MI FY 21/22	MI FY 22/23	MI FY 23/24	MI FY 24/25	MI FY 25/26	MI Future	MI Total
Upland	Widen Foothill Blvd from County Line to Central Ave from 2 to 6 lanes			5,900,000		432,543	0	0	0	0	0	0	432,543
	Widen Arrow Hwy from County Line to Central Ave from 2 to 4 lanes			2,874,000		0	0	0	0	0	0	913,220	913,220
	I-10 / Monte Vista Ave Interchange	Yes	Yes	33,000,000		0	355,918	2,760	1,499	0	0		360,177
	I-10 / Euclid Ave Interchange	Yes	Yes	9,000,000		0	160,000	1,382			0		161,382
						432,543	515,918	4,142	1,499	0	0	913,220	1,867,322
Yucaipa	Widen County Line Rd from I-10 to Calimesa Blvd from 2 to 4 lanes		Yes	14,900,000		3,360,000	200,000	200,000	200,000				3,960,000
	Widen Ave E from 14th St to Bryant St from 2 lanes to 4 lanes		Yes	22,076,000		3,954,000	250,000	250,000	250,000	250,000	250,000	250,000	5,454,000
	Widen Yucaipa Bl from I-10 to 15th St from 4 to 6 lanes		Yes	16,575,000		6,073,000	300,000	300,000	300,000	300,000	300,000	300,000	7,873,000
	Widen 5th St from Yucaipa Bl to County Line Rd from 2 to 4 lanes		Yes	6,597,000		55,000	0	0	0	0	0	0	55,000
	Widen Calimesa Bl from Oak Glen Rd to County Line Rd from 2 to 4 lanes		Yes	3,933,000		990,000	0	0	0	0	0	0	990,000
						14,432,000	750,000	750,000	750,000	550,000	550,000	550,000	18,332,000
Total						\$ 89,771,150	\$ 25,582,740	\$ 20,295,201	\$ 12,563,330	\$ 10,637,730	\$ 10,017,260	\$ 13,281,567	\$ 182,148,978

Attachment: Attach A Art Proj for Reimb (7762 : CPNA Project List and Funding Allocation for Valley

**Measure I Valley Major Street/Arterial Sub-Program
Summary of Allocations, Balances & Future Need**

Jurisdiction	SHARES Current Equitable Share*	ALLOCATIONS FY10/11 thru FY21/22	BALANCES		SPECIAL ARRANGEMENTS		CPNA			
			Reimbursements FY10/11 thru 5/31/21	Allocation Balance	Approved Advances @ 5/31/21	Term Loan Collateral @ 5/31/21	Balance PLUS Anticipated Revenue FY22/23 thru FY26/27	Balance of Equitable Share Due in FY26/27	Total "Needs" from CPNA FY21/22 thru FY26/27 (incl loan collateral)	Total "Needs" thru FY26/27 when limited by 5-yr rule thru FY31/32
Chino	7.591%	\$13,725,132	\$298,946	\$13,426,186			\$22,728,112	\$1,213,867	\$18,101,848	\$18,101,848
Chino Hills	2.194%	\$3,043,718	\$0	\$3,043,718			\$3,043,718	-\$4,028,303	\$3,625,463	\$3,043,718
Colton	2.534%	\$4,912,861	\$377,632	\$4,535,229			\$7,812,055	\$706,754	\$4,317,850	\$4,317,850
Fontana	19.400%	\$30,303,280	\$6,615,447	\$23,687,833			\$38,862,672	-\$12,296,491	\$23,070,062	\$23,070,062
Grand Terrace	1.389%	\$2,692,962	\$151,462	\$2,541,500			\$4,337,676	\$387,404	\$2,300,000	\$2,300,000
Highland	6.777%	\$13,089,395	\$484,284	\$12,605,111		\$9,198,079	\$21,342,982	\$1,844,913	\$12,478,531	\$12,478,531
Loma Linda	4.074%	\$7,898,578	\$2,591,019	\$5,307,559			\$10,575,826	\$1,136,273	\$2,877,320	\$2,877,320
Montclair	0.597%	\$1,157,450	\$1,913,734	-\$756,285	\$938,515	\$182,230	\$15,722	\$166,508	\$182,230	\$182,230
Ontario	12.272%	\$23,792,673	\$10,058,185	\$13,734,488	\$6,383,764	\$2,901,597	\$29,603,946	\$3,422,763	\$24,223,414	\$24,223,414
Rancho Cucamonga	5.044%	\$8,060,841	\$5,429,607	\$2,631,234			\$7,336,632	-\$1,829,197	\$9,276,555	\$9,276,555
Redlands	4.854%	\$9,410,824	\$2,135,577	\$7,275,247		\$652,202	\$13,552,167	\$1,353,821	\$3,607,084	\$3,607,084
Rialto	3.831%	\$7,057,028	\$4,411,246	\$2,645,782			\$7,407,783	\$731,226	\$27,330,185	\$13,178,431
San Bernardino	7.857%	\$15,232,972	\$5,216,501	\$10,016,470	\$12,000,000		\$20,176,700	\$2,191,383	\$14,330,877	\$14,330,877
Upland	2.743%	\$5,318,065	\$4,666,770	\$651,295	\$2,029,872	\$521,559	\$4,198,388	\$765,046	\$1,867,322	\$1,867,322
Yucaipa	5.965%	\$10,442,960	\$11,134,493	-\$691,533	\$6,000,000		\$6,440,493	\$642,253	\$18,332,000	\$14,929,302
County	12.878%	\$24,967,572	\$6,005,479	\$18,962,093			\$35,615,197	\$3,591,782	\$16,228,236	\$16,228,236
Arterial Allocation	100.000%	\$181,106,312	\$61,490,383	\$119,615,929	\$27,352,151	\$13,455,668	\$233,050,070	\$0	\$182,148,978	\$164,012,781

Attachment: Attach B Summary Allocation and Need (7762) : CPNA Project List and Funding Allocation

Minute Action

AGENDA ITEM: 22

Date: July 7, 2021

Subject:

City of Chino Measure I Major Street Projects Program Arterial Sub-program Advanced Funding Request

Recommendation:

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

Approve an advance of up to five years of the City of Chino's estimated equitable share of Measure I Valley Major Street Projects Program/Arterial Sub-program funds for various arterial widening projects in an estimated amount of \$10.5 million, to be taken from allocated but unused Arterial Sub-program funds.

Background:

The City of Chino (City) has requested to borrow up to five years of its equitable share of Measure I Major Street Projects Program/Arterial Sub-program funds to advance the widening of Pine Avenue from El Prado Road to State Route 71 and the widening of Edison Avenue from Central Avenue to Euclid Avenue. As of July 1, 2021, the City will have an equitable share balance of Measure I Arterial Sub-program funds of \$13.4 million. The City is requesting a five-year advance of funds in the approximate amount of \$10.5 million in order to assist with completion of these projects.

Measure I Policy No. 40006 Valley Major Street (VMS) Program VMS-36 states that borrowing may be authorized by the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) from the unused portion of jurisdiction accounts to deliver projects in other Valley programs or to reimburse another jurisdiction for early delivery of projects in the Major Street Projects Program. Borrowing to fund projects in another jurisdiction shall be limited such that no jurisdiction gets more than five years ahead of its projected equitable share. Because this advance requires that other Valley jurisdictions forego access to their allocations, this requires both the approval of other Valley jurisdictions and the SBCTA Board.

The current unused portion of Arterial Sub-program funds is approximately \$120 million. The anticipated revenue for the next five years, combined with the unused portion, is approximately \$233 million compared to a need of all Valley jurisdictions projected at \$170 million over the same time period, including the requested advance for the City, as identified through Capital Project Needs Analysis (CPNA) submittals. Details by jurisdiction are provided in Attachment A. Given that arterial reimbursements from 2010 to present have totaled only \$61 million and the projected need is less than the projected revenue, staff recommends approval of the advance for the City.

Financial Impact:

The item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and recommended for approval (17-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 10, 2021.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item
July 7, 2021
Page 2

Approved
Board of Directors
Date: July 7, 2021
Witnessed By:

San Bernardino County Transportation Authority

**Measure I Valley Major Street/Arterial Sub-Program
Summary of Allocations, Balances & Future Need**

Jurisdiction	SHARES	ALLOCATIONS	BALANCES		SPECIAL ARRANGEMENTS		CAPITAL PROJECT NEEDS ANALYSIS (CPNA)			
	Current Equitable Share	FY10/11 thru FY21/22	Reimbursements FY10/11 thru 5/31/21	Allocation Balance	Approved Advances @ 5/31/21	Term Loan Collateral @ 5/31/21	Balance PLUS Anticipated Revenue FY22/23 thru FY26/27	Balance of Equitable Share Due in FY26/27	Total "Needs" from CPNA FY21/22 thru FY26/27 (incl loan collateral)	Total "Needs" thru FY26/27 when limited by 5-yr rule thru FY31/32
Chino	7.591%	\$13,725,132	\$298,946	\$13,426,186			\$22,728,112	\$1,213,867	\$23,941,979	\$23,941,979
Chino Hills	2.194%	\$3,043,718	\$0	\$3,043,718			\$3,043,718	-\$4,028,303	\$3,625,463	\$3,043,718
Colton	2.534%	\$4,912,861	\$377,632	\$4,535,229			\$7,812,055	\$706,754	\$4,317,850	\$4,317,850
Fontana	19.400%	\$30,303,280	\$6,615,447	\$23,687,833			\$38,862,672	-\$12,296,491	\$23,070,062	\$23,070,062
Grand Terrace	1.389%	\$2,692,962	\$151,462	\$2,541,500			\$4,337,676	\$387,404	\$2,300,000	\$2,300,000
Highland	6.777%	\$13,089,395	\$484,284	\$12,605,111		\$9,198,079	\$21,342,982	\$1,844,913	\$12,478,531	\$12,478,531
Loma Linda	4.074%	\$7,898,578	\$2,591,019	\$5,307,559			\$10,575,826	\$1,136,273	\$2,877,320	\$2,877,320
Montclair	0.597%	\$1,157,450	\$1,913,734	-\$756,285	\$938,515	\$182,230	\$15,722	\$166,508	\$182,230	\$182,230
Ontario	12.272%	\$23,792,673	\$10,058,185	\$13,734,488	\$6,383,764	\$2,901,597	\$29,603,946	\$3,422,763	\$24,223,414	\$24,223,414
Rancho Cucamonga	5.044%	\$8,060,841	\$5,429,607	\$2,631,234			\$7,336,632	-\$1,829,197	\$9,276,555	\$9,276,555
Redlands	4.854%	\$9,410,824	\$2,135,577	\$7,275,247		\$652,202	\$13,552,167	\$1,353,821	\$3,607,084	\$3,607,084
Rialto	3.831%	\$7,057,028	\$4,411,246	\$2,645,782			\$7,407,783	\$731,226	\$27,330,185	\$13,178,431
San Bernardino	7.857%	\$15,232,972	\$5,216,501	\$10,016,470	\$12,000,000		\$20,176,700	\$2,191,383	\$14,330,877	\$14,330,877
Upland	2.743%	\$5,318,065	\$4,666,770	\$651,295	\$2,029,872	\$521,559	\$4,198,388	\$765,046	\$1,867,322	\$1,867,322
Yucaipa	5.965%	\$10,442,960	\$11,134,493	-\$691,533	\$6,000,000		\$6,440,493	\$642,253	\$18,332,000	\$14,929,302
County	12.878%	\$24,967,572	\$6,005,479	\$18,962,093			\$35,615,197	\$3,591,782	\$16,228,236	\$16,228,236
Arterial Allocation	100.000%	\$181,106,312	\$61,490,383	\$119,615,929	\$27,352,151	\$13,455,668	\$233,050,070	\$0	\$187,989,108	\$169,852,911

Attachment: Measure I Arterial Allocations and CPNA Need 2021 (7763 : City of Chino Measure I Major

Minute Action

AGENDA ITEM: 23

Date: July 7, 2021

Subject:

Allocation of Transportation Development Act Funds for Fiscal Year 2021/2022

Recommendation:

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

Adopt Resolution No. 21-043 authorizing the allocation of Local Transportation Funds and State Transit Assistance Funds for Fiscal Year 2021/2022 and the transmittal of allocation instructions to the San Bernardino County Auditor/Controller.

Background:

Section 99214 of the California Public Utilities Code designates the San Bernardino County Transportation Authority (SBCTA) as the agency responsible for administering the Transportation Development Act (TDA) funds. This responsibility includes the approval of the Local Transportation Fund (LTF) and State Transit Assistance (STA) apportionments, issuance of LTF and STA allocation instructions to the County of San Bernardino Auditor-Controller/Treasurer/Tax Collector, and authorization of LTF and STA payments in accordance with the claim amounts filed by the claimants.

Title 21, Sections 6659 and 6753 of the California Code of Regulations, requires that the governing body adopt a resolution authorizing the issuance of LTF and STA allocation instructions. Resolution No. 21-043 fulfills this requirement. The issuance of LTF and STA allocation instructions will allocate funding for TDA administration, transportation planning and programming functions, and operating and capital assistance for the SBCTA Transit Program and other eligible TDA claimants, consistent with apportionments and allocations adopted by the SBCTA Board of Directors (Board).

Throughout the year, staff receives claims from eligible TDA claimants and verifies the claim amounts against various documents. Some of the documents used as the basis for approving the statutory claims of TDA funding include the most recently approved transit operator Short Range Transit Plans, the SBCTA 10-Year Delivery Plan and the SBCTA Fiscal Year (FY) Budget.

Following approval of a transit claim, staff issues allocation instructions to the County Auditor-Controller/Treasurer/Tax Collector authorizing the use of the funds by the claimant for specific purposes. Then, throughout the year, staff requests disbursements of funds from the County in accordance with disbursement requests submitted by the claimants.

In March 2021, the Board approved the FY 2021/2022 LTF and STA apportionments. The apportionments have been incorporated into the proposed FY 2021/2022 SBCTA budget. Allocations to individual transit operators will be presented to the Board for approval in July 2021.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Entity: San Bernardino County Transportation Authority

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Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel has reviewed this item and the Resolution.

Responsible Staff:

Michele Fogerson, Chief of Fund Administration

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

San Bernardino County Transportation Authority

RESOLUTION NO. 21-043

**RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY
AUTHORIZING THE ALLOCATION OF LOCAL TRANSPORTATION FUNDS AND
STATE TRANSIT ASSISTANCE FUNDS FOR FISCAL YEAR 2021/2022**

WHEREAS, the San Bernardino County Transportation Authority (SBCTA) is the designated transportation planning agency for the administration of the Transportation Development Act funds within San Bernardino County; and

WHEREAS, the Southern California Association of Governments Executive Committee has adopted a Regional Transportation Plan directed toward the achievement of a coordinated and balanced transportation system; and

WHEREAS, the SBCTA Board of Directors (Board) adopts Short Range Transit Plans for each of the San Bernardino County transit operators; and

WHEREAS, the Board has adopted the SBCTA 10-Year Delivery Plan and annual SBCTA budgets documenting anticipated expenditures for SBCTA's transit programs; and

WHEREAS, claims may be submitted under the Transportation Development Act for allocations from the Local Transportation Fund and State Transit Assistance Fund consistent with the adopted plans, apportionments, and allocations; and

WHEREAS, the Short Range Transit Plans, the SBCTA 10-Year Delivery Plan, and the annual SBCTA budgets include planned expenditures of transportation funds, including Local Transportation Funds and State Transit Assistance Funds; and

WHEREAS, the award of Transportation Development Act Article 3 funds for bicycle and pedestrian facilities and transit stop access improvement projects, pursuant to Public Utilities Code Section 99233.3, is typically approved in a separate Board action following a biennial call for projects and project evaluation process; and

WHEREAS, SBCTA has incorporated the amount to be allocated to each of the transit operators and SBCTA into its Fiscal Year 2021/2022 Budget.

NOW THEREFORE BE IT RESOLVED, by the San Bernardino County Transportation Authority:

Section 1. That the allocation of Local Transportation Funds and State Transit Assistance Funds for Fiscal Year 2021/2022 is hereby approved subject to those claims conforming to adopted apportionments and all other requirements of the Transportation Development Act, including but not limited to the following determinations:

1. The claimant's proposed expenditures are in conformity with the Regional Transportation Plan, the claimant's Short Range Transit Plan, SBCTA's 10-Year Delivery Plan, and SBCTA's annual budget, as applicable, and as amended through subsequent Board action.

2. The level of passenger fares and charges is sufficient to enable the operator or transit service claimant to meet the applicable fare revenue to operating expense (operating ratio) requirements as required by the Transportation Development Act.
3. The claimant is making full use of federal funds available pursuant to the Fixing America’s Surface Transportation (FAST) Act.
4. The sum of the claimant’s allocations from the State Transit Assistance Fund and Local Transportation Fund does not exceed the amount the claimant is eligible to receive during the fiscal year.
5. Priority consideration has been given to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or area-wide public transportation needs.
6. The claimant has made reasonable efforts to implement the productivity improvements recommended pursuant to Public Utilities Code Section 99244, including the specific reference to the improvements recommended and the efforts made by the claimant to implement them.
7. The claimant submits a certification issued by the Department of California Highway Patrol within the last 13 months verifying that the claimant is in compliance with Section 1808.1 of the Vehicle Code (Drivers Pull Notice Program), as required by Public Utilities Code Section 99251.
8. The claimant is in compliance with the qualifying criteria pursuant to Public Utilities Code Section 99314.6 (use of State Transit Assistance Fund for operating purposes).
9. The transportation services contracted for under Public Utilities Code Section 99400(c) are responding to a transportation need not otherwise being met within the community or jurisdiction of the claimant and that, where appropriate, the services are coordinated with the existing transportation service.

Section 2. That such approval does not include allocations for local streets and roads unless the provisions of Sections 99401.5 and 99401.6 of the Public Utilities Code have been met; and

Section 3. That the Executive Director or his designee is authorized to transmit allocation instructions to the San Bernardino County Auditor/Controller, having first determined that the required allocation meets all requirements of this Resolution and the Transportation Development Act.

Section 4. The foregoing recitals are true and correct.

Section 5. This resolution is effective upon its approval.

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

Attachment: Resolution 21-043 (7764 : Allocation of Transportation Development Act Funds for Fiscal Year 2021/20202)

PASSED AND ADOPTED at a meeting of the San Bernardino County Transportation Authority held on July 7, 2021.

Frank J. Navarro, President
San Bernardino County Transportation Authority

ATTEST:

Marleana Roman, Clerk of the Board
San Bernardino County Transportation Authority

Attachment: Resolution 21-043 (7764 : Allocation of Transportation Development Act Funds for Fiscal Year 2021/20202)

Minute Action

AGENDA ITEM: 24

Date: July 7, 2021

Subject:

High Desert Corridor JPA Update

Recommendation:

Receive and file an update on the High Desert Corridor Joint Powers Authority.

Background:

The High Desert Corridor (HDC) was identified decades ago as a potential means to address the ever increasing traffic and goods movement through Los Angeles and San Bernardino Counties. The concept was originally proposed in the 1970s as a metropolitan by-pass for trucks to alleviate truck traffic in the Los Angeles Basin and to facilitate truck movement from Mexico to points north and east. In 1993, a study by the California Department of Transportation (Caltrans), “The Adoption for the Route 138 Transportation Corridor”, contemplated a variety of options to consider.

A Regionally Significant Transportation Investment Study (RSTIS) was prepared by Caltrans between 1992-2002 to document the need to improve the transportation infrastructure as traffic increased between the Antelope and Victor Valleys. The HDC was one of the strategies considered by the Los Angeles County Metropolitan Transportation Authority (Metro) in 2004. In fact, the HDC was recognized in 2005 as a high priority corridor in the National Highway system from Los Angeles to Las Vegas via Palmdale and Victorville.

The proposed 63-mile-long east-west facility was contemplated to provide route continuity and relieve traffic congestion between State Route (SR) 14 in Los Angeles County and SR 18 and Interstate 15 (I-15) in San Bernardino County and would connect residential, commercial and industrial areas in Southern California, including the cities of Palmdale, Lancaster, Adelanto, Victorville and the Town of Apple Valley.

In 2004, San Bernardino County Transportation Authority (SBCTA) supported the adoption of the Metro Board North County Combined Highway Corridor Study that recommended strategies for addressing the high volume of truck traffic traveling on the I-5, SR 14 and SR 138 freeways.

In November of 2006, the Counties of San Bernardino and Los Angeles entered into a joint powers agreement to create a non-funded HDC Joint Powers Authority (JPA) to pursue funding and provide for the planning, design, construction, financing, operation, and maintenance of a new freeway/expressway known as the HDC between Los Angeles County in the vicinity of the cities of Lancaster and Palmdale, and San Bernardino County in the vicinity of the cities of Victorville, Apple Valley, and Adelanto. At the time, the project was anticipated to be completed by 2020 and the purpose of the JPA was to accelerate this schedule through an aggressive pursuit of supplemental funding.

The HDC JPA is governed by a Board of Directors (Board) comprised of nine Directors which was reconfigured in 2007 to provide affected cities a more active and participatory role.

Entity: San Bernardino County Transportation Authority

The Board designations are as follows:

- San Bernardino County is represented by its First District Supervisor, and second, third and fourth Directors are recommended for appointment by the First District Supervisor and appointed by action of the San Bernardino County Board of Supervisors. The second, third and fourth Directors must be elected or appointed officials of San Bernardino County, the City of Adelanto, the City of Victorville, the City of Hesperia or the Town of Apple Valley.
- Los Angeles County is represented by its Fifth District Supervisor; a second Director recommended for appointment by the Fifth District Supervisor and appointed by action of the Los Angeles County Board of Supervisors, who must be an elected or appointed official of the City of Palmdale; a third Director recommended for appointment by the Fifth District Supervisor and appointed by action of the Los Angeles County Board of Supervisors, who must be an elected or appointed official of the City of Lancaster.
- One Director is recommended jointly by the First District Supervisor of San Bernardino County and Fifth District Supervisor of Los Angeles County and appointed by action of the JPA Board.

In late 2010, Caltrans and Metro partnered to initiate the HDC Environmental Impact Statement/Environmental Impact Report (EIS/EIR). Following that, they released the Draft EIS/EIR (including the High Speed Rail (HSR) between Victorville and Palmdale) for public review and comment in late 2014. Metro and Caltrans studied five functional alternatives in the Draft EIS/EIR and identified the Preferred Alternative (PA). The five alternatives are as follows:

- **The Freeway/Expressway Alternative** would combine a controlled-access freeway and an expressway. The alignment would generally follow Avenue P-8 in Los Angeles County and just south of El Mirage Road in San Bernardino County then extend east to Air Expressway Road near I-15 and finally curve south, ending at Bear Valley Road.
- **The Freeway/Tollway Alternative** would follow the same alignment as the Freeway/Expressway Alternative, but the section between 90th Street East and United States (US) 395 would be operated as a tollway.
- **The Freeway/Expressway Alternative with HSR Feeder/Connector Service** would be the same as the Freeway/Expressway Alternative, but with a HSR Feeder/Connector Service between the cities of Palmdale and Victorville.
- **The Freeway/Tollway Alternative with HSR Feeder/Connector Service** would be the same as the Freeway/Tollway Alternative, but it would include a HSR Feeder/Connector Service (as described above) between the cities of Palmdale and Victorville

- **The No Build Alternative** would not provide new transportation infrastructure within the High Desert area to connect Los Angeles and San Bernardino Counties. Only existing SR 138 safety corridor improvements in Los Angeles County and SR 18 corridor improvements in San Bernardino County would be constructed.

Caltrans, as lead agency under National Environmental Policy Act (NEPA), as assigned by Federal Highway Administration (FHWA), and in cooperation with Metro, identified **The Freeway/Tollway with HSR Alternative** as the PA and the Least Environmentally Damaging Practicable Alternative (LEDPA). The PA was believed to meet the project purpose and need through:

- Improved traffic operations along the approximate 63-mile length of the corridor;
- Enhanced modal choice while accommodating planned growth in the High Desert region;
- Helping reduce the potential for head-on vehicular crashes and promoting safety by introducing more gentle and gradual curves, wider lanes, and other geometric engineering improvements;
- Would provide a connection to existing and future passenger rail systems, including the California HSR system and the XpressWest HSR system;
- Include a Class I bike path at the bottom of the freeway embankment providing a continuous linkage between Los Angeles and San Bernardino counties;
- The total cost for the preferred alternative was estimated at \$7.3 - \$8.7 billion.

Financial investments from FHWA, Metro and SBCTA were made to advance the Project Approval & Environmental Documents (PA/ED) phase of the project. This resulted in the filing of the California Environmental Quality Act (CEQA) Notice of Determination (NOD) but the National Environmental Policy Act (NEPA) Record of Decision (ROD) was not completed due to a lack of identified funding for the next phase of the project. As a result, Caltrans submitted a letter (provided as Attachment A) to the Federal Highway Administration announcing their decision to select the **No Build Option** for the Freeway/Tollway elements of the project and listed the following reasons:

- Local Funding for the highway elements were not available for the foreseeable future (Measure M money is programmed for 2063);
- Potential public-private partnerships did not materialize;
- Expansion of the Los Angeles/Palmdale Regional Airport & Southern California Logistics Airport did not occur;
- Imminent improvements to State Routes 138 & 18 appear to address near term East-West mobility needs.

The No Build Action left the Rail portion of the project being carried out by the Federal Railroad Administration (FRA) to complete the ROD. The estimated cost of the rail portion of the project is \$3.21-\$4.62 billion. Caltrans allowed for the possibility that it may come back in the future to resume work on the highway portion of the project.

The HDC JPA is currently in a Reevaluation/Revalidation ROD petition with FRA and the US Surface Transportation Board (STB) with the goal of achieving a final ROD/NOD by the end of 2021. Given the lack of financial commitment by the California High Speed Rail Authority to San Bernardino County Transportation Authority

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improve the rail connection between Palmdale and Los Angeles Union Station, as evidenced in their recent Business Plan updates, coupled with the continued lack of funding from either county well into the foreseeable future, the focus of the JPA moving forward is questionable.

Attachment A: Letter from Caltrans District 7 to the Federal Highway Administration regarding HDC project.

Financial Impact:

This item has no financial impact on the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was received by the Mountain/Desert Policy Committee (MDC) on June 18, 2021. The MDC provided direction to staff to provide the MDC an evaluation of SBCTA and local jurisdictions' involvement with the High Desert Corridor Joint Powers Authority and make a recommendation for future roadway developments to connect high desert communities.

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

DEPARTMENT OF TRANSPORTATION

DISTRICT 7

100 S. MAIN STREET, SUITE 100

LOS ANGELES, CA 90012

PHONE (213) 897-0362

FAX (213) 897-0360

TTY 711

www.dot.ca.gov



Making Conservation
a California Way of Life.

December 31, 2020

Mr. Omar Elkassed
Acting Project Delivery Team Leader North
Federal Highway Administration

Dear Mr. Elkassed:

I want to follow-up on recent discussions between Caltrans District 7, LA Metro, and FHWA regarding the path forward for the High Desert Corridor (HDC) project. I appreciate the past collaboration between our agencies and look forward to us continuing to work together for our mutual benefit.

The HDC EIR/EIS was completed in June of 2016 with the Freeway/Tollway with High Speed Rail Feeder Service identified as the preferred alternative; the CEQA NOD was filed the same month but the NEPA ROD was not completed due to a lack of funding identified for the next project phase. Recently there has been interest in moving the rail component forward and FRA has assumed the role of NEPA lead agency for that effort; they are currently working on a Re-evaluation of the EIS and, ultimately, a ROD.

As you know, FHWA provided approximately \$11 million in federal funds to facilitate the Project Approval/Environmental Document (PAED) phase of the project. FHWA regulations require that highway projects move beyond PAED and into substantial right-of-way acquisition or construction within 10 years or the money is forfeited and must be repaid back to FHWA. The HDC project has exceeded that limit and FHWA has graciously approved two, time extensions. At this time the HDC has exhausted the approved time extensions and will require additional time per 23 CFR § 630.112(c)(2). However, because of a lack of progress on moving the highway portion of the project forward, we have been advised that under the current circumstances, a third time extension request would not be approved.

With that in mind, Caltrans has reached the following conclusion: while the rail project is moving forward and we anticipate an FRA ROD in 2021, regrettably we are selecting the no build option for the Freeway/Tollway elements at this time. The primary reasons for this decision are as follows:

1. Local Funding for the highway elements is not available in the foreseeable future (Measure M money has been allocated for the project, but not until 2063).
2. Potential public-private partnership (P3) funding did not materialize.

Attachment: dot.ca.gov/20201231 (7766 : High Desert Corridor JPA Update)

Mr. Omar Elkassed
December 31, 2020
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3. Expansion of the Los Angeles/Palmdale Regional Airport & Southern California Logistics Airport did not occur.
4. Imminent improvements to State Routes 138 & 18 appear to address near term East - West mobility needs.

While this letter provides our decision-making notification, more formal NEPA documentation will be provided in the FRA ROD.

Current conditions do not justify proceeding with the highway component of the HDC at this time, however, Caltrans reserves the right to resume work on the highway at some point in the future should more favorable circumstances arise. If funding becomes available, for example, if a P3 opportunity develops, the environmental and engineering efforts could be reactivated.

Caltrans looks forward to continuing to work with FHWA on future projects and accomplishing our shared goals of improving transportation safety, efficiency, and sustainability.

Sincerely,



Ron Kosinski
Deputy District Director
Caltrans District 7
Division of Environmental Planning

2000

2021

2004: SANBAG supported the adoption of the Metro Board North County Combined Highway Corridor Study.

2007: HDCJPA reconfigured Board of Directors to provide affected cities a more active and participatory role.

2006: the Counties of San Bernardino and Los Angeles entered into a joint powers agreement to create a non-funded High Desert Corridor Joint Powers Authority (HDCJPA) to pursue funding and provide for the planning, design, construction, financing, operation, and maintenance of the High Desert Corridor (HDC).



2010: Caltrans and LA Metro partner agencies initiated the HDC Environmental Impact Statement/Report (EIS/EIR).

2014: Caltrans and LA Metro released Draft EIS/EIR for public review and comment. (including the High Speed Rail between Victorville and Palmdale)

2020: Caltrans selects the No-BUILD roadway alternative; defers rail connection to FRA

- Freeway/Expressway
- Freeway/Tollway
- Freeway/Expressway/HSR Connector
- Freeway/Tollway/HSR Connector
- No-Build Alternative

Freeway/Expressway/HSR Connector
Estimated Cost: \$7.3 - \$8.7 Billion

Rail Connection (FRA)
Estimated Cost: \$3.2 - \$4.6 Billion



Minute Action

AGENDA ITEM: 25

Date: July 7, 2021

Subject:

State Legislative Update

Recommendation:

Receive and file the June 2021 State Legislative Update.

Background:

San Bernardino County Transportation Authority (SBCTA) Legislative Affairs staff, along with representatives from state advocates California Advisors, LLC reported to the Legislative Policy Committee on June 6th the status of SBCTA's sponsored bill, Assembly Bill 1260 (Chen), meetings with state legislators and the ongoing state budget process.

On May 14th, Governor Gavin Newsom presented a revised state budget proposal to the Legislature. Compared to a projected budget deficit of \$54 billion a year ago, the state now has a projected \$75.7 billion surplus. Combined with the over \$27 billion in federal relief, this supports the Governor's \$100 billion California Comeback Plan, "a once-in-a-lifetime opportunity to not only speed the state's recovery from the pandemic, but to address long-standing challenges and provide opportunity for every California family, regardless of their income, race, or ZIP code."

The May Revision includes \$24.4 billion in reserves—critical to a strong fiscal foundation, as last year clearly demonstrated. The reserve funds include: \$15.9 billion in the Proposition 2 Budget Stabilization Account (Rainy Day Fund) for fiscal emergencies, \$450 million in the Safety Net Reserve, \$4.6 billion in the Public School System Stabilization Account, and an estimated \$3.4 billion in the state's operating reserve.

On Thursday, May 20th, both the Senate and the Assembly Appropriations Committees met to hear bills that were placed on the Suspense File. At the hearings, the chair of each committee announced which bills will come off the Suspense File and ultimately move to the floor of either house. Bills that are held in committee are essentially dead for the year.

The special election to fill the open Assembly District 54 seat was won by Democratic candidate Isaac Bryan. Late last week, an updated vote count pushed him over the majority threshold needed to win outright and avoid a runoff. The preliminary figures from the Secretary of State's website show Bryan garnered 50.8 percent of the vote. Fellow Democrat Heather Hutt came in second place with 24.9 percent. It was announced that Mr. Bryan would be sworn in as the newest member of the State Legislature on Friday May 28th.

Attachment A contains a list of legislative bills that the San Bernardino County Transportation Authority (SBCTA) / San Bernardino Associated Governments (SBCOG) have taken a position on.

Attachment B reflects bills of interest to SBCTA and SBCOG.

Financial Impact:

This item has no financial impact on the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was received by the Legislative Policy Committee on June 9, 2021.

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

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Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

SAN BERNARDINO COUNTY
 TRANSPORTATION AUTHORITY (SBCTA) / COUNCIL OF GOVERNMENTS (SBCOG)
 LEGISLATIVE BILL POSITIONS - June 2021

Legislation / Author	Description	Bill Status	Position	Date Position Adopted
AB 1260 (Chen)	Exempt from the requirements of the California Environmental Quality Act (CEQA) projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains.	Passed Assembly Floor, moved to Senate. (5/24/21)	Support / Sponsor	03/10/2021
SB 9 (Atkins)	Would require a local government to ministerially approve a housing development containing two residential units in single-family residential zones. Would also require local governments to ministerially approve urban lot splits.	Passed Senate Committee on Appropriations, moved to Senate Floor. (5/20/21)	Oppose	03/10/2021
AB 1296 (Kamlager)	Would increase the number of members of the board of the South Coast Air Quality Management District to 15 members by adding 2 environmental justice appointees, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the Assembly.	Failed committee deadline, 2 year bill (5/07/21)	Oppose	03/10/2021
SB 266 (Newman)	Provide assistance acquiring and accepting land immediately adjacent to, and that expands, Chino Hills State Park, by transferring three properties into the state park system.	Passed Senate Floor, moved to Assembly. (5/24/21)	Support	04/14/2021
SB 623 (Newman)	Update SB 1268 to be consistent with the Legislature's intent to protect toll road users' information from being used inappropriately while also ensuring toll agencies can operate their business without litigation.	Failed committee deadline, 2 year bill (4/30/21)	Support	04/14/2021

Attachment: Bill position matrix 6-21 (7768 : State Legislative Update)

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY (SBCTA) / COUNCIL OF GOVERNMENTS (SBCOG)
LEGISLATIVE BILL POSITIONS - June 2021

Legislation / Author	Description	Bill Status	Position	Date Position Adopted
AB 703 (Rubio)	Remove the requirements of the Ralph M. Brown Act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment.	Referred to the Assembly Committee on Local Government. (02/25/21)	Support	04/14/2021
AB 744 (Rodriguez)	Allow the California Department of Transportation to relinquish approximately eight miles of State Route 83 to the City of Ontario.	Passed Assembly Committee on Appropriations, moved to Assembly Floor. (5/24/21)	Support	04/14/2021
SB 278 (Leyva)	Establish new procedures and requirements for employees covered by the California Public Employee Retirement System (CalPERS) in cases where their pensionable benefits are erroneously calculated and reported to CalPERS by their employer.	Passed Senate Appropriations Committee, moved to Senate Floor. (5/20/21)	Work With Author	04/14/2021
SB 840 (Holden)	Require the county transportation commissions in the Counties of Los Angeles and San Bernardino to jointly develop, in consultation with certain governmental agencies, a funding and implementation program for regional transit services to include service to international airports within the multicounty region.	Failed committee deadline, 2 year bill. (4/30/21)	Oppose	04/14/2021

Attachment: Bill position matrix 6-21 (7768 : State Legislative Update)

SBCTA Bill Report 5/26/2021

- [AB 43](#) (Friedman D) Traffic safety.**
Current Text: Amended: 3/22/2021 [html](#) [pdf](#)
Introduced: 12/7/2020
Status: 5/19/2021-Referred to Com. on TRANS.
Summary: Current law establishes various default speed limits for vehicles upon highways, as specified. Current law authorizes state and local authorities to adjust these default speed limits, as specified, based upon certain findings determined by an engineering and traffic survey. Current law defines an engineering and traffic survey and prescribes specified factors that must be included in the survey, including prevailing speeds and road conditions. This bill would require local authorities to consider other factors, including pedestrian and bicycle safety, that are allowed but not required to be considered under existing law. The bill would also allow local authorities to consider additional factors, including the current or immediately prior speed limit, as specified.
- [AB 339](#) (Lee D) Local government: open and public meetings.**
Current Text: Amended: 5/4/2021 [html](#) [pdf](#)
Introduced: 1/28/2021
Status: 5/20/2021-Read second time. Ordered to third reading.
Summary: Would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic or an internet-based service option, as provided.
- [AB 361](#) (Rivas, Robert D) Open meetings: local agencies: teleconferences.**
Current Text: Amended: 5/10/2021 [html](#) [pdf](#)
Introduced: 2/1/2021
Status: 5/18/2021-In Senate. Read first time. To Com. on RLS. for assignment.
Summary: Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees.
- [AB 464](#) (Mullin D) Enhanced Infrastructure Financing Districts: allowable facilities and projects.**
Current Text: Amended: 3/25/2021 [html](#) [pdf](#)
Introduced: 2/8/2021
Status: 5/12/2021-Referred to Com. on GOV. & F.
Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community, including, but not limited to, the acquisition, construction, or repair of industrial structures for private use. This bill would include, in the list of facilities and projects the district may fund, the acquisition, construction, or repair of commercial structures by the small business, as defined, occupant of such structures, if certain conditions are met, and facilities in which nonprofit community organizations provide health, youth, homeless, and social services.
- [AB 473](#) (Chau D) California Public Records Act.**
Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)
Introduced: 2/8/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.
- [AB 474](#) (Chau D) California Public Records Act: conforming revisions.**
Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)
Introduced: 2/8/2021

Status: 5/24/2021-Read second time. Ordered to third reading.

Summary: Would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

AB 482

(Ward D) Housing authorities: City of San Diego, County of San Bernardino, and County of Santa Clara: middle-income housing projects pilot program.

Current Text: Amended: 3/17/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 5/12/2021-Referred to Com. on HOUSING.

Summary: The Housing Authorities Law authorizes a housing authority of a city or county to, among other things, prepare, carry out, acquire, lease, and operate housing projects and housing developments for persons of low income, as provided. Current law, until January 1, 2022, authorizes a housing authority located in the City of San Diego, the County of San Bernardino, or the County of Santa Clara to implement a pilot program to develop and finance a middle-income housing project, as defined, if the project receives gap financing, as defined. Current law requires any gap financing to be approved by the housing authority's legislative body, as provided. Current law requires the housing authority to provide a report to the Legislature, as specified, on and before January 1, 2020, and on or before January 1, 2022. This bill would extend the authority of a housing authority located in the City of San Diego, the County of San Bernardino, or the County of Santa Clara to implement the above-described pilot program from January 1, 2022, to January 1, 2026.

AB 550

(Chiu D) Vehicles: Speed Safety System Pilot Program.

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Introduced: 2/10/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Summary: Would authorize, until January 1, 2027, the Cities of Los Angeles, Oakland, San Jose, one city in southern California, and the City and County of San Francisco to establish the Speed Safety System Pilot Program for speed limit enforcement in certain areas, if the system meets specified requirements, including that the presence of a fixed or mobile system is clearly identified. The bill would require the participating cities or city and county to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program, and would require the city or city and county to engage in a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations and where the systems would be utilized.

AB 571

(Mayes I) Planning and zoning: density bonuses: affordable housing.

Current Text: Amended: 5/3/2021 [html](#) [pdf](#)

Introduced: 2/11/2021

Status: 5/20/2021-Read second time. Ordered to Consent Calendar.

Summary: The Density Bonus Law requires a city or county to provide a developer that proposes a housing development in the city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to, among other things, construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents, including lower income students. Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, as specified. This bill would prohibit affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development's affordable units.

AB 604

(Daly D) Road Maintenance and Rehabilitation Account: apportionment of funds: accrued interest

Current Text: Introduced: 2/11/2021 [html](#) [pdf](#)

Introduced: 2/11/2021

Status: 5/24/2021-Read second time. Ordered to third reading.

Summary: Would continuously appropriate interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account to the Department of Transportation for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program.

AB 634

(Carrillo D) Density Bonus Law.

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 5/24/2021-Read third time. Passed. Ordered to the Senate.

Summary: The Density Bonus Law, requires a city or county to provide a developer that proposes a

housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct specified percentages of units for lower income, very low income, or senior citizen housing, among other things, and meets other requirements. Current law prescribes an application process for a city or county to follow in this regard. Current law specifies that, if permitted by local ordinance, that law is not to be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in these provisions for a development that meets specified requirements or from granting a proportionately lower density bonus than what is required for developments that do not meet these requirements. This bill would also provide that, if permitted by local ordinance, the Density Bonus Law is not to be construed to prohibit a city, county, or city and county from requiring an affordability period that is longer than 55 years for any units that qualified the applicant for the award for the density bonus developed in compliance with a local ordinance that requires, as a condition of development of residential units, that a development include a certain percentage of units that are affordable to, and occupied by low-income, lower income, very low income, or extremely low income households and that will be financed without low-income housing tax credits.

AB 637 (Lackey R) Enabling Youth to Access Workforce Training Grant Program.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/21/2021)(May be acted upon Jan 2022)

Summary: Would create the Enabling Youth to Access Workforce Training Grant Program. Upon appropriation by the Legislature, the bill would require the California Workforce Development Board to create the program, which would fund supportive services, as specified, that are necessary for homeless youth and current or former foster youth to enable their participation in the workforce development program, as defined. Under the bill, grants would be awarded on a competitive basis. The bill would require the board to conduct outreach activities and to provide technical assistance to eligible applicants to ensure that grants are awarded to qualified applicants providing a broad spectrum of supportive services.

AB 712 (Calderon D) Local Agency Public Construction Act: change orders: County of Los Angeles.

Current Text: Amended: 5/10/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 5/24/2021-Read third time. Passed. Ordered to the Senate.

Summary: The Local Agency Public Construction Act regulates contracting by local agencies, including counties and special districts. The act, for a county, imposes a \$5,000 cap when the total amount of the original contract does not exceed \$50,000. For any original contract that exceeds \$50,000, but does not exceed \$250,000, the cap is 10% of the amount of the original contract. For contracts whose original cost exceeds \$250,000, the cap is \$25,000 plus 5% of the amount of the original contract cost in excess of \$250,000, and prohibits a change or alteration cost from exceeding \$210,000. This bill would authorize the County of Los Angeles to add a new change order cap of \$400,000 for contracts whose original cost exceeds \$25,000,000 and of \$750,000 for contracts whose original cost exceeds \$50,000,000, both of which would be adjusted annually to reflect the percentage change in the California Consumer Price Index.

AB 713 (Garcia, Cristina D) State Air Resources Board: greenhouse gas emissions scoping plan: comprehensive health analysis.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 5/25/2021-Read second time. Ordered to third reading.

Summary: The State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse. This bill would require the state board to conduct a comprehensive health analysis in conjunction with the development of each update of the scoping plan that includes a framework to provide an overview of the breadth of health impacts and health benefits that may accrue from the outcomes in the scoping plan, as specified.

AB 721 (Bloom D) Covenants and restrictions: affordable housing.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 5/25/2021-Read second time. Ordered to third reading.

Summary: Would make any recorded covenants, conditions, restrictions, or limits on the use of private or publicly owned land contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale that restricts the number, size, or location of the residences that may be

built on the property, or that restricts the number of persons or families who may reside on the property, unenforceable against the owner of an affordable housing development, as defined.

- [AB 744](#) (Rodriguez D) State highways: State Route 83: reduction.**
Current Text: Amended: 4/5/2021 [html](#) [pdf](#)
Introduced: 2/16/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Would authorize the California Transportation Commission to relinquish to the City of Ontario all or a portion of State Route 83 within the city's jurisdiction and prescribe conditions that apply upon relinquishment.
- [AB 773](#) (Nazarian D) Street closures and designations.**
Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)
Introduced: 2/16/2021
Status: 5/13/2021-Read third time. Passed. Ordered to the Senate. (Ayes 72. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.
Summary: Would authorize a local authority to adopt a rule or regulation to close a portion of a street under its jurisdiction to through vehicular traffic if it determines closure is necessary for the safety and protection of persons who are to use that portion of the street during the closure. The bill would also authorize a local authority to adopt a rule or regulation to designate a local street within its jurisdiction as a slow street.
- [AB 811](#) (Rivas, Luz D) Los Angeles County Metropolitan Transportation Authority: contracting.**
Current Text: Amended: 4/6/2021 [html](#) [pdf](#)
Introduced: 2/16/2021
Status: 5/4/2021-Read second time. Ordered to third reading.
Summary: Current law authorizes the Los Angeles County Metropolitan Transportation Authority to enter into contracts with private entities that combine into a single contract all or some of the planning, design, permitting, development, joint development, construction, construction management acquisition, leasing, installation, and warranty of some or all components of transit systems and certain facilities. Current law authorizes the authority to award a contract under these provisions after a finding, by a 2/3 vote of the members of the authority, that awarding the contract will achieve for the authority, among other things, certain private sector efficiencies in the integration of design, project work, and components. This bill would eliminate the requirement to make the above-described finding by a 2/3 vote of the members of the authority in order to award contracts under these provisions and would instead apply this requirement to contracts that include operation and maintenance elements.
- [AB 819](#) (Levine D) California Environmental Quality Act: notices and documents: electronic filing and posting.**
Current Text: Amended: 4/5/2021 [html](#) [pdf](#)
Introduced: 2/16/2021
Status: 5/12/2021-Referred to Com. on E.Q.
Summary: CEQA requires, if an environmental impact report is required, the lead agency to mail a notice of determination to each responsible agency, the Office of Planning and Research, and public agencies with jurisdiction over natural resources affected by the project. CEQA requires the lead agency to provide notice to the public and to organizations and individuals who have requested notices that the lead agency is preparing an environmental impact report, negative declaration, or specified determination. CEQA requires notices for an environmental impact report to be posted in the office of the county clerk of each county in which the project is located. This bill would instead require the lead agency to mail or email those notices, and to post them on the lead agency's internet website. The bill would also require notices of an environmental impact report to be posted on the internet website of the county clerk of each county in which the project is located. ebsite.
- [AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: climate adaptation action plans.**
Current Text: Amended: 4/19/2021 [html](#) [pdf](#)
Introduced: 2/17/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office to encourage the inclusion of agencies with land use planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

- [AB 950](#) (Ward D) Department of Transportation: sales of excess real property: affordable housing, emergency shelters, and feeding programs.**
Current Text: Amended: 5/24/2021 [html](#) [pdf](#)
Introduced: 2/17/2021
Status: 5/25/2021-Read second time. Ordered to third reading.
Summary: This bill would authorize the Department of Transportation to sell its excess real property to the city, county, or city and county where the real property is located if the city, county, or city and county agrees to use the real property for the sole purpose of implementing affordable housing, emergency shelters, or feeding programs, as specified. The bill would exempt these sales from the California Environmental Quality Act.
- [AB 955](#) (Quirk D) Highways: encroachment permits: broadband facilities.**
Current Text: Amended: 5/24/2021 [html](#) [pdf](#)
Introduced: 2/17/2021
Status: 5/25/2021-Read second time. Ordered to third reading.
Summary: This bill would establish additional procedures for the Department of Transportation's review of an application for an encroachment permit for a broadband facility. Under the bill, these procedures would require the department, among other things, to notify an applicant in writing whether the application is complete within 30 days of receiving an application, to take certain actions if it deems an application incomplete, and to approve or deny an application that requires supplemental information within 30 days after receiving that information. If the department fails to notify the applicant that the application is incomplete or denied, as applicable, within those 30-day time periods, the bill would deem the department's failure to notify to constitute approval of the permit.
- [AB 976](#) (Rivas, Luz D) Resilient Economies and Community Health Pilot Program.**
Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)
Introduced: 2/18/2021
Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/14/2021)(May be acted upon Jan 2022)
Summary: Would establish the Resilient Economies and Community Health Pilot Program, which would be administered by the Strategic Growth Council from January 1, 2022, through December 31, 2026, a grant pilot program for eligible community-based organizations, as defined, to provide a comprehensive suite of coordinated incentives and services to disadvantaged communities, as defined at the resident household level to provide economic savings, reduce greenhouse gas emissions and air pollution, and improve resiliency to the impacts of climate change. The bill would require the council to evaluate the program and submit specified reports to the Legislature on the program no later than January 1, 2026. The bill would repeal these provisions as of January 1, 2027.
- [AB 1035](#) (Salas D) Department of Transportation and local agencies: streets and highways: recycled materials.**
Current Text: Amended: 4/5/2021 [html](#) [pdf](#)
Introduced: 2/18/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Would require the Department of Transportation and a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. The bill would require, on and after January 1, 2025, a local agency that has jurisdiction over a street or highway, to the extent feasible, to apply standard specifications that allow for the use of recycled materials in streets and highways, as specified. By increasing the duties of local agencies, this bill would impose a state-mandated local program.
- [AB 1037](#) (Grayson D) Infrastructure construction: digital construction management technologies.**
Current Text: Amended: 5/3/2021 [html](#) [pdf](#)
Introduced: 2/18/2021
Status: 5/20/2021-Read second time. Ordered to Consent Calendar.
Summary: Would require the Department of General Services to develop guidance, policies, and procedures for the integration and development of digital construction technologies for use on a civil infrastructure project, as defined, that is developed by specified state entities and has a state project cost of greater than \$50,000,000. The bill would require the guidance, policies, and procedures to be published in the State Administrative Manual and the State Contracting Manual, as appropriate, by January 1, 2023. The bill would require the guidance, policies, and procedures to include, among other things, the method for a state department to implement a requirement that a bid or proposal for a civil infrastructure project contract include a digital construction management plan, as specified.
- [AB 1047](#) (Daly D) Road Repair and Accountability Act of 2017: reporting internet website.**
Current Text: Amended: 3/26/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/28/2021)(May be acted upon Jan 2022)

Summary: Would require the Transportation Agency to improve the capability of the SB 1 internet website hosted by the agency to provide a comprehensive one-stop reporting interface available to the public. The bill would require the interface to provide timely fiscal information compiled from data provided by each administering agency regarding the development and implementation status of each transportation program or project funded, at least in part, by revenues from SB 1.

AB 1049 (Davies R) Public Transportation Account: loan repayment.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on TRANS.

Summary: Current law requires the transfer of a specified portion of the sales tax on diesel fuel to the Public Transportation Account, a trust fund in the State Transportation Fund. Current law requires funds in the account to be allocated to various public transportation and transportation planning purposes, with specified revenues in the account to be allocated by the Controller to specified local transportation agencies for public transportation purposes, pursuant to the State Transit Assistance (STA) Program. Current law provides for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator, as defined. The Budget Act of 2013 and the Budget Act of 2014 require the Controller, upon the order of the Director of Finance, to transfer specified amounts totaling up to \$55,515,000 as loans from the Public Transportation Account to the High-Speed Passenger Train Bond Fund. This bill would require \$54,000,000 from these loans to be repaid to the Public Transportation Account and would provide that these repaid funds are available, upon appropriation by the Legislature, to help offset the loss of revenues incurred by transit operator during the COVID-19 pandemic.

AB 1147 (Friedman D) Regional transportation plan: Active Transportation Program.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 5/24/2021-Read second time. Ordered to third reading.

Summary: Current law requires the Strategic Growth Council, by January 31, 2022, to complete an overview of the California Transportation Plan and all sustainable communities strategies and alternative planning strategies, an assessment of how implementation of the California Transportation Plan, sustainable communities strategies, and alternative planning strategies will influence the configuration of the statewide integrated multimodal transportation system, and a review of the potential impacts and opportunities for coordination of specified funding programs. This bill would require the council to convene key state agencies, metropolitan planning agencies, and local governments to assist the council in completing the report.

AB 1157 (Lee D) Controller: transportation funds: distribution and reporting requirements.

Current Text: Amended: 3/15/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 5/12/2021-Referred to Com. on TRANS.

Summary: Current law, for purposes of the State Transit Assistance Program, requires local transportation agencies to report to the Controller by June 15 of each year the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds. This bill would instead require local transportation agencies to report this information within 7 months after the end of each fiscal year.

AB 1180 (Mathis R) Local governments: surplus land: tribes.

Current Text: Amended: 4/26/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 5/24/2021-Read third time. Passed. Ordered to the Senate.

Summary: Current law prescribes requirements for the disposal of surplus land by a local agency, as defined. Current law defines "exempt surplus land" for which a local agency is not required to follow the requirements for disposal of surplus land, except as provided. Current law categorizes as "exempt surplus land," surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use. This bill would add to the definition of "exempt surplus land," land transferred by a local agency to a federally recognized California Indian tribe.

AB 1183 (Ramos D) California Desert Conservation Program.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 5/24/2021-Read second time. Ordered to third reading.

Summary: Would establish the California Desert Conservation Program under the administration of the Wildlife Conservation Board to protect, preserve, and restore desert lands, water, and wildlife by

the acquisition of interests and rights in real property and waters, as specified.

- [AB 1190](#) (Mayes I) Parks and recreation: County of San Bernardino: Big Morongo Canyon Preserve.**
Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)
Introduced: 2/18/2021
Status: 5/20/2021-Read second time. Ordered to Consent Calendar.
Summary: Would authorize the County of San Bernardino to convey fee title in lands within the Big Morongo Canyon Preserve acquired with grant moneys from The Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964, the Z'berg-Collier Park Bond Act and the The Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, as provided, to the United States Bureau of Land Management, as specified.
- [AB 1238](#) (Ting D) Pedestrian access.**
Current Text: Amended: 4/12/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Current law prohibits a pedestrian from entering the roadway if the pedestrian is facing a steady circular yellow or yellow arrow warning signal unless otherwise directed by a pedestrian control signal, as specified. This bill would delete that prohibition.
- [AB 1260](#) (Chen R) California Environmental Quality Act: exemptions: transportation-related projects.**
Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/24/2021-Read third time. Passed. Ordered to the Senate.
Summary: CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including, among others, projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses. This will further exempt from the requirements of CEQA projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains.
- [AB 1291](#) (Frazier D) State bodies: open meetings.**
Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/12/2021-Referrred to Com. on G.O.
Summary: Current law provides that, subject to certain exceptions and reasonable regulations, the state body shall provide members of the public an opportunity to directly address the state body on agenda items. Current law authorizes the state body to limit the amount of time allotted for each member of the public to speak, but specifies that members of the public who use translators shall be given twice that allotted amount of time. This bill would also require a state body, when it limits time for public comment, to provide at least twice the allotted time to a member of the public who utilizes translating technology to address the state body. The bill would additionally make technical, nonsubstantive changes.
- [AB 1297](#) (Holden D) California Infrastructure and Economic Development Bank: public and economic development facilities: housing.**
Current Text: Amended: 5/20/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/24/2021-Read third time. Passed. Ordered to the Senate.
Summary: The Bergeson-Peace Infrastructure and Economic Development Bank Act defines "public development facilities" for these purposes to mean real and personal property, structures, conveyances, equipment, thoroughfares, buildings, and supporting components thereof, excluding any housing, that are directly related to providing, among other things, housing-related infrastructure, as specified. The act defines "economic development facilities" for these purposes to mean real and personal property, structures, buildings, equipment, and supporting components thereof that are used to provide industrial, recreational, research, commercial, utility, goods movement, or service enterprise facilities, community, educational, cultural, or social welfare facilities and any parts or combinations thereof, and all necessary facilities or infrastructure, excluding any housing. This bill would authorize economic development facilities and public development facilities to include housing if the housing meets certain financing requirements and limits, as specified.
- [AB 1337](#) (Lee D) Transportation: transit district policing responsibilities.**
Current Text: Amended: 4/7/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/24/2021-Read third time. Passed. Ordered to the Senate.
Summary: Under current law, a person who enters or remains upon any land, facilities, or vehicles owned, leased, or possessed by specified transit entities that are used to provide public

transportation by rail or passenger bus, or are directly related to that use, without permission whose entry, presence, or conduct upon the property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor. This bill would specify that a person who enters or remains upon any property, facilities, or vehicles upon which the applicable transit entity owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement without permission, or whose entry, presence, or conduct upon that property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor.

AB 1384 (Gabriel D) Resiliency Through Adaptation, Economic Vitality, and Equity Act of 2022.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/24/2021-Read second time. Ordered to third reading.

Summary: Would require the Strategic Growth Council to develop and coordinate a strategic resiliency framework that makes recommendations and identifies actions that are necessary to prepare the state for the most significant climate change impacts modeled for 2025, 2050, and beyond, among other goals. The bill would require state agencies identified in the strategic resiliency framework to collaboratively engage with regional entities to enhance policy and funding coordination and promote regional solutions and implementation and to proactively engage vulnerable communities whose planning and project development efforts have been disproportionately impacted by climate change, as provided. The bill would authorize the Treasurer, and the financing authorities that the Treasurer chairs, to assist state agencies by leveraging public and private capital investment to help with loans and other incentives to attain the goals identified in the strategic resiliency framework.

AB 1499 (Daly D) Transportation: design-build: highways.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/25/2021-Read second time. Ordered to third reading.

Summary: Current law authorizes regional transportation agencies, as defined, to utilize design-build procurement for projects on or adjacent to the state highway system. Current law also authorizes those regional transportation agencies to utilize design-build procurement for projects on expressways that are not on the state highway system, as specified. Current law repeals these provisions on January 1, 2024, or one year from the date that the Department of Transportation posts on its internet website that the provisions described below related to construction inspection services for these projects have been held by a court to be invalid. This bill would extend the operation of these provisions until January 1, 2034. The bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2033, on its experience with design-build procurement.

ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: vote approval.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 4/22/2021-Referred to Coms. on L. GOV. and APPR.

Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

ACA 5 (Voepel R) Motor vehicles: fuel taxes, sales and use taxes, and fees: expenditure restrictions.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 4/22/2021-Referred to Com. on TRANS.

Summary: The California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. These restrictions do not apply to revenues from taxes or fees imposed under the Sales and Use Tax Law or the Vehicle License Fee Law. This measure would explicitly restrict the expenditure of all interest earned and other increment derived from the investment of those tax revenues and any proceeds from the lease or sale of real property acquired using those tax revenues only for the purposes described above.

SB 5 (Atkins D) Affordable Housing Bond Act of 2022.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 3/18/2021-Re-referred to Coms. on HOUSING and GOV. & F.

Summary: Would enact the Affordable Housing Bond Act of 2022, which, if adopted, would authorize the issuance of bonds in the amount of \$6,500,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to fund affordable rental housing and homeownership programs. The bill would state the intent of the Legislature to determine the allocation of those funds to specific programs. This bill would provide for submission of the bond act to the voters at the November 8, 2022, statewide general election in accordance with specified law.

SB 7

(Atkins D) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021.

Current Text: Chaptered: 5/20/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 5/20/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 19, Statutes of 2021.

Summary: Would enact the Jobs and Economic Improvement Through Environmental Leadership Act of 2021, which would reenact the former leadership act, with certain changes, and would authorize the Governor, until January 1, 2024, to certify projects that meet specified requirements for streamlining benefits related to CEQA. The bill would additionally include housing development projects, as defined, meeting certain conditions as projects eligible for certification. The bill would, except for those housing development projects, require the quantification and mitigation of the impacts of a project from the emissions of greenhouse gases, as provided. The bill would revise and recast the labor-related requirements for projects undertaken by both public agencies and private entities. The bill would provide that the Governor is authorized to certify a project before the lead agency certifies the final EIR for the project.

SB 9

(Atkins D) Housing development: approvals.

Current Text: Amended: 4/27/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 5/20/2021-From committee: Do pass. (Ayes 5. Noes 2.) (May 20). Read second time. Ordered to third reading.

Summary: The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

SB 44

(Allen D) California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects.

Current Text: Amended: 4/27/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 5/20/2021-From committee: Do pass. (Ayes 6. Noes 0.) (May 20). Read second time. Ordered to third reading.

Summary: Would establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for an environmental leadership transit project, as defined, proposed by a public or private entity or its affiliates. The bill would require the Judicial Council, on or before April 1, 2022, to adopt rules of court establishing procedures requiring actions or proceedings seeking judicial review pursuant to CEQA or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 calendar days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to an environmental leadership transit project. The bill would require the environmental leadership transit project to meet certain labor requirements.

SB 66

(Allen D) California Council on the Future of Transportation: advisory committee: autonomous vehicle technology.

Current Text: Amended: 4/28/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 5/20/2021-From committee: Do pass. (Ayes 7. Noes 0.) (May 20). Read second time. Ordered to third reading.

Summary: Would require the Secretary of Transportation to establish an advisory committee, the

California Council on the Future of Transportation, to provide the Governor and the Legislature recommendations for changes in state policy to ensure that as autonomous vehicles are deployed, they enhance the state's efforts to increase road and transit safety, promote equity, and meet public health and environmental objectives. The bill would require the council to be chaired by the secretary and consist of 23 additional members, selected by the chair or designated, as specified.

SB 95**(Skinner D) Employment: COVID-19: supplemental paid sick leave.****Current Text:** Chaptered: 3/19/2021 [html](#) [pdf](#)**Introduced:** 12/16/2020**Status:** 3/19/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 13, Statutes of 2021.

Summary: Would provide for COVID-19 supplemental paid sick leave for covered employees, as defined, who are unable to work or telework due to certain reasons related to COVID-19, including that the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. The bill would entitle a covered employee to 80 hours of COVID-19 supplemental paid sick leave if that employee either works full time or was scheduled to work, on average, at least 40 hours per week for the employer in the 2 weeks preceding the date the covered employee took COVID-19 supplemental paid sick leave. The bill would provide a different calculation for supplemental paid sick leave for a covered employee who is a firefighter subject to certain work schedule requirements and for a covered employee working fewer or variable hours, as specified.

SB 210**(Wiener D) Automated license plate recognition systems: use of data.****Current Text:** Amended: 3/15/2021 [html](#) [pdf](#)**Introduced:** 1/12/2021**Status:** 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/5/2021)(May be acted upon Jan 2022)

Summary: Current law authorizes the Department of the California Highway Patrol to retain license plate data captured by license plate reader technology, also referred to as an automated license plate recognition (ALPR) system, for not more than 60 days unless the data is being used as evidence or for the investigation of felonies. Current law authorizes the department to share that data with law enforcement agencies for specified purposes and requires both an ALPR operator and an ALPR end-user, as those terms are defined, to implement a usage and privacy policy regarding that ALPR information, as specified. Current law requires that the usage and privacy policy implemented by an ALPR operator or an ALPR end-user include the length of time ALPR information will be retained and the process the ALPR operator and ALPR end-user will utilize to determine if and when to destroy retained ALPR information. This bill would include in those usage and privacy policies a requirement that, if the ALPR operator or ALPR end-user is a public agency and not an airport authority, ALPR data that does not match a hot list be destroyed within 24 hours.

SB 266**(Newman D) State park system: Chino Hills State Park: expansion.****Current Text:** Amended: 4/22/2021 [html](#) [pdf](#)**Introduced:** 1/28/2021**Status:** 5/24/2021-Read third time. Passed. (Ayes 40. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Would require the Department of Parks and Recreation to provide assistance acquiring and accepting land immediately adjacent to, and that expands, Chino Hills State Park, by transferring 3 specified properties into the state park system. The bill would require the department to manage the acquired properties and parcels with specified funds as part of the Chino Hills State Park, as provided.

SB 274**(Wieckowski D) Local government meetings: agenda and documents.****Current Text:** Amended: 4/5/2021 [html](#) [pdf](#)**Introduced:** 1/29/2021**Status:** 5/13/2021-Referred to Com. on L. GOV.

Summary: The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of a other documents constituting the agenda packet, as specified.

SB 278**(Leyva D) Public Employees' Retirement System: disallowed compensation: benefit adjustments****Current Text:** Amended: 3/23/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Status: 5/20/2021-From committee: Do pass. (Ayes 6. Noes 0.) (May 20). Read second time. Ordered to third reading.

Summary: The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its plan or plans to comply with the act. PEPRA, among other things, establishes new defined benefit formulas and caps on pensionable compensation. This bill would establish new procedures under PERL for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPRA and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that compensation for an employee member reported by the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation.

[SB 290](#) (Skinner D) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.

Current Text: Introduced: 2/1/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Status: 5/24/2021-Read third time. Passed. (Ayes 33. Noes 4.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Summary: Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, as specified. This bill would require a unit designated to satisfy the inclusionary zoning requirements of a city or county to be included in the total number of units on which a density bonus and the number of incentives or concessions are based. The bill would require a city or county to grant one incentive or concession for a student housing development project that will include at least 20% of the total units for lower income students.

[SB 339](#) (Wiener D) Vehicles: road usage charge pilot program.

Current Text: Amended: 5/20/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 5/24/2021-Read second time. Ordered to third reading.

Summary: Current law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of Transportation. Under existing law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Current law requires the technical advisory committee to study RUC alternatives to the gas tax, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program, as specified. Current law repeals these provisions on January 1, 2023. This bill would extend the operation of these provisions until January 1, 2027.

[SB 342](#) (Gonzalez D) South Coast Air Quality Management District: board membership.

Current Text: Amended: 4/22/2021 [html](#) [pdf](#)

Introduced: 2/9/2021

Status: 5/11/2021-Read second time. Ordered to third reading.

Summary: Current law establishes the South Coast Air Quality Management District vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board, consisting of 13 members. This bill would add 2 members to the district board, appointed by the Senate Committee on Rules and the Speaker of the Assembly. The bill would require the 2 additional members to reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice. The bill would also require a candidate for these positions to meet other specified requirements.

[SB 542](#) (Limón D) Sales and use taxes: exemption: medium- or heavy-duty zero-emission trucks.

Current Text: Amended: 5/25/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 5/25/2021-Read second time and amended. Ordered to third reading.

Summary: Current sales and use tax laws impose taxes on retailers measured by gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, measured by sales price. The Sales and Use Tax Law provides various exemptions from those taxes. This bill would provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle. The bill would define "qualified motor vehicle" as a specified zero-emission truck. The bill would disallow the exemption for sales or uses made on or after January 1, 2025, if the purchaser also

received other specified benefits.

- [SB 563](#) (Allen D) Second Neighborhood Infill Finance and Transit Improvements Act: housing developments: homelessness prevention programs: enhanced infrastructure financing plan review and amendment process.**
Current Text: Amended: 5/3/2021 [html](#) [pdf](#)
Introduced: 2/18/2021
Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2021)(May be acted upon Jan 2022)
Summary: The Second Neighborhood Infill Finance and Transit Improvements Act, or NIFTI-2, authorizes a city or county to adopt a resolution to allocate its tax revenues to an enhanced infrastructure financing district, including revenues derived from local sales and use taxes imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or transactions and use taxes imposed in accordance with the Transactions and Use Tax Law, if certain conditions are or will be met. This bill would revise NIFTI-2 to, among other things, remove the requirements that the area financed be within 1/2 mile of a major transit stop and that the boundaries of the district be coterminous with the city or county. The bill would require specified minimum percentages of the funds be used for homelessness prevention programs or development of affordable housing that is within 1/2 mile of a major transit stop, as specified. The bill would revise the description of tax revenue that may be allocated to a district.
- [SB 580](#) (Hueso D) Department of Transportation: highways and roads: recycled plastics study and specifications.**
Current Text: Amended: 5/20/2021 [html](#) [pdf](#)
Introduced: 2/18/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Would authorize the Department of Transportation to conduct a study to assess the feasibility, cost effectiveness, and life-cycle environmental benefits and detrimental impacts of including recycled plastics in asphalt used as a paving material in the construction, maintenance, or rehabilitation of a highway or road. If the department conducts the study, the bill would require the Ocean Protection Council to review the study design and findings to determine how including recycled plastics in asphalt for use as a paving material will impact the ocean's health and would require the department to assess, as part of the study, any life-cycle environmental benefits or detrimental impacts identified by the council. If the department determines that this use of recycled plastics is feasible and that recycled plastics can be included in asphalt in a manner that is cost effective and provides life-cycle environmental benefits, the bill would authorize the department to establish specifications for including recycled plastics in asphalt used as a paving material in the construction, maintenance, and rehabilitation of a highway or road.
- [SB 606](#) (Gonzalez D) Workplace safety: violations of statutes: enterprise-wide violations: employer retaliation.**
Current Text: Amended: 5/20/2021 [html](#) [pdf](#)
Introduced: 2/18/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Current law requires the Division of Occupational Safety and Health to issue a citation for a violation of provisions relating to the spraying of asbestos, or any standard, rule, order, or regulation established pursuant to specified provisions of the California Occupational Safety and Health Act of 1973 if, upon inspection or investigation, the division believes that an employer has committed a violation. Existing law imposes penalties of certain maximum amounts depending on whether the violation is serious, uncorrected, or willful or repeated. Current law authorizes the division to seek an injunction restraining certain uses or operations of employment that constitute a serious menace to the lives or safety of persons, as specified. This bill, instead, would require the division to issue a citation for a violation of provisions relating to the spraying of asbestos, certain employment safety related provisions of the Labor Code, or any standard, rule, order or regulation established pursuant to specified provisions of the California Occupational Safety and Health Act of 1973 or other safety related provisions of the Labor Code if, upon inspection or investigation, the division believes that an employer has committed a violation.
- [SB 640](#) (Becker D) Transportation financing: jointly funded projects.**
Current Text: Amended: 5/20/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Current law provides for the deposit of various funds, including revenues from certain increases in fuel taxes and vehicle fees, for the program into the Road Maintenance and Rehabilitation Account. After certain allocations for the program are made, existing law requires the remaining funds available for the program to be continuously appropriated 50% for allocation to the department for maintenance of the state highway system or for the State Highway Operation and Protection Program and 50% for apportionment to cities and counties by the Controller pursuant to a specified formula.

Current law requires a city or county to submit to the California Transportation Commission a list of proposed projects, as specified, to be eligible for an apportionment of those funds. This bill would authorize cities and counties to propose projects to be jointly funded by the cities and counties' apportionments of those funds, as specified.

- [SB 643](#) (Archuleta D) Fuel cell electric vehicle fueling infrastructure and fuel production: statewide assessment.**
Current Text: Amended: 5/20/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Would, until January 1, 2030, require the State Air Resources Board, in consultation with the Energy Commission and the Public Utilities Commission, to prepare a statewide assessment of the fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles at levels necessary for the state to meet specified goals and requirements relating to vehicular air pollution. The bill would require the statewide assessment to consider all necessary fuel production and distribution infrastructure, as specified, to meet those goals and requirements and to examine existing and future fuel production and distribution infrastructure needs throughout the state, including in low-income communities.
- [SB 657](#) (Ochoa Bogh R) Employment: electronic documents.**
Current Text: Amended: 4/22/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/13/2021-Referred to Coms. on L. & E. and JUD.
Summary: Current law regulates the wages, hours, and working conditions of any worker employed in any occupation, trade, or industry, whether compensation is measured by time, piece, or otherwise, except as specified. This bill would provide that, in any instance in which an employer is required to physically post information, an employer may also distribute that information to employees by email with the document or documents attached. The bill would specify that this does not alter the employer's obligation to physically display the required posting.
- [SB 662](#) (Archuleta D) Energy: transportation sector: hydrogen.**
Current Text: Amended: 5/3/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2021)(May be acted upon Jan 2022)
Summary: Would require the Public Utilities (PUC) to additionally evaluate and implement policies to promote the development of equipment and infrastructure needed to facilitate the use of hydrogen to fuel low-emission vehicles, as provided. The bill would require the PUC, in consultation with the State Air Resources Board and the Energy Commission, to authorize gas corporations to file applications for investments in programs to accelerate zero-emission vehicle transportation, defined to include both transportation electrification and the use of hydrogen when it is used as a transportation fuel in fuel cell electric vehicles, to advance specified environmental objectives.
- [SB 671](#) (Gonzalez D) Transportation: Clean Freight Corridor Efficiency Assessment.**
Current Text: Amended: 4/28/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/20/2021-From committee: Do pass. (Ayes 7. Noes 0.) (May 20). Read second time. Ordered to third reading.
Summary: Would establish the Clean Freight Corridor Efficiency Assessment, to be developed by the California Transportation Commission, in coordination with other state agencies. In developing the assessment, the bill would require the commission to identify freight corridors, or segments of corridors, throughout the state that would be priority candidates for the deployment of zero-emission medium- and heavy-duty vehicles. The bill would require the commission to submit a report containing the assessment's findings and recommendations to certain committees of the Legislature by December 31, 2023. The bill would require the assessment's findings and recommendations to be incorporated into the development of the California Transportation Plan.
- [SB 674](#) (Durazo D) Public Contracts: workforce development: transportation-related contracts.**
Current Text: Amended: 5/20/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 5/24/2021-Read second time. Ordered to third reading.
Summary: Would require the Labor and Workforce Development Agency to develop a program, known as the California Jobs Plan Program, to meet specified objectives, including, as a component of applications for covered public contracts, as defined, creation of a form that states the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract, and proposed wages, benefits, and investment in training. That component of the application would be known as the California Jobs Plan, as defined. Other objectives of the program, pursuant to the bill, would include supporting the hiring of displaced workers and individuals

facing barriers to employment, as defined; encouraging the development of the state's long-term green transportation and related infrastructure and manufacturing sector; and protecting public health by supporting the adoption of specific protections for worker health and safety.

SB 728 (Hertzberg D) Density Bonus Law: purchase of density bonus units by nonprofit housing organizations.

Current Text: Amended: 4/15/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/20/2021-From committee: Do pass. (Ayes 7. Noes 0.) (May 20). Read second time. Ordered to third reading.

Summary: Current law, commonly referred to as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct, among other options, specified percentages of units for moderate-income or, lower, or very low income households and meets other requirements. Current law requires the developer and the city or county to ensure that the initial occupant of a for-sale unit that qualified the developer for the award of the density bonus is a person or family of very low, low, or moderate income. This bill, as an alternative to ensuring that the initial occupant of a for-sale unit is a person or family of the required income, would authorize the developer and the city or county to ensure that a qualified nonprofit housing organization that is receiving the above-described welfare exemption purchases the unit pursuant to a specified recorded contract that includes an affordability restriction, an equity sharing agreement, and a repurchase option that requires a subsequent purchaser that desires to sell or convey the property to first offer the nonprofit corporation the opportunity to repurchase the property.

SB 790 (Stern D) Wildlife connectivity mitigation credits.

Current Text: Amended: 5/20/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/24/2021-Read second time. Ordered to third reading.

Summary: Current law vests the Department of Fish and Wildlife (DFW) with jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Current law vests the Department of Transportation (Caltrans) with full possession and control of the state highway system. This bill would require DFW, in consultation with Caltrans, to provide compensatory mitigation credits to support modifications and planning of projects on the state highway system that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements.

SB 798 (Wieckowski D) Trade Corridor Enhancement Account.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/3/2021-Referred to Com. on RLS.

Summary: Current law creates the Trade Corridor Enhancement Account to receive revenues attributable to 50% of a \$0.20 per gallon increase in the diesel fuel excise tax imposed by the Road Repair and Accountability Act of 2017 for corridor-based freight projects nominated by local agencies and the state. Current law makes these funds and certain federal funds apportioned to the state available upon appropriation for allocation by the California Transportation Commission for trade infrastructure improvement projects that meet specified requirements. This bill would make nonsubstantive changes to this provision.

SCA 2 (Allen D) Public housing projects.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 4/29/2021-From committee: Be adopted and re-refer to Com. on E. & C.A. with recommendation: To consent calendar. (Ayes 9. Noes 0.) (April 29). Re-referred to Com. on E. & C.A.

Summary: The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

SCA 4 (Wilk R) Legislature: 2-year budget.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 4/7/2021-Referred to Coms. on B. & F.R. and E. & C.A.

Summary: Would limit the Legislature, in the first year of the regular session, to considering or acting upon only the Budget Bill and related bills, and up to 5 bills introduced by each of the standing committees of the Legislature, as specified. The measure would require the Governor to submit to the Legislature a budget for the ensuing 2 fiscal years within the first 10 days of the first calendar year of

the biennium of the legislative session, and would require the Legislature to adopt by June 15 the first calendar year of the biennium of the legislative session a Budget Bill that appropriates funds to support state government for the next 2-year fiscal period commencing on July 1. The measure, in the second year of the regular session, would limit the Legislature to considering or acting upon only legislation other than the Budget Bill and related bills. The Legislature, by a 2/3 vote of each house, would be authorized, however, to amend an enacted Budget Bill and related bills in both calendar years of the biennium.

25.b

Total Measures: 69

Total Tracking Forms: 69

Minute Action

AGENDA ITEM: 26

Date: July 7, 2021

Subject:

Federal Legislative Update

Recommendation:

Receive and file the June 2021 Federal Legislative Update.

Background:

San Bernardino County Transportation Authority (SBCTA) Legislative Affairs staff, along with representatives from federal advocates Potomac Partners DC, LLC reported to the Legislative Policy Committee on June 9th the on-going Fiscal Year (FY) 2022 appropriations process, congressional funding requests and meetings with federal delegation members.

- FY 2022 Appropriations Update and Committee Schedule
 - President's Budget Recap and Next Steps
 - House Appropriations Markups
- Surface Transportation Reauthorization / Infrastructure Bill
 - Senate Environment & Public Works Surface Reauthorization
 - Bipartisan draft bill was unanimously approved on May 26th
 - House Transportation & Infrastructure Committee
 - Surface Reauthorization markup to be held on June 9th
 - House Republicans introduced STARTER Act 2.0 (GOP version of Surface Reauthorization) on May 19th
 - Senate Finance Committee Hearing was held on May 18th
 - Hearing on financing long-term surface transportation and infrastructure
 - Discussion on Private Activity Bonds and bipartisan consensus
- Delegation Meetings Recap and Follow-Up
 - Members of Executive Committee and San Bernardino County Transportation Authority staff met with Congressional Delegation members
 - Congressman Pete Aguilar
 - Congresswoman Judy Chu
 - Congressman Jay Obernolte
 - Congresswoman Norma Torres
 - Staff of Senator Alex Padilla

Financial Impact:

This item has no financial impact on the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was received by the Legislative Policy Committee on June 9, 2021.

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

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

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Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 27

Date: July 7, 2021

Subject:

Revised Fiscal Year 2021/2022 Initiatives and Action Plan

Recommendation:

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

Approve the Revised Fiscal Year 2021/2022 Initiatives and Action Plan.

Background:

The annual budget process includes updating the Initiatives and Action Plan to set main goals for the following fiscal year. The Initiatives and Action Plan for Fiscal Year 2021/2022 have been updated to provide additional goals and added milestone section to include specific objectives. The initiatives include Transparent and Accountable Allocation Strategies, Engender Public Trust, Focus on Creating and Strengthening Collaborative Partnerships with Governmental and Business Entities, Accelerate Delivery of Capital Projects, Maximize Funding Opportunities and Cost-Effectiveness of Investments, Awareness of San Bernardino County Transportation Authority Programs, Services, and Transit Options, Long Range Strategic Planning, and Environmental Stewardship, Sustainability, and Grant Applications.

Examples of changes within the initiatives include sections 2F and 2G that add additional description to deploy enterprise resource planning system and implementation of records retention schedule; Initiatives 3, 4, and 7 were updated to provide specific goals; and section 8B to include complete updated draft of the Regional Conservation Investment Strategy and assist local agencies with housing initiatives under Regional Early Action Planning.

The Executive Director or his designee will provide quarterly updates on the status of the goals listed in the Initiatives and Action Plan.

Financial Impact:

This item is consistent with the Adopted Fiscal Year 2021/2022 Budget.

Reviewed By:

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

Responsible Staff:

Hilda Flores, Chief Financial Officer

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

Entity: San Bernardino County Transportation Authority

Initiatives and Action Plan

Action Plan		Milestones	Responsibility
Initiative #1: Transparent and Accountable Allocation Strategies			
Division Strategy: Complete timely audits of Measure I and Transportation Development Act recipients			
1A	Manage and communicate with Audit firm to plan and complete annual audits.	Manage and complete audits - Q2	Finance
	Monitor progress of audits.	Monitor audit until complete - Q2	
	Inform Committees and Board of status of audits.	Committee and Board - Q3	
	Manage Transportation Development Act (TDA) triennial performance audits of SBCTA and transit operators.	Board presentation of audits and submittal to Caltrans - Q2	Fund Administration, Transit
Division Strategy: Update construction in progress and conduct annual inventory of capital assets			
1B	Conduct biannual inventory of capital and inventorial assets, including updates to construction in progress (CIP).	Updates to CIP and capital assets - Q2	Finance
Division Strategy: Use strategic programming to ensure that no funds are lost			
1C	Manage projects closely with California Department of Transportation (Caltrans) to ensure adequate resources are available when projects are ready.	May 1 is Caltrans' deadline for guaranteed access to federal Obligation Authority (OA) - Q4 June 30 is California Transportation Commission (CTC) deadline for project allocation or extension requests - Q4	Fund Administration, Project Delivery, Transit
	Manage projects to ensure funds are not lost.	Request allocation of Planning, Programming and Monitoring funds for Fiscal Year 2022/2023 - Q4 Request allocation or extension of competitive funding awards and State Transportation Improvement Program (STIP) for West Valley Connector, I-10 Truck Climbing Lanes and the Zero Emission Multi-Unit Vehicle projects - Q4	Fund Administration
	Work with SBCTA staff, local agencies, and Caltrans to prepare project submittals for inclusion in the 2023 Federal Transportation Improvement Program ensuring consistency with the Regional Transportation Plan and financial constraint requirements.	Coordinate to collect and submit necessary information to SCAG for modeled projects - Q1 Coordinate to collect and submit necessary information to SCAG for non-modeled projects - Q3	
	Monitor approval of 2022 State Transportation Improvement Program (STIP) and possible impacts of reduced programming capacity from COVID-19 impacts on gas tax revenue.	Participate in development of the 2022 STIP Guidelines to seek to align STIP programming with the 2021 Update to the 10-Year Delivery Plan and ensure San Bernardino County receives its equitable share in 2022 STIP - Q3	
Division Strategy: Protect San Bernardino County's equitable share of available state and federal funds			
1D	Develop funding strategies that maximize resources available and result in opportunities to seize additional state and federal funds.	Ensure Obligation Authority (OA) and apportionment are available as new projects are ready while planning for implementation of the zero emission bus mandate - Q4	Fund Administration, Project Delivery, Transit
Division Strategy: Develop long-term bonding needs to help leverage other funds and deliver projects			
1E	Establish plan for 2022 sales tax revenue bond program through development of the 2021 Update to the 10-Year Delivery Plan.	Present current status of Measure I Programs and proposed projects for inclusion in 2021 Update to the 10-Year Delivery Plan to Policy Committees - Q1	Fund Administration (Finance, Project Delivery, Transit, Planning)
		Present final 2021 Update to the 10-Year Delivery Plan to the Board for approval - Q2	
		Monitor implementation of the 2021 Update to the 10-Year Delivery Plan and Measure I revenue receipts to identify need for short-term borrowing ahead of the planned 2023 sales tax revenue bond program - Q4	
Division Strategy: Manage geographic equity in fund distribution across the county			
1F	Manage long-term strategy for ensuring geographic equity in fund distribution over the life of the Measure.	Present proposed Mountain/Desert subarea projects to be included in the 2021 Update to the 10-Year Delivery Plan and the outlook for future priority projects to the Mountain/Desert Policy Committee - Q2	Fund Administration
Division Strategy: Manage SBCTA railroad right of way in an efficient and comprehensive fashion			
1G	Manage SBCTA railroad right of way in an efficient and comprehensive fashion.	Ongoing	Transit
Initiative #2: Engender Public Trust			
Division Strategy: Secure an unmodified opinion of Comprehensive Annual Financial Report (Annual Report)			
2A	Plan meeting at interim field work with Executive Board officers and Certified Public Accountant (CPA) firm.	Meet with Executive Board - Q2	Finance
Division Strategy: Obtain Certificate of Achievement for Excellence in Financial Reporting			
2B	Apply for Government Finance Officers Association (GFOA) award for the Annual Financial Report (Annual Report).	GFOA Award submittal - Q3	Finance
Division Strategy: Complete Measure I Biennial Agreed Upon Procedures			
2C	Complete agreed upon procedures (AUP) for Measure I programs.	AUP complete - Q3	Finance
Division Strategy: Obtain Distinguished Budget Presentation Award			
2D	Apply for GFOA award for annual budget.	GFOA Award submittal - Q1	Finance
Division Strategy: Complete internal control self-assessment to identify areas of improvement.			
2E	Complete review of annual internal control self-assessment (AICA).	Review of AICA - Q3	Finance
Division Strategy: Deploy an Enterprise Resource Planning System			
2F	Procure consultant to perform business process analysis.	Release Request for Proposal to select consultant - Q4	Special Projects and Strategic Initiatives
Division Strategy: Implement the Records Retention Schedule			
2G	Solicit new offsite storage facility for paper records and procure consultant to assist with implementing a records retention process for electronic documents.	Release Request for Proposal to select offsite storage facility and award contract - Q1 & Q2 Release RFP for consultant to assist with implementation of the records retention process for electronic documents and award contract - Q2 & Q3	Special Projects and Strategic Initiatives and Executive Administration and Support

Initiatives and Action Plan

Action Plan		Milestones	Responsibility
Initiative #3: Focus on Creating and Strengthening Collaborative Partnerships with Governmental and Business Entities			
Division Strategy: Work with other governments and business groups to leverage resources for our region's benefit			
3A	Prepare tools to assist local agencies with changes to statewide housing policies and environmental regulations.	Incorporate housing as part of 2022 City/County Conference with tools and strategies.	COG
	Work with Equity Ad Hoc Committee to develop tools that can be used by our communities to better understand how issues of equity impact the built environment.	Finalize agreement with UCR and other partners in Q2 to conduct work to create map based tool for our agencies to be available Q1 Fiscal Year 2022/2023	
	Work with Countywide Emergency Medical Care Committee to implement a plan, based on policy direction, for optimizing emergency medical services.	Develop information tools to be used by our member agencies to explain how ECNS works to help set public expectations - Q1	Transit
	Continue close coordination with Brightline West, including development of the three party lease agreement for Rancho Cucamonga Metrolink Station, updated station agreement, and the lease for the San Gabriel Subdivision.	Present the various agreements to the Board - Q3	
Division Strategy: Enhance COG role			
3B	Develop COG work plan and funding plan for Board consideration.	Present a COG work plan and funding recommendations to Board - Q2	COG
	Organize annual City/County Conference.	In person conference set for April 2022.	
	Collaborate with Member Agencies through the COG Advisory Group during the decision-making process on items related to the COG work plan and any items related to the Countywide Vision.	Ongoing quarterly meetings with COG Advisory Group and periodic updates to City Managers.	
Division Strategy: Enhance SBCOG's and the region's ability to compete for grant funding			
3C	Host grant writing workshop for our members and other local government partners.	Host a workshop - Q3	COG
	Better communicate grant opportunities to member agencies.	Provide monthly updates to member agencies on new grant opportunities.	
Division Strategy: Assist local governments with environmental and efficiency initiatives			
3D	Work with local agencies with Zero Emission Vehicle (ZEV) readiness plan and assist in identifying grant opportunities for charging infrastructure.	Include EV charging infrastructure grants in monthly grant updates.	Air Quality/Mobility
	Assist local agencies with reducing energy consumption and achieving savings through formation of a Regional Energy Network.	Waiting for CPUC to respond to our REN business plan submittal. Expect response in Q2. Report to the Board by Q4.	
Initiative #4: Accelerate Delivery of Capital Projects			
Division Strategy: Deliver the Redlands Passenger Rail Project & Implement Arrow Service			
4A	Final completion of the Redlands Passenger Rail Project.	Issue Certificate of Completion - Q2	Transit
	Coordinate pre-revenue testing and commissioning activities with Metrolink and the Federal Railroad Administration (FRA) to start revenue service.	Start revenue service - Q4	
Division Strategy: Support Delivery of Gold Line Phase 2B			
4B	Close the funding shortfall in San Bernardino County if Foothill Gold Line Construction Authority commits to building to the county line.	To be determined, depends on GLA securing funding	Transit
Division Strategy: Support Delivery the West Valley Connector Phase I			
4C	Complete final design for mainline corridor.	Approve PS&E - Q1	Transit
	Execute full funding grant agreement with the Federal Transit Administration (FTA) for the Small Starts funding and supplemental American Recovery Plan funding.	Execute grant agreement - Q3	
	Make substantial progress on right of way acquisitions.	Acquire over 75% of the needed parcels - Q4	
Division Strategy: Produce Zero Emission Multiple Unit			
4D	Complete final design of the Zero Emission Multi-Unit Vehicle (ZEMU) in close consultation with the FRA and Southern California Regional Rail Authority (SCRRA), and begin vehicle assembly.	Approve final design - Q2	Transit
Division Strategy: Delivery of Capital Projects			
4E	Project Approval and Environmental Document (PA/ED) Milestones:		Project Delivery
	I-10 Mt. Vernon Interchange	PA/ED approval - Q2	
Division Strategy: Delivery of Capital Projects			
4F	Plans, Specifications and Estimate (PS&E); Engineering Reports Milestones:		Project Delivery
	I-10 Cedar Interchange	PS&E approval - Q2	
	North First Avenue Bridge over BNSF	PS&E approval - Q2	
	ATP Metrolink Phase II	PS&E approval - Q3	
	Mt. Vernon Avenue Viaduct	PS&E approval - Q3	
I-10 Eastbound Truck Climbing Lane	PS&E approval - Q4		
Division Strategy: Delivery of Capital Projects			
4G	Construction Milestones:		Project Delivery
	I-10 Alabama Interchange	Start construction - Q2	
	I-10 University Interchange	Complete for Beneficial Use - Q2	
	I-10 Cedar Interchange	Start construction - Q4	
	North First Avenue Bridge over BNSF	Start construction - Q3	
Initiative #5: Maximize Funding Opportunities and Cost-Effectiveness of Investments			
Division Strategy: Conduct regional forums to discuss issues of importance across our region			
5A	Advocate for policies and funding formulas at the state and federal levels that are favorable for SBCTA to construct and deliver transportation projects.	Advocate for AB 1260 (Chin) , Advocate for Brown Act revisions providing for remote participation.	Legislative/Public Affairs
Initiative #6: Awareness of SBCTA Programs, Services, and Transit Options			
Division Strategy: Build awareness of SBCTA programs and services			
6A	Highlight Measure I's contributions to the region's transportation system.	Virtual Transportation Summit (10/20). In-person event pending.	Legislative/Public Affairs, Fund Administration
	Market SBCTA identity, promote awareness of programs and services.	Ongoing	Legislative/Public Affairs
Division Strategy: Leverage and grow public outreach and communication services			
6B	Continue to enhance traditional and social media presence.	Ongoing: providing project updates, alerts, and information.	Legislative/Public Affairs
	Utilize On-Call Public Outreach Contracts, On-Call Graphic Design Services Contracts, Marketing & Branding Services Contract, and Redlands Passenger Rail Project Outreach Contract to utilize new tools and capitalize on communication opportunities throughout the region.	Ongoing: providing services for Mt. Vernon Viaduct, I-10 Express Lanes, 210 freeway, Redlands Passenger Rail Project.	Legislative/Public Affairs, Transit
	Utilize On-Call Graphic Design Services Contracts & Marketing and Branding Services Contract to support each department in their efforts to communicate internally and externally.	Ongoing: provide assistance with presentations, graphics (i.e. Budget Book), and collateral materials.	Legislative/Public Affairs, Fund Administration

Attachment: FY2021-2022 Initiatives and Action Plan - from Budget (7802 : Revised Fiscal Year 2021/2022 Initiatives and Action Plan)

Initiatives and Action Plan

Action Plan		Milestones	Responsibility
Division Strategy: Highlight transit options in San Bernardino County			
6C	In partnership with transit operators, highlight transit connectivity options in the region.	Ongoing: provide legislative information and updates, advocate at the state and federal levels for transit maintenance and operations funding.	Legislative/Public Affairs, Transit
	Continue leading the Multimodal Interconnectivity Working Group consisting of SBCTA program staff and transit operators throughout San Bernardino County, to implement countywide transit efforts.	Implement marketing strategies showing regional commitments to health and safety and analyze feasibility of a countywide fare policy - Q4	Transit
Initiative #7: Long Range Strategic Planning			
Division Strategy: Analyze long range transportation strategy in a financially constrained framework			
7A	Prepare a Long Range Multimodal Transit Plan (LRMTP).	Initiate LRMTP - Q3	Planning, Transit, Fund Administration
	Provide initial San Bernardino County input on growth and projects to the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS).	Provide initial growth distribution for SCAG - Q4	Planning, Fund Administration
Division Strategy: Conduct strategic planning of Measure I projects and update policies to be consistent with practice			
7B	Update Development Mitigation Nexus Study.	Complete update - Q3	Planning, Fund Administration
	Maintain Measure I Strategic Plan Parts 1 and 2.	Ongoing	Planning
Division Strategy: Provide current, quality planning data			
7C	Support other departments with data analysis and mapping/Geographic Information System (GIS).	Ongoing	Planning
	Incrementally implement an SBCTA agency-wide data and analytics dashboard.	Implement Geocortex - Q3	
Division Strategy: Conduct subarea and modal studies			
7D	Update Comprehensive Multimodal Corridor Plans with RCTC and Caltrans, to address SB 1 Solutions for Congested Corridors requirements.	Complete update - Q3	Planning
	Conduct SR-18/138 Corridor Study with Metro and Caltrans.	Prepare alternatives evaluation - Q3 Draft Preliminary Environmental Analysis Report - Q4	
Initiative #8: Environmental Stewardship, Sustainability, and Grant Applications			
Division Strategy: Monitor and Provide Input to State, Federal, and Regional Plans and Guidelines			
8A	Provide technical comments on draft reports, plans, and guidelines from Caltrans, CTC, OPR, CARB, CalSTA, and other state agencies.	Ongoing	Planning, COG
	Prepare Grant Applications for SB1 and other funding.	Senate Bill 1 (SB1) Anticipated - Q4	Planning, Fund Administration
Division Strategy: Assist jurisdictions, developers, and other stakeholders with area-wide sustainability studies			
8B	Develop approaches to VMT mitigation under SB 743.	Draft implementation plan - Q2	Planning
	Complete updated draft of the Regional Conservation Investment Strategy (RCIS).	Updated draft - Q3	
	Assist local agencies with housing initiatives under Regional Early Action Planning (REAP).	Assist jurisdictions with draft Housing Elements - Q3	
Division Strategy: Prepare effective active transportation plans			
8C	Prepare Active Transportation Plans: Safe Routes to School Program (with County).	Restart plan development following COVID - Q3	Planning
	Conduct TDA Article 3 Call-for-Projects and manage project invoicing.	Award Article 3 funding - Q2	
	Conduct Countywide Sidewalk Inventory, Phase 2.	Specify additional data elements - Q3	
Division Strategy: Implement components of ATP Metrolink Station Accessibility Grant			
8D	Implementation of Phase 2 of the Bicycle and Pedestrian improvements around the Metrolink Stations on the San Bernardino and Riverside Lines.	Complete final design - Q4	Planning, Project Delivery
Division Strategy: Develop and administer programs to improve the efficient use of our existing freeway network			
8E	Implement a mobile call box program.	Release RFP for call handling for program - Q3; target for program implementation - Q2 Fiscal Year 2022/2023	Air Quality/Mobility
	Administer Freeway Service Patrol (FSP) and call box system to improve traffic safety, reduce congestion and traffic delays.	Ongoing. Present annual report on programs to Board - Q4	
	Merge IE 511 with a regional SoCal 511.	Merger expected - Q2	Transit, Planning
	Offer a Telework Employer Assistance program.	Implement Phase II of the program and gather telework data through an incentive offering - Q4	
	Manage the IE Commuter rideshare program and SB Loop Vanpool Subsidy Program, merge the regional rideshare database with OCTA, LA Metro, RCTC, and VCTC enhancing ride matching functionality and customer experience.	Implement post-pandemic reset efforts for both programs, re-engaging riders and employers; and merge rideshare database with regional partners - Q2	Transit
Division Strategy: Support access to jobs, healthcare, and education while reducing roadway congestion.			
8F	Administer multi-modal programs to reduce congestion and improve quality of life including coordination with transit providers and Consolidated Transportation Service Agencies (CTSA) serving San Bernardino County.	Work with the transit providers and CTSAs, to identify key activities for inclusion in the SBCTA LRMTP, and proposed Fiscal Year 2022/2023 budget based on the approved Public Transit-Human Services Transportation Coordination Plan - Q3	Transit, Fund Administration, Legislative/Public Affairs
Division Strategy: Advance transit connectivity to Ontario International Airport			
8G	Present the ONT Loop Design, Build, Operate, and Maintenance Contract to the Board for consideration of approval, and progress with the environmental review.	Present contract to Board - Q1/Q2	Transit

Minute Action

AGENDA ITEM: 28

Date: July 7, 2021

Subject:

Mount Vernon Viaduct Financing

Recommendation:

Receive an update on financial status for funding the Mount Vernon Viaduct Project and provide direction to staff.

Background:

The Mount (Mt.) Vernon Viaduct Project (Project) in the City of San Bernardino (City) is in progress with the disassembly of the 1934 bridge completion and design, utility relocation, and railroad mitigation work underway. The replacement bridge will be wider and longer because it is designed to current standards with construction anticipated to begin in 2022.

This \$230 million Project is funded primarily with Federal Highway Bridge Program (HBP) funds (\$171 million), as well as \$3.5 million in State funding, \$29.5 million from BNSF Railway, and approximately \$26 million from the City using Measure I Arterial funds and City Developer Impact Fee funds. California Department of Transportation (Caltrans) allocated a large amount of HBP funds to the Project; however, only reimburses \$20 million per Federal Fiscal Year (FFY). Originally Caltrans proposed deferred reimbursement of these funds to San Bernardino County Transportation Authority (SBCTA), creating the need for short-term financing by SBCTA to cover the period between expenditure of funds and reimbursement. The SBCTA Board of Directors (Board) approved a commercial paper program as a short-term financing mechanism for this Project in September 2019. In March 2020, Caltrans committed to providing direct reimbursement to SBCTA for eligible Project expenditures by using HBP funds and through the development of an internal funding source. Additionally, any new funding sources to Caltrans could be above what was available through the yearly HBP funding.

In April 2021, Caltrans proposed providing \$23.5 million of Highway Infrastructure Program (HIP) funds for use in the current FFY, in addition to the already provided FFY 2020/2021 programmed HBP funds. These funds would be used in lieu of a like amount of HBP funds which would have been available in future years. The HIP funds were added to the Federal Transportation Improvement Plan amendment. Caltrans informed SBCTA staff that the use of these funds required approval from the California Transportation Commission which had not been obtained by Caltrans and has resulted in a delay in accessing the funds until October of this year. The use of HIP funds in the June/July timeframe would have provided direct reimbursement for much of the current construction expenditures and would significantly reduce any future borrowing cost for the Project.

SBCTA staff has had several discussions with Caltrans regarding anticipated cash flow needs for the right-of-way and construction phases and to cover HBP expenses. The estimated need of borrowing via commercial paper is \$87.9 million from Fiscal Year (FY) 2020/2021 thru FY 2023/2024. Caltrans has agreed to SBCTA's commercial paper program, but insists on placing a cap on the financing costs which SBCTA staff did not accept, since the reason for issuing short-term borrowing is Caltrans' delay in reimbursing SBCTA. Furthermore, although

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Caltrans had agreed to finance the Project, it failed to provide a resolution as to how it will do so. SBCTA subsequently, proposed the commercial paper program. SBCTA has not drawn commercial paper because Caltrans has not agreed to reimburse SBCTA for 100% of SBCTA's financing costs, currently estimated at \$3.9 million, and has proposed a not-to-exceed limit of \$5 million on financing costs. Given the probability of increased interest rates and uncertainty of timely reimbursements from Caltrans, SBCTA cannot be assured that the actual financial costs will be less than the not-to-exceed limit. Caltrans' failure to agree to reimburse 100% of SBCTA's financing costs, without cap, jeopardizes construction of the new bridge which, in turn, would require termination of the various existing Project contracts (i.e. design-builder, construction management firm, etc.).

Should Caltrans decline to finance the Project as originally planned or disagree to accept responsibility to reimburse SBCTA for 100% of the finance costs without a cap, the community would be forced to use the detour for a greater length of time. Without contracting entities to maintain the detour for vehicles and pedestrians, the City would be required to assume this responsibility. In addition, the current contract with Omnitrans would have to be adopted and paid by the City for pedestrian service or the service would be terminated. Due to time constraints, costs associated with these effects of Project termination have not been estimated. SBCTA staff will continue to discuss a plan with Caltrans and will update the Board with the progress on this matter.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review. SBCTA General Counsel and Risk Management have reviewed this item.

Responsible Staff:

Hilda Flores, Chief Financial Officer

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

Minute Action

AGENDA ITEM: 29

Date: July 7, 2021

Subject:

Request for Proposals No. 21-1002450 for Tunnel to Ontario International Airport Bi-Directional System

Recommendation:

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

Direct staff to proceed with modifying Request for Proposals No. 21-1002450 for the Tunnel to Ontario International Airport Infrastructure Developer contract issued to The Boring Company to include building a bi-directional system, in lieu of proceeding with a reversible single tunnel system that is expandable to a bi-directional system in the future, increasing the public contribution for the capital delivery portion of the contract from \$45 million subject to a not-to-exceed amount based on available funding and subject to final negotiations, and consideration by the SBCTA Board of Directors as part of the final contract approval.

Background:

In accordance with direction from the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) on February 3, 2021, staff has been proceeding with a Request for Proposals (RFP) process subsequent to receipt of a Statement of Qualifications (SOQ) from The Boring Company in response to the competitive Request for Qualifications (RFQ) No. 21-1002450 solicitation for the Tunnel to Ontario International Airport (ONT) Infrastructure Developer. The RFQ was released to prospective entities or groups of entities interested in undertaking the Tunnel to Ontario International Airport Project (Proposed Project). As a result of funding constraints and the premise that capacity needs could be met with a single, reversible direction system, the Proposed Project contemplated a single tunnel connection from the Rancho Cucamonga Metrolink station to ONT, with the requirement that the system be expandable to a dual direction system in the future. SBCTA is procuring the Proposed Project utilizing a design-build and transitional operate-maintain methodology, and intends to present the proposed contract with The Boring Company (Developer) to the SBCTA Board in September or October 2021 for consideration.

The RFQ included a provision that the Developer deliver the Proposed Project for a total not-to-exceed public contribution set forth in the RFP, estimated at \$45 million, and allotted a not-to-exceed operations & maintenance (O&M) yearly subsidy amount of \$1.5 million, escalated at 3.0% annually. This estimate was based on an approximate four (4) mile tunnel, a surface station at the Rancho Cucamonga Metrolink station to be coordinated with pending improvements related to Brightline West and the West Valley Connector, and two surface stations at ONT serving the existing terminals 2 and 4. It also required that the Developer demonstrate that the system was expandable to a bi-directional system in the future, including how the stations would be designed to accommodate that expansion.

As part of the February 3, 2021, staff report, staff identified key items of consideration in proceeding, which are further abbreviated below to the ones pertinent to the direction staff is seeking now:

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- An important component of overall success of the tunnel service, and attracting more airport passengers to transit, is increased frequency on the Metrolink San Bernardino Line (SBL) to 30-minute bi-directional service, which is planned as part of the Metrolink Southern California Optimized Rail Expansion (SCORE) program, and synergy with the complementary service.
- It was also identified that the operating capacity stated in the SOQ exceeded the minimum asked for in the RFQ, and the O&M annual cost also exceeded the maximum amount of annual subsidy, identified as \$1.5 million plus fares, available through SBCTA. As part of the request-for-clarification process, the proposer indicated that, for the lower level of capacity, it was highly likely but not guaranteed that O&M could be provided within the available funding. Staff regularly updates revenue projections and will continue to review the availability of additional funding for O&M. However, we do not anticipate a substantial increase in funding to be available and an agreement will need to be reached on the specific O&M annual subsidy amount prior to recommending approval of the contract.
- The proposed schedule of values fell within the not-to-exceed public contribution set forth in the RFQ for the capital delivery portion of the contract.
- The ridership estimates used in the RFQ were based on the SBCTA 2014 ONT Rail Access Study.

As part of the current efforts underway, SBCTA staff has embarked on updating the ridership projections to better understand the future service needs, taking into account the SCORE service increase on the SBL and the proposed connection of the Brightline West high-speed rail service between the Victor Valley and Rancho Cucamonga. Neither of these transit service changes were known at the time the 2014 ONT Rail Access Study was done. A parallel process has been underway by the Proposed Project Program Management/Construction Management Consultant (PCM), HNTB, to identify the operational functionality of a single, reversible direction, system so that the performance requirements in the RFP technical specifications are accurate and effective. In addition to the concerns noted below, the HNTB analysis indicated that a minimum ten (10) person vehicle was needed to meet the capacity availability identified in the SOQ.

As a result of these efforts, staff has identified that a bi-directional system would provide an operationally superior, more efficient, and higher quality customer service than a reversible single-tunnel system. The rationale for this recommendation is explained in more detail below.

The initial focus of tunnel system development was on overall passenger capacity of the system. Based on input from the HNTB analysis, in a reversible system, the autonomous vehicles platoon at either end of the tunnel waiting to service customers, then deploy on a schedule to avoid conflicting movements and provide a structured system that ensures a specific capacity. While this approach satisfies capacity needs, it is difficult to maintain arrival/departure synchronization with the eventual 30-minute SCORE service, as well as to fully synchronize the tunnel schedules with the near-term Metrolink schedules.

Good synchronization between tunnel and Metrolink arrivals and departures is critical to minimize airport passenger delay and for the service to be attractive to those passengers. Inbound and outbound trains arrive at the Rancho Cucamonga Metrolink station at different times, making it difficult to synchronize tunnel service with all the Metrolink arrivals/departures.

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Both the internal SBCTA ridership analysis, and the operational analysis by the HNTB team, indicate that this will introduce additional delays for tunnel passengers, depending on direction of Metrolink trains with which the tunnel platoons are being synchronized. These delays with a reversible single tunnel will negate some of the “quick-trip” objectives of the system, the basis upon which the development of the tunnel concept was initiated.

To be more specific, development of the tunnel system must take into account the tunnel passenger transfer times to/from Metrolink, and an expected design speed of 45 miles per hour, resulting in a tunnel cycling time of at least 25 minutes (i.e., to accommodate one full northbound platoon and one southbound platoon, plus transfer times). The combination of tunnel cycle time, an allotted walking/transfer time between the Metrolink and Loop stations, together with the proposed 30-minute bi-directional Metrolink schedule, will likely result in a significant percentage of passengers missing the platoon to ONT and having to wait for the next cycle. It also complicates the process of synchronizing tunnel operations from ONT in time for passengers to meet departing Metrolink trains. It is important to note that the final tunnel design speed will be determined subsequent to environmental clearance and final design, and based on tunnel geometry and passenger comfort.

In a bi-directional approach, the system is able to function as an on-demand service, substantially reducing the potential delays to passengers, with greater capacity for future growth. Vehicles will be available to serve passengers on-demand, both northbound and southbound, readily available when a Metrolink train arrives at the Rancho Cucamonga Metrolink station, or after a customer disembarks from a flight at ONT. The PCM operational analysis also indicates that the bi-directional approach reduces the number of vehicles needed to operate the system which should reduce the station area footprint, both of which are likely to reduce on-going operation and maintenance costs. In summary, the heart of the issue is the need to provide good customer service and minimize trip delays. Adequate near-term capacity could likely be provided with the reversible single tunnel, but customer satisfaction and ridership would likely suffer due to the challenges of synchronizing schedules.

Introducing a bi-directional system will increase the Proposed Project capital cost. In addition to the additional scope of building a bi-directional system, a few other items have emerged that need addressing. Such items include canopies, landscaping, additional barriers/fencing to ensure security and no conflicting movements, and an allotment for a control and maintenance center structure. These are additional scope items now included in the RFP that have evolved slightly from what was originally contemplated when the RFQ was first released.

SBCTA recently unexpectedly received approximately \$26 million in American Rescue Plan (ARP) Act of 2021 funding for the West Valley Connector Project which, at the SBCTA Board’s discretion, could allow for the identification of formula funding to offset the Proposed Project cost increase. Subsequent to reaching agreement on the contract based on the scope of the Proposed Project discussed in this agenda item, staff will include an updated funding plan to support the proposed cost increase and associated grant requests needed to fully fund the Proposed Project.

While building a bi-directional system now increases the Proposed Project cost, ultimately it delivers a higher quality system at a lower total cost than building a bi-directional system in two

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separate phases by adding the second tunnel in the future. The Proposed Project is currently staffed, the team is mobilized, and any increase in support services such as construction management associated with the second tunnel will be much less than fully staffing the delivery of two separate phases. It also eliminates the disruption that would occur to the active system, and potentially fully-developed Rancho Cucamonga station, whenever the future second tunnel project might come to fruition. Importantly, even the bi-directional system is still anticipated to cost a fraction of what a more conventional above-grade transit system would cost.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget. The associated cost increase will be incurred in a future year.

Reviewed By:

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

Responsible Staff:

Carrie Schindler, Director of Transit and Rail Programs

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

Minute Action

AGENDA ITEM: 30

Date: July 7, 2021

Subject:

Sole Source Amendment No. 1 to Contract No. 21-1002452 with HNTB Corporation for Project Management/Construction Management Services for Emerging Technology Tunnel to Ontario International Airport

Recommendation:

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

A. Allocate an estimated additional \$2,761,127 in Valley State Transit Assistance-Population Share funds to the Tunnel to Ontario International Airport (ONT) to fund environmental studies outside of the proposed Design, Build, Operate, and Maintain Developer contract, increasing the amount of funds allocated to the Project to \$20,861,127 of Valley State Transit Assistance-Population Share funds and \$980,000 of Rail Assets funds.

B. Find that it is in the best interest of the agency to approve a **sole source** procurement of HNTB Corporation's (HNTB) services for environmental studies work; approve **Sole Source** Amendment No. 1 to Contract No. 21-1002452 with HNTB to provide Project Management/Construction Management Services for the Emerging Technology Tunnel to ONT, expanding the scope of work, modifying the insurance provisions and increasing the contract amount by an estimated amount of \$2,510,115, for a new not-to-exceed amount of \$29,450,543; and authorize work under Notice to Proceed (NTP) 1 for a new not-to-exceed amount of \$11,585,225, to be funded with Valley State Transit Assistance – Population Share funds.

C. Approve an increase to the contingency authorized for Contract No. 21-1002452 in an estimated amount of \$251,012, for a new not-to-exceed amount of \$1,158,523, for work under NTP 1, and authorize the Executive Director, or his designee, to release contingency as necessary for the completion of the project.

D. Approve a Fiscal Year 2021/2022 Budget Amendment to Task 0315, Transit Capital, increasing State Transit Assistance Fund-Rail by an estimated \$2,761,127.

Background:

On January 6, 2021, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) awarded Contract No. 21-1002452 to HNTB Corporation (HNTB) to provide Project Management/Construction Management (PCM) Services for the Emerging Technology Tunnel to Ontario International Airport (ONT) Project (Project). Work under the PCM contract is ongoing and focused on third-party coordination and the Design, Build, Operate, and Maintain (Developer) contract procurement with the shortlisted proposer, The Boring Company. One of SBCTA's primary stakeholders is Federal Transit Administration (FTA) Region 9.

Delivery of the Project is utilizing a non-traditional delivery approach and FTA expressed a desire to see a flowchart and proposed split of environmental-related tasks that would be performed by either the Developer, the PCM, or another consultant. After further consultation with the FTA, staff is recommending that the environmental technical studies be removed from the Developer scope and advanced under a separate contract. This change will increase the cost of the Project, as the Developer contract is proposed to have a maximum public contribution of

Entity: San Bernardino County Transportation Authority

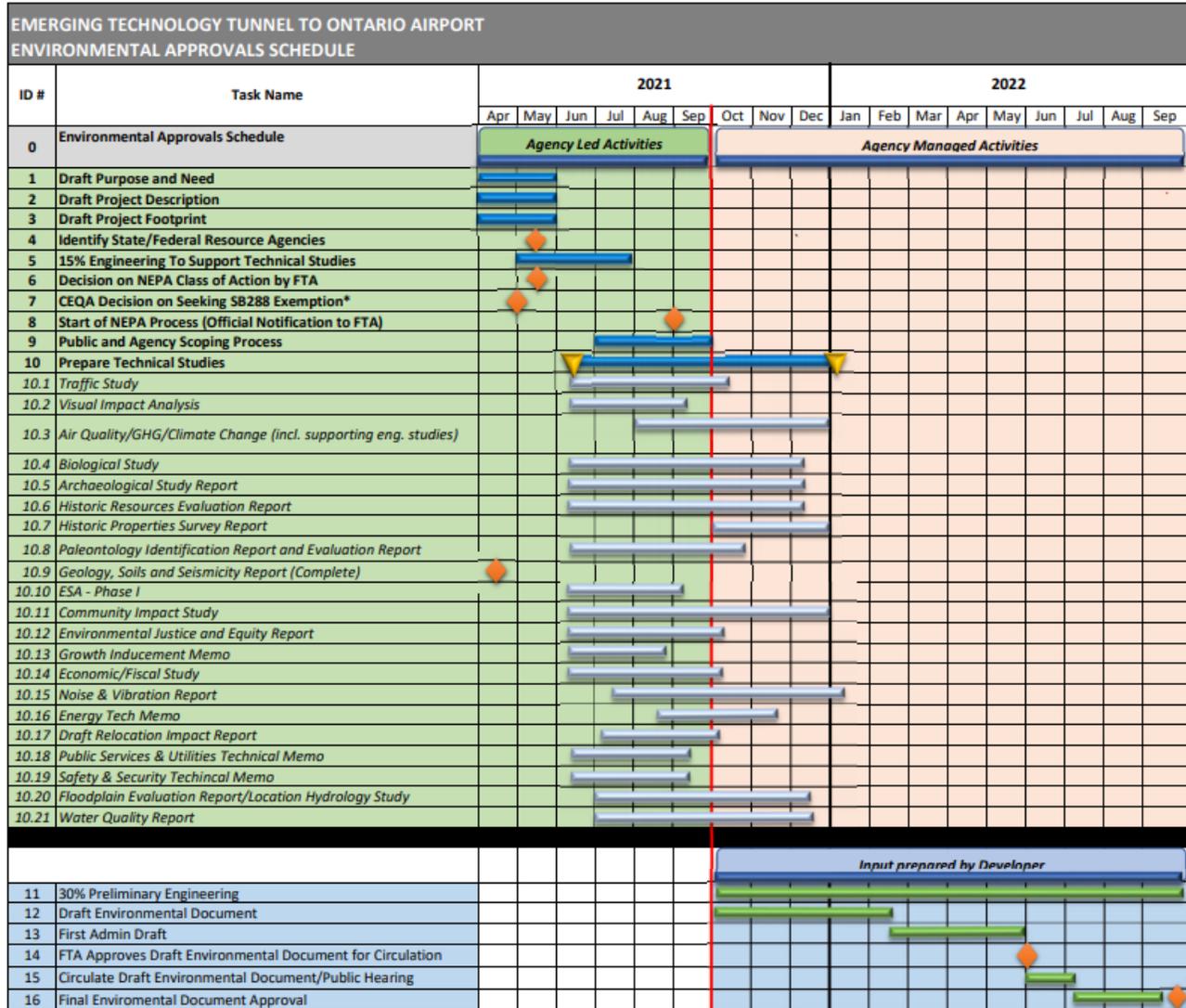
\$45 million for all activities needed to deliver the Project, exclusive of SBCTA and PCM oversight costs. Staff does not anticipate a 1:1 offset in savings. SBCTA could continue with the original plan of having the Developer conduct the technical studies. However, since we anticipate the use of formula FTA funds on the Project, this would introduce risk to the timeline for National Environmental Policy Act (NEPA) approval by the FTA. Since a combined California Environmental Quality Act (CEQA)/NEPA environmental document is also anticipated, it could impact the entire environmental approval process.

Figure 1 is a flowchart that outlines how the various tasks are interdependent. Figure 2 is a draft schedule and proposed split of environmental tasks between the two contracts.

Figure 1 – Flow Chart of Environmental Activities



Figure 2 – Draft Schedule & Proposed Task Assignments



Agency Led Activities
Agency Managed Activities
Input Prepared by the Developer
◆ Milestone Dates

DRAFT FOR DISCUSSION

Should the Board wish to proceed with separating out the environmental technical studies, there are two contracting options. On June 10, 2021, the Transit Committee recommended proceeding with Option 2, as reflected in the Recommendation above.

Option 1 is to issue a new Request for Proposals and contract with a separate consulting firm, which staff anticipates would result in a contract award in February 2022. Should there be a desire to proceed with Option 1, the schedule would be delayed by at least seven (7) months to allow for that procurement.

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Option 2 is to issue a sole source amendment to the PCM contract with HNTB to proceed with conducting the environmental technical studies. Should the Board wish to proceed with Option 2, the proposed amendment amount is \$2,510,115. Taking into consideration a 10% contingency, a total additional allocation of funding for PCM Notice to Proceed (NTP) 1 work is \$2,761,127 and Valley State Transit Assistance funds are available to fund the additional cost. Under Option 2, the additional work would be authorized under NTP 1, which is the only authorized work under the PCM contract until environmental approval is granted, and/or additional funding, such as grant funding, is identified. Further, proceeding with the environmental technical studies in July 2021, pending Board approval, would allow for a four (4) to five (5) month early start on this work, as the Developer contract is not planned to be presented for consideration by the Board until September 2021. It is important to note that should SBCTA fail to reach agreement with The Boring Company, the early environmental work could go unused unless an alternative project is advanced.

Proceeding with a sole source amendment is allowed under SBCTA Procurement Policy No. 11000. An amendment can be granted without additional procurement under V. C. Professional Services (A&E), 3. Amendments, e.iii, “[w]here 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.” As the project PCM procured to, amongst other things, manage and oversee environmental approvals, HNTB has the requisite qualifications and knowledge of the project and of the work required; staff is informed that HNTB has already hired some personnel that are involved in understanding the environmental scope of services, FTA’s concerns, and the emerging technology approach. Furthermore, due to the additional scope of work, it was necessary to make some updates to the insurance requirements, including increasing the limit for professional liability, adding pollution liability, and making other changes that would allow non-admitted carriers and self-insured retention. Based on the information listed above, it is in SBCTA’s best interest to proceed with the sole source amendment. Staff sought concurrence from Omnitrans and FTA on the proposed approach. FTA asked, and staff is preparing, a sole source justification memo to be kept in the Proposed Project record.

Financial Impact:

This item is not consistent with the Fiscal Year 2021/2022 Budget. A budget amendment is requested in Recommendation D.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on June 10, 2021. SBCTA General Counsel, Procurement Manager and Risk Management have reviewed this item and the draft amendment.

Responsible Staff:

Carrie Schindler, Director of Transit and Rail Programs

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

General Contract Information

Contract No: 21-1002452 Amendment No.: 1
 Contract Class: Payable Department: Transit
 Vendor No.: 01022 Vendor Name: HNTB Corporation
 Description: Project/Construction Management Services for Emerging Technology Tunnel to Ontario
 List Any Related Contract Nos.: _____

Dollar Amount					
Original Contract	\$	26,940,428.00	Original Contingency	\$	907,511.00
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	2,510,115.00	Current Amendment	\$	251,012.00
Total/Revised Contract Value	\$	29,450,543.00	Total Contingency Value	\$	1,158,523.00
Total Dollar Authority (Contract Value and Contingency)					\$ 30,609,066.00

Contract Authorization

Board of Directors _____ Date: 07/07/2021 Board _____ Item # 7790

Contract Management (Internal Purposes Only)

Other Contracts _____ Sole Source? No Board Approved Budget Adjustment _____
 Federal/State/Local _____ Construction Management _____

Accounts Payable

Estimated Start Date: 01/06/2021 Expiration Date: 12/31/2025 Revised Expiration Date: _____
 NHS: N/A QMP/QAP: Yes Prevailing Wage: Yes

Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	Total Contract Funding:	Total Contingency:
GL: 1050	30	0315	0337	52001	42218001		STA-Rail	\$ 29,450,543.00	\$ 1,158,523.00
GL: 0000	30	0315	0337	52001	00000000		TBD	11,585,225.00	1,158,523.00
GL:								17,865,318.00	-
GL:								-	-
GL:								-	-
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Carrie Schindler

Carrie Schindler

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract No. 21-1002452 CSS A1 (7790 : Sole Source Amend. 1 to Contract No. 21-1002452-HNTB for PCM Services for Emerging

AMENDMENT NO. 1 TO CONTRACT NO. 21-1002452

FOR

**PROJECT MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES FOR
EMERGING TECHNOLOGY TUNNEL TO ONTARIO INTERNATIONAL AIRPORT**

(HNTB CORPORATION)

This AMENDMENT No. 1 to Contract No. 21-1002452 (“Amendment”) is made by and between San Bernardino County Transportation Authority (“SBCTA”) and HNTB Corporation (“CONSULTANT”). SBCTA and CONSULTANT are each a “Party” and collectively are “Parties” herein.

RECITALS:

- A. SBCTA, under Contract No. 21-1002452, engaged CONSULTANT to provide project management/construction management services for the Emerging Technology Tunnel to Ontario International Airport Project (“Contract”); and
- B. SBCTA and CONSULTANT desire to amend the Contract to include additional scope of work for General Environmental Technical Studies Assumptions, as shown in Exhibit A.1, Scope of Work, attached hereto, and to revise the insurance language.

NOW THEREFORE, in consideration of the terms and conditions set forth herein, the Parties agree to amend Contract No. 21-1002452 as follows:

- 1. **ARTICLE 3.10 “COMPENSATION”** is deleted and replaced in its entirety to read as follows:

The total amount payable by SBCTA to CONSULTANT including the fixed fee shall not exceed \$29,450,543.00; the amount payable for work authorized under Notice to Proceed 1 shall not exceed \$11,585,225.00.

- 2. The Scope of Work for Contract No. 21-1002452 (Exhibit “A”) shall be amended to include the additional services described in Exhibit A.1 to this Amendment No.1, which shall augment the original Scope of Work.

- 3. **ARTICLE 20 “INSURANCE”** is amended as follows:

- a. The per claim and annual aggregate amounts of professional liability coverage required in Section 20.1.1 shall be **\$3 million** and **\$6 million**, respectively.

- b. Section 20.1.6 Pollution Liability is deleted and replaced in its entirety with the following:

“Pollution Liability: The policy must include the following if it is determined by SBCTA’s Risk Manager to be in SBCTA’s best interests to require such policy:

- \$2,000,000 per claim or occurrence limits/\$4,000,000 in the aggregate
- If the services involve mold identification/remediation, the policy shall not contain a mold exclusion and the definition of “Pollution” shall include microbial matter including mold.
- If the services involve lead-based paint or asbestos identification/remediation, the policy shall not contain lead-based paint or asbestos exclusions.”

c. ARTICLE 20.2 GENERAL PROVISIONS, Section 20.2.1 Qualifications of Insurance Carriers is deleted in its entirety and replaced with the following:

“If policies are written by insurer carriers authorized and admitted to do business in the state of California, then the insurer carriers must have a current A.M. Best rating of A-VIII or better. If policies are written by insurance carriers that are non-admitted but authorized to conduct business in the state of California, then they must meet the current A.M. Best rating of A-X or better, unless otherwise approved in writing by SBCTA’s Risk Manager.”

d. ARTICLE 20.2 GENERAL PROVISIONS, Section 20.2.4 Deductibles is deleted in its entirety and replaced with the following:

“Deductibles and Self-Insured Retention: Regardless of the allowance of exclusions or deductibles by SBCTA, CONSULTANT shall be responsible for any deductible or self-insured retention (SIR) amount and shall warrant that the coverage provided to SBCTA is consistent with the requirements of this Article. CONSULTANT will pay, and shall require its sub-CONSULTANT to pay, all deductibles, co-pay obligations, premiums and any other sums due under the insurance required in this Article. Any deductibles or self-insured retentions must be declared to and approved in writing by SBCTA’s Risk Manager. At the option of SBCTA, if the deductible or SIR is greater than \$50,000 or five (5) percent of the amount of coverage required under this Contract, whichever is less, the CONSULTANT shall guarantee that either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects to SBCTA, its directors, officials, officers, employees and agents; or, (2) the CONSULTANT shall procure a bond guaranteeing the amount of the deductible or self-insured retention. SBCTA will have the right, but not the obligation, to pay any deductible or SIR due under any insurance policy. If SBCTA pays any sums due under any insurance required above, SBCTA may withhold said sums from any amounts due to CONSULTANT. The CONSULTANT’s policies will neither obligate nor prohibit SBCTA or any other Additional Insured, from paying any portion of any CONSULTANT’s deductible or SIR.”

- 4. Exhibit A.1, attached hereto, is incorporated into the Contract.
- 5. The Recitals set forth above are incorporated herein by this reference.
- 6. Except as amended by this AMENDMENT No. 1, all other provisions of Contract No. 21-1002452 shall remain in full force and effect.
- 7. This AMENDMENT No. 1 shall be effective upon execution by SBCTA.

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

DRAFT

IN WITNESS WHEREOF, the Parties have duly executed this Amendment No. 1 below.

HNTB CORPORATION

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Tom O'Grady
Senior Vice President

By: _____
Curt Hagman
President, Board of Directors

Date: _____

Date: _____

By: _____
Craig Denson
CFO

Date: _____

APPROVED AS TO FORM:

By: _____
Julianna K. Tillquist
General Counsel

Date: _____

CONCURRENCE:

By: _____
Jeffery Hill
Procurement Manager

Exhibit A.1

**EMERGING TECHNOLOGY TUNNEL TO ONTARIO
AIRPORT HNTB ADDITIONAL SERVICES FOR NTP #1:
ENVIRONMENTAL ADVANCEMENT
TO SUPPORT CEQA/NEPA DOCUMENTATION**

Scope of Work

OVERVIEW

General Environmental Technical Studies Assumptions

Technical studies identified in this scope of work include analysis of a No Build and one Build Alternative. As part of the one Build Alternative up to three (3) design options (at the UPRR crossing) will be evaluated in the technical studies. All deliverables identified in the tasks below assumes up to three submittals consisting of one review from each of the following agencies: SBCTA, FTA and FAA.

All final and approved technical studies supporting the environmental document will be ADA 508 compliant to FTA standards.

TASK B.9.1 – ENVIRONMENTAL MANAGEMENT

HNTB will provide management and coordination for engineering and environmental services related to the additional design and environmental scope including attendance at progress meetings with SBCTA, FTA, and FAA staff during the nine-month time period to develop environmental technical studies. In addition to agency meetings, HNTB will meet with SBCTA's Developer for the project to coordinate engineering assumptions, environmental activities and other topics. Our assumption to meeting attendance resulting from the additional services are as follows:

- SBCTA: Two meetings per month (1 PDT and 1 hot topic)
- FTA: One meeting per month
- FAA: One meeting per month (assumed as part of the PDT), dependent on outcome of Section 163 determination
- Developer: One meeting per month
- Coordination Meetings: Ten meetings (total)

HNTB's management team will develop and track the progress of the schedule and budget. HNTB will prepare periodic progress reports and ensure the SBCTA is informed of the project status. Project management activities include the preparation of schedule updates as requested by SBCTA and FTA on engineering and environmental technical studies.

During preparation of technical studies, HTNB will coordinate with sub-consultants to provide project updates, technical design information and direction on the preparation of environmental work, and general oversight and management of the technical studies.

HNTB will facilitate meetings with resource agencies (as needed) to discuss environmental issues, mitigation requirements, and general project updates.

Deliverables:

- Monthly progress reports including budget and schedule status
- Meeting agenda/minutes
- Presentation materials (as needed)
- Memorandums (as needed)

TASK B.9.2 – TECHNICAL SUPPORT AND QC/QA

Data Collection

Data Collection will include collection, inventory, documentation, and analysis of readily available base information required for the preparation of technical studies. This data includes field investigations, City standards, previous design reports (if any), previous environmental studies and information, and available as-built plans as well as other features potentially affected by this project that were not previously supplied to HNTB.

Surveys & Base Mapping

HNTB will develop GIS mapping through available data sets and/or compile empirical data and survey information to create maps to support engineering and environmental efforts. This work will help identify key environmental and engineering constraints to develop project alignment. GIS mapping activities will include development of maps for use during presentations to SBCTA, FTA and other stakeholders.

Technical Editing

The HNTB team will provide technical editing services of all technical studies prior to submittal to FTA. HNTB will create a template for all studies in accordance with FTA and SBCTA report standards.

Quality Control/ Quality Assurance

HNTB will review all technical studies prior to submittal to SBCTA. All project deliverables will undergo HNTB's internal QC process which will assess compliance with project requirements, completeness, and quality. Subsequent to QC reviews, HNTB will perform QA reviews to assure that all other required quality check and reviews have been performed and that corresponding records are available.

Deliverables:

- GIS Mapping

TASK B.9.3 – ALTERNATIVES DEVELOPMENT

Alternatives analysis is needed to satisfy FTA requirements to justify that the alternatives analyzed in the technical studies and DED are feasible alternatives that meets the project objectives. The objective of the Alternatives Analysis program (49 U.S.C. 5339) is to assist in financing the evaluation of all reasonable modal and multimodal alternatives and general alignment options for identified transportation needs in a particular, broadly defined travel corridor. The FTA transportation planning process of the alternatives analysis includes:

- An assessment of a wide range of public transportation or multimodal alternatives, which will address transportation problems within a corridor or subarea.
- Provides ample information to enable the Secretary to make the findings of project justification and local financial commitment. Supports the selection of a locally preferred alternative.

HNTB will develop potential project alternatives to satisfy FTA requirements and provide appropriate documentation describing each alternative considered. HNTB will develop layouts for each alternative and provide justification on the reasons for carrying forward the alternative(s) to the environmental phase or eliminating the alternative from further consideration.

Deliverables:

- Alternatives Analysis Technical Memoranda

TASK B.9.4 – EVALUATION OF DESIGN OPTIONS AT UPRR CROSSING

It is anticipated that the build alternative will require evaluation of design options at the UPRR crossing while considering the environmental effects of each design option. HNTB will evaluate the environmental effects for up to three (3) design options for each environmental technical study.

TASK B.9.5 – TRAFFIC AND TRANSPORTATION OPERATIONS AND MAINTENANCE ANALYSIS

Transit projects often cause changes in road traffic volumes, level of service, and local/regional circulation patterns. A traffic operations analysis will be conducted within the vicinity of the project to ensure sufficient capacity and adequate level of service. The report will include the following discussion:

1. Traffic and circulation on adjacent/parallel/intersecting roadways
2. Traffic and circulation around stations and depots (often related to park and ride, passenger drop-off, local bus access)
3. Changes in travel patterns
4. Changes in roadway configuration or capacity
5. Construction-related effects on traffic

Operations and Circulation

Existing and future year operational traffic circulation will be evaluated based on level of service (LOS) intersection and roadway performance. The traffic study requirements and LOS criteria will utilize the appropriate City of Ontario and City of Rancho Cucamonga LOS standards.

It is assumed that up to 10 study area intersections will be analyzed in the traffic analysis for the following scenarios:

- Existing AM and PM weekday peak hour intersection LOS analysis
- Existing weekend peak hour intersection LOS analysis
- Future year (2045) AM and PM weekday peak hour intersection LOS analysis
- Future year weekend peak hour intersection LOS analysis

In addition, up to 10 roadway segments will be assessed based on daily volume-to-capacity ratios for the following scenarios:

- Existing weekday and weekend daily traffic
- Future weekday and weekend daily traffic

Existing traffic counts for up to 10 intersections and 10 roadway segments will be taken within the project limits to support the analysis listed above. If additional traffic data is needed, data will be gathered from available sources (previous studies and/or online sources).

It is anticipated that the project will not generate additional trips. Therefore, traffic forecasts will be developed based on future traffic data from previously prepared traffic studies from Metrolink, Brightline West and Ontario International Airport. The traffic analysis will account for future traffic scenarios required to develop the NEPA environmental document. No new travel demand modeling will be conducted as part of this analysis.

As part of the traffic operations analysis, a site circulation analysis will be conducted to assess potential internal circulation issues within the Rancho Cucamonga Metrolink Station – the analysis will examine ingress and egress points at the station including queueing and vehicle storage analysis.

Accident Analysis

In addition to analyzing traffic operations, accident data within the Project limits over a recent three-year period will be reviewed. The location, type of collision, and contributing factors will be analyzed to identify roadway design solutions that would reduce the number and/or severity of accidents. Accident records will be provided by Caltrans and/or local law enforcement agency. HNTB will organize the accident data in tabular and graphic form identifying location, type of collision, severity, and contributing factors.

Parking

Transit projects can affect the availability and location of parking spaces, and it can be a local concern. Potential parking impacts include consequences or impacts from new parking lots constructed to serve transit facilities, changes in parking demand as a result of

Emerging Technology Tunnel to Ontario Airport

transit facility construction/service expansion, and changes to on-street and off-street parking during construction and operation of a project. The parking analysis will identify anticipated parking impacts and provide ways to avoid, minimize, and mitigate any adverse effects on nearby residential or business communities. A parking analysis will be conducted to ensure that adequate parking is available at the station.

Existing parking data (weekday and weekend) will be provided by Metrolink and OIAA. If additional parking data is required, parking counts will be collected at the Rancho Cucamonga Metrolink Station and Ontario Airport parking lots.

Construction Impact Assessment

Due to the potential of long-term lane closures resulting from the construction of the Project, the HNTB team will perform a traffic operations analysis to assess construction impacts of the project. This study will evaluate construction-related traffic impacts along the project construction area due to lane and roadway closures and additional traffic generated by construction activities.

It is assumed that the construction staging plans and construction schedule will be provided to HNTB for the use in the assessment. Analysis will include assessment of impacts to bikes and pedestrian facilities. The traffic assessment will include quantitative and qualitative assessments of the proposed construction staging. Detour route recommendations will be developed where appropriate. Recommendations to mitigate construction impacts will be provided where appropriate.

Traffic Volumes for Other Studies

In support of the air quality and noise studies, HNTB will develop traffic volumes for use in the analyses for these studies.

Transit Analysis

Construction and operation of new transit facilities and/or expansion of transit facilities and services can affect existing transit operations. In support of the NEPA environmental document, potential impacts of project construction and operation on transit systems would be assessed based on the changes in:

1. Transit service (e.g. frequency, hours of service, network, etc.)
2. Travel times
3. Transit ridership and demand
4. Bus stop locations and access
5. Station access and circulation

Transit Analysis—Existing Conditions

HNTB will coordinate with Omnitrans and Metrolink to obtain stop-level data on existing ridership, route maps, scheduled travel times, and on-time performance for Omnitrans Routes 61, 81, 82, and 290 and the San Bernardino Metrolink Line. We will identify locations of all existing transit stops served by these routes within the Project study area. We will prepare maps, tables, and other exhibits that represent existing transit conditions in the study area.

Transit Analysis—Operations

During operations, the Project may reduce the demand for competing transit service and increase the demand for complementary services. The primary competing service is SBCTA and Omnitrans' planned West Valley Connector (WVC) Bus Rapid Transit (BRT) service, which will operate parallel service between the Rancho Cucamonga Metrolink station and Ontario Airport. The primary complementary service is the Metrolink San Bernardino Line. Based on ridership forecasts for the Project provided by others, HNTB will develop estimates of proposed increases and decreases on these services for the peak hour and for daily trips for 2025 and 2040. HNTB will assess the planned capacity of the services to determine whether planned capacity is sufficient to accommodate the anticipated changes in demand.

HNTB will assess proposed access and circulation changes to the Rancho Cucamonga Metrolink station, which is accessed by Omnitrans Route 82 and will be accessed by the WVC, to identify any changes that may affect the operations of those bus routes.

Transit Analysis—Construction

During construction, planned lane closures on Milliken Avenue and Airport Drive have the potential to affect the operations of Omnitrans Routes 61, 81, 82, 290, and the WVC. Building on the traffic impact assessment conducted for traffic, HNTB will evaluate potential schedule and other operational impacts to these routes. We will coordinate with Omnitrans to develop and evaluate possible detour routes and temporary bus stop relocations to facilitate service during full or partial closures of these facilities.

HNTB will assess proposed construction activities at the Rancho Cucamonga Metrolink station, which is accessed by Omnitrans Route 82 and will be accessed by the WVC, to identify any activities that may affect the operations of those bus routes. Building on the parking analysis conducted for traffic, we will also assess the potential impact of reduced parking capacity on Metrolink ridership.

Documentation

The approach and findings of all of the traffic, safety, and transit analysis will be documented in a comprehensive report. It is assumed that a draft report will be circulated for up to three rounds of comments. Once comments are received, a comment/resolution meeting will be held to adjudicate all comments with the appropriate reviewers. Once comments are adjudicated, a final report will be prepared.

Deliverables:

- Traffic and Transportation Operations and Maintenance Analysis Report

TASK B.9.2.6: VISUAL IMPACT ANALYSIS

The National Environmental Policy Act (NEPA) of 1969, as amended, establishes that the federal government will use all practicable means to ensure all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings (42 U.S.C. 4331 [b][2]). To further emphasize this point, the Federal Highway Administration (FHWA), in its

implementation of NEPA (23 U.S.C. 109[h]) directs that final decisions regarding projects are to be made in the best overall public interest taking into account adverse environmental impacts, including among others, the destruction or disruption of aesthetic values. HNTB will prepare a Visual Impact Analysis to address the new infrastructure elements and the resulting change to the visual character and quality of the site and surrounding area. The analysis will be based on a comparison of the visual character and quality of the project area before and after implementation of the proposed improvements. Direct and indirect visual impacts would also be considered for impacts to historic resources to determine project impacts. Up to four visual sims or renderings will be prepared in support of the visual impact analyses.

Deliverables:

- Visual Impact Analysis

TASK B.9.2.7: AIR QUALITY STUDY/GHG/CLIMATE CHANGE

The proposed project would generate construction and operational emissions in the project vicinity. This increase could contribute to existing air pollution and has the potential to exceed regional air emission thresholds established by the South Coast Air Quality Management District (SCAQMD). Construction activities associated with development could increase concentrations of particulate matter. Construction and operation of the proposed project would also generate greenhouse gas (GHG) emissions. Typically, an individual project does not generate sufficient GHG emissions to influence global climate change significantly on its own; therefore, the issue of global climate change is cumulative in nature. As such, the proposed project would generate GHG emissions that could cumulatively contribute to global climate change.

LSA will prepare a technical Air Quality and GHG report to identify existing air quality conditions and potential air quality impacts resulting from the proposed project, including up to two build alternatives or design variations, by undertaking the following subtasks:

- Describe the existing regulatory framework. LSA will describe the existing regulatory framework for air quality, including existing air quality laws and regulations and the roles of the local agencies including the California Air Resources Board (CARB), the SCAQMD, and the City.
- Assess project construction emissions. Construction activities associated with the proposed project would generate increased particulate emissions associated with demolition, site preparation, grading, soil hauling, and other construction activities on the project site. Special consideration of emissions from the tunneling machinery will be included. Construction equipment exhaust would also be a source of air pollution. LSA will calculate the regional construction emissions using the California Emissions Estimator Model version 2016.3.2 (CalEEMod) and will follow the SCAQMD CEQA Handbook.
- Assess project operation-period air quality impacts. Regional emissions of criteria air pollutants associated with long-term operation of the project will also be calculated with CalEEMod. Emissions associated with mobile sources, using the

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project traffic study data, and stationary sources, such as on-site energy consumption and landscaping equipment will be estimated. LSA will calculate the regional operational emissions using CalEEMod and will follow the SCAQMD CEQA Handbook.

- Assess project GHG emissions. LSA will provide a quantitative assessment of GHG emissions associated with all relevant sources related to the project, including construction activities, energy consumption, water usage, and solid waste generation and disposal using CalEEMod.

The technical Air Quality and GHG report shall address the following questions - would the project:

- Conflict with or obstruct implementation of the applicable Air Quality Plan?
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- Expose sensitive receptors to substantial pollutant concentrations?
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?
- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

An Air Quality Conformity Checklist will be prepared to document the Conformity determination within this Air Quality and GHG Report. An Air Quality Conformity Report and coordination with the Transportation Conformity Working Group (TCWG) are not included in this scope of work. The information provided in this report will be sufficient to support the Project Team to make an air quality conformity determination for the proposed project during the environmental phase. This scope assumes the preparation of a quantitative PM10 and PM2.5 Hot-Spot assessment would not be required.

Health Risk Assessment

As the construction and tunneling activities are located near many single family homes, a health risk assessment (HRA) should be conducted to demonstrate that the emissions would not result in significant health risk levels for these residents. The construction HRA would be conducted for primary truck haul route and up to two construction staging areas.

The HRA would also assess health risk levels from operational emissions, primarily for up to four emergency generators. All in-tunnel technical air quality ventilation analysis and air quality safety issues will be provided to LSA in an independent engineering report on the air quality safety, ventilation mechanisms, and requirements of the tunnel. LSA would conduct a HRA that will address all applicable City, SCAQMD, and State requirements. The HRA would determine the increased cancer risk and non-cancer health risks to the nearby residents from exposure to toxic air contaminants (TAC) from project-related sources.

The HRA would summarize cancer risk and non-cancer risk (chronic and acute). For health risks, significance thresholds are expressed as an excess cancer risk and non-cancer chronic and acute hazard index. LSA would compare the results of the HRA with the SCAQMD's recommended health risk thresholds.

Deliverables:

- Air Quality/GHG Report

TASK B.9.2.8: VENTILATION SHAFT EMISSION ANALYSIS MEMO

Engineering memo to support Air Quality/GHG Report (Task B.9.2.7).

TASK B.9.2.9: TUNNEL AIR QUALITY VENTILATION ANALYSIS MEMO

Engineering memo to support Air Quality/GHG Report (Task B.9.2.7).

TASK B.9.2.10: AIR QUALITY SAFETY MEMO

Engineering memo to support Air Quality/GHG Report (Task B.9.2.7).

TASK B.9.2.11: TUNNEL OPERATIONS/CONSTRUCTION VIBRATION ANALYSIS MEMO

Engineering memo to support Noise Study Report (Task B.9.2.24).

TASK B.9.2.12: BIOLOGICAL RESOURCE ASSESSMENT (BRA) AND SURVEYS

Biological Surveys

LSA will prepare a Biological Resources Assessment in accordance with Federal Transit Authority guidelines and procedures. The preparation of the Biological Resources Assessment is anticipated to take six months (including only one season of focused-species surveys) and includes the following subtasks.

Biological Resources Assessment

Literature/Database Search and Site Visit. LSA will determine the existence or potential occurrence of special-status plant and animal species within or in the vicinity of the project area. This will be accomplished by conducting an updated review of federal and state lists of special-status species and of current database records, including the United States Fish and Wildlife Service's Information for Planning and Conservation (IPaC) database, the California Department of Fish and Wildlife (CDFW) Natural Diversity Data Base, and the California Native Plant Society's Inventory of Rare and Endangered Plants (online edition), and other available technical documentation. A field survey will be conducted by a qualified biologist to map vegetation communities and any special-status biological resources observed.

Prepare Biological Resources Assessment (BRA) Report. LSA will prepare a BRA report that will include the results of the literature review and a description of the field methods used. The report will include a list of plant and animal species present within the project area and a general description of the plant communities occurring. If any special-status resources are found on site, a graphic displaying the location of those resources will

be provided. Tables describing special-status species and their habitats that are present or potentially present will also be provided in the report. The report will identify and assess project impacts on the existing biological resources, including any special-status species. Conceptual mitigation measures will also be included as necessary.

Based on a preliminary database search, there are federally and/or state listed and California Department of Fish and Wildlife species of special concern have the potential to occur in the project area. Focused surveys are expected to be required for the Delhi sands flower-loving fly, burrowing owl and bats. In addition, the project may affect protect trees. Focused studies to address these biological resources are provided below.

Crotch Bumble Bee Survey

A qualified biologist from LSA will perform Crotch Bumble Bee (*Bombus crotchii*) surveys according to California Department of Fish and Wildlife current survey requirements. The survey will include up to three survey visits between May and mid-July when the species is most active. After completion of the survey, a draft report will be prepared documenting the survey results and provided to the Project Team for review. Upon receipt of comments, a final report will be submitted to the Project Team, and the California Department of Fish and Wildlife within 30 days after the last field visit of the survey season. If Crotch bumble bee is observed, an occurrence form will be submitted to the California Natural Diversity Database. The results of the report, including potential project impacts and mitigation measures, will be included in the BRA.

Please note, depending on the findings of our survey, consultation with the CDFW may be required in the environmental phase of the project. Pre-consultation with CDFW is provided in Task 3.0 below, but formal consultation with CDFW is not included in this scope.

Delhi Sands Flower-Loving Fly Survey

If suitable habitat is found to be present for the Delhi sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) (DSF) during the initial field investigations, a focused survey will be completed. This scope provides one seasons of survey. Two consecutive seasons of survey are required to conclusively determine absence of DSF from a site. The second season survey would be required only if the DSF is found to be absent during the first season's survey.

LSA will conduct a first year survey to determine the presence/absence survey for DSF in accordance with U.S. Fish and Wildlife Service (USFWS) survey protocol (Interim General Survey Guidelines for the Delhi Sands Flower-Loving Fly, 1996). At least 15 days prior to the anticipated start date of the focused survey, a notification of intent to survey will be submitted to the USFWS. A USFWS-permitted biologist then will survey the site twice weekly between the hours of 10:00 a.m. and 2:00 p.m. from July 1 through September 20, 2021.

After completion of the survey, a draft report will be prepared documenting the survey results and provided to the Project Team for review. Upon receipt of comments, a final report will be submitted to the Project Team, USFWS, and the California Department of Fish and Wildlife (CDFW) within 30 days after the last field visit of the survey season per USFWS incidental take permit requirements. If Delhi sands flower-loving fly is observed,

an occurrence form will be submitted to the California Natural Diversity Database. The results of the report, including potential project impacts and mitigation measures, will be included in the BRA.

If the DSF is found to be present, a USFWS Section 7 consultation would be required. This task does not include a Section 7 consultation, but pre-consultation with USFWS for any project effects to the DSF is provided in Task B.9.2.13.

Bat Habitat Assessment

A qualified bat specialist from LSA will conduct a daytime habitat assessment with assistance from another biologist with experience performing bat habitat assessments. The habitat assessment will consist of walking throughout the entire survey area (the project footprint and buffer areas) on foot to locate any potential bat roosting sites in or around the various structures (e.g., buildings, bridges, and culverts) and trees. Potential bat roosting sites will be identified by examining the structures for any features such as crevices or recessed spaces that may be suitable for use as day- or night-roosting habitat, as well as for the presence of bats or bat sign (e.g., guano, urine staining, or vocalizations) that would indicate current or past use of an area by roosting bats. Trees will also be examined for any cavities or crevices that might be used for day roosting.

After the habitat assessment is complete, the survey findings will be summarized in a brief memorandum and incorporated into the project biological resource assessment (BRA).

Burrowing Owl Survey

If suitable habitat is determined to be present during the initial field investigations, a burrowing owl breeding season survey will be conducted in accordance with the CDFW's 2012 Staff Report on Burrowing Owl Mitigation. Because the project is anticipated to begin after the survey season has begun, three of the four required site visits will be conducted during the breeding season: the first survey between February 15 and April 1 will not be conducted; three surveys, at least three weeks apart, between 15 April and 15 July, with at least one of these after June 15. Surveys will be conducted by walking transects spaced up to 20 meters (65 feet) apart throughout the survey area, which includes the project site plus adjacent habit within 150 meters (500 feet) where access is permitted. Surveys are conducted between morning civil twilight and 10:00 a.m. or between two hours before sunset and evening civil twilight. All burrowing owl sightings, occupied burrows, and potentially suitable burrows will be mapped. Upon completion of the focused survey, a draft report documenting the survey results.

If burrowing owl is determined to be present, coordination with the California Department of Fish and Wildlife (CDFW) would be required. An impact assessment in accordance with 2012 Staff Report would need to be prepared prior to commencing project activities to determine appropriate mitigation. This task does not include the preparation of an impact assessment, but mitigation coordination is provided in Task B.9.2.13.

Arborist Survey

A LSA arborist certified by the International Society of Arboriculture will conduct an inventory and assessment of all trees on the project site pursuant to the City of Ontario and City of Rancho Cucamonga Municipal Codes. The arborist will inventory and map trees with a trunk diameter of 0.75 inches or greater on the project site. A tree rating will be

applied on a scale from 10 to 100 percent to each inventoried tree and will take into account the species, trunk diameter, height, canopy, and structure. Palms under eight feet tall and invasive species such as tree of heaven (*Ailanthus altissima*) will not be inventoried.

The arborist will compile the data and prepare a report summarizing the results. The report will include a map of tree locations and a tabular summary with tree identification number, species, height, trunk diameter, and rating. A discussion of methods, a summary of the results of the inventory and assessment, and a discussion of any trees that may qualify as protected trees under the applicable City's ordinances will also be included. For heritage, significant, and specimen trees, photographs as well as pertinent observations relevant to tree viability will be provided. The report can be used by the Project Team to coordinate with City staff from the applicable jurisdiction to determine the appropriate size and species of replacement trees during the environmental phase.

Deliverables:

- Biological Resources Assessment

TASK B.9.2.13: BIOLOGICAL ASSESSMENT (BA) CONSULTATION ASSISTANCE

Pre-Consultation Assistance

If it is determined that the project will have potential effects to the Delhi sands flower-loving fly, crotch bumble bee, and/or burrowing owl, coordination with the USFWS and CDFW would be required to determine appropriate avoidance, minimization and mitigation measures. The biological lead from LSA will provide regulatory agency pre-consultation technical support and will attend pre-consultation meetings with project team and agency staff.

TASK B.9.2.14: ARCHEOLOGICAL STUDY REPORT

Area of Potential Effects (APE) Map

In consultation with the FTA, HNTB, and the Developer (if possible), an LSA architectural historian and archaeologist will develop an Area of Potential Effects (APE) map on a base map provided by the project engineer. The purpose of the APE map is to identify the entire area that has the potential to be directly (physically) or indirectly (visual, audible, etc.) affected by the proposed undertaking. In order to determine the limits of the indirect impacts, fairly detailed engineering information and preliminary vibration information, may be required.

The APE map will depict the existing topography; grading limits; borrow and staging areas; access routes, temporary construction easements; existing and proposed right-of-way; existing and proposed tunnel alignment and depth of excavation; parcel boundaries and numbers, as needed; evaluated buildings and structures; a scale in U.S. Customary Units; a north arrow; aboveground structures such as stations and ventilation shaft; sound and/or retaining walls, if any; new or realigned roadways; conceptual Best Management Practices (BMPs); the APE boundary; a signature block; a legend; and all other FTA format requirements, if any. A list of required information will be provided to the

engineer. The map will be at scale of 1 inch = 200–400 ft (a scale of 1 inch = 200 ft is preferable). The field surveys will not occur until the APE has been delineated and the FTA has given preliminary approval of it.

While it is understood that the engineering is constantly evolving, the first iteration of the APE map will be created using the first set of engineering plans provided to LSA and this iteration will be submitted to the FTA for review. LSA will also prepare a written memorandum for submittal along with the map providing the rationale for the indirect APE and direct APE limits to assist with FTA’s review of the map and ultimate submittal to SHPO. Any subsequent engineering changes will be incorporated into the second submittal to the FTA. If there are additional engineering changes, augments to the budget and schedule will be required. In addition, the budget anticipates no more than one virtual meeting with FTA staff regarding the preliminary APE map and minimal coordination with the Project Team and LSA project manager. This map may be reviewed by the Project Team, if required, revised per their comments, and submitted to the FTA with the cultural resources reports for approval and signatures.

Archaeological Study Report

LSA will prepare an Archaeological Study Report in accordance with FT guidelines and procedures.

The ASR provides the documentation for prehistoric and historic-period archaeological resources. Tasks required to prepare the ASR include a records search at the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System (CHRIS), located at California State University, Fullerton and a pedestrian field survey of the areas of direct impact within the Area of Potential Effect (APE) Map. The ASR will include a detailed summary of cultural resources identified within the APE and 1-mile records search radius, a summary of the Native American consultation, and the results of the field survey, and will provide the natural and cultural setting for the project. This scope assumes negative findings for archaeological resources during the field survey. If archaeological resources are identified, LSA will contact SBCTA and HNTB immediately to develop a scope and budget for additional tasks. For example, if resources are identified, cultural resources would need to be recorded on State of California Department of Parks and Recreation (DPR) Series 523 forms in accordance with the guidelines established by the Office of Historic Properties.

Deliverables:

- APE Map
- Archeological Survey Report

TASK B.9.2.15: PALEONTOLOGY IDENTIFICATION REPORT AND EVALAUTION REPORT

LSA will prepare a combined Paleontological Identification Report/Paleontological Evaluation Report (PIR/PER). The PIR/PER will follow the guidelines and general format established by the Society of Vertebrate Paleontology and industry best practices. Completion of the PIR/PER will involve background research in the form of a literature review, fossil locality searches, and a field survey to determine the potential for

paleontological resources to be encountered and impacted during project development.

Current geologic maps of the project area and relevant geological and paleontological literature, as well as project plans, geotechnical reports, and other appropriate technical reports, if available, will be reviewed to determine which geologic units are present within the project area, where they are exposed, and where they may be encountered at depth. The literature review will also provide information regarding the types of paleontological resources that may occur in those deposits and their scientific significance, as well as the methods necessary to mitigate any impacts to those resources.

The project is centrally located between the sphere of influence of two museum repositories, namely the Natural History Museum of Los Angeles County (NHMLAC) and the San Bernardino County Museum (SBCM). As such, fossil locality searches through both institutions are necessary to obtain information on records of fossils discovered in the vicinity of the project area. The fossil locality searches conducted through the NHMLAC and the SBCM will document the status and extent of previously recorded paleontological resources within the project area and within the same or similar deposits as those found in the project area. This information will help determine the types of paleontological resources that may be encountered during project development.

Using information from the literature review and fossil locality searches, a field survey of safely accessible portions of the project area that contain open ground will also be conducted to determine the presence of paleontological resources and note the sediments in the project area.

The results of the literature review, fossil locality searches through the NHMLAC and SBCM, and the field survey will be documented in the PIR/PER. The PIR/PER will assess whether there are known or reasonably anticipated paleontological resources within the project area and, based on the description of proposed work and excavation parameters, determine whether project excavation will impact those resources. If this research indicates that significant resources may be impacted by project development, the PIR/PER will make recommendations regarding mitigation efforts, if needed. LSA anticipates preparation of a Draft and a Final PIR/PER with revisions and responses to comments from the Project Team, Lead Agency, and other and other reviewing agencies.

Deliverables:

- PIR/PER

TASK B.9.2.16: HISTORIC RESOURCE EVALUATION REPORT

The HRER is the documentation and evaluation report for historic-period built environment resources in the APE. It includes a project description, research and field methods, a summary of historic outreach efforts, historic contexts/themes associated with the APE and the evaluated resources, descriptions of the resources evaluated, findings and conclusions, and an attachment with the significance evaluations for each resource on Department of Parks and Recreation (DPR) forms. This scope stipulates evaluation of a maximum of 25 individual resources, including Guasti, but excluding Ontario Airport, I-10, and the railroad. Scope assumes the airport, I-10 and railroad and any associated spurs

have been previously evaluated and do not require reevaluation. If these or any other additional resources require evaluation, a scope, budget, and schedule augment will be required. The HRER does not address potential project affects/impacts.

Deliverables:

- Historic Resource Evaluation Report

TASK B.9.2.17: TRIBAL CONSULTATION SUPPORT

Because this project is receiving federal funding and is considered a federal undertaking, Native American consultation per Section 106 of the NRHP is required. LSA is available to assist FTA with the Section 106 process. For this assistance, LSA will contact the Native American Heritage Commission (NAHC) to request a search of the Sacred Lands File for cultural resources and/or sacred sites recorded within and near the project area, as well as a list of Native American contacts that may have knowledge of cultural resources within the project area. LSA will send letters to all tribes listed by the NAHC for FTA to sign and mail to recipients. Each unanswered letter will be followed by LSA via up to two telephone calls and/or emails to ensure each party received the letter and had an opportunity to comment. Copies of all LSA communication with Native Americans, such as emails and telephone logs, will be included as an appendix to the HPSR. If any formal consultation requests are received, they will be forwarded to the FTA. This scope and budget includes printing and postage for letters and attendance at up to one meeting with tribal stakeholders. Scope assumes no in person meeting or virtual with tribal entities will be required.

Deliverables:

- Letter request for Sacred Lands Search and tribal contact list
- Native American Consultation Letters

TASK B.9.2.18: HISTORIC PROPERTIES SURVEY REPORT

The Historic Properties Survey Report (HPSR) is the summary/cover document for the cultural resources studies. It summarizes all archaeological, built environment, historical investigations and Native American outreach efforts. Attachments to the HPSR include, but are not limited to, the APE map, ASR, HRER, and Native American consultation record log. If any resources are determined eligible for listing in the National Register of Historic Places, a Finding of Effect determination may be required. In that event, a separate scope, budget, and schedule will be developed. This scope also does not include a Memorandum of Agreement or any other agreement documents used to resolve adverse effect for historic resources.

Deliverables:

- Historic Properties Survey Report

TASK B.9.2.19: PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT – PHASE 1

Records Review

Leighton will obtain and review reasonably ascertainable federal, state and local databases for environmental listings on and nearby the project alignment. ASTM E1527-13 and AAI guidelines will be used for the minimum search distances. Types of databases include in the search will include, but not be limited to:

- Federal: NPL, CERCLIS, RCRA, IC/EC Registries, ERNS and
- State and Tribal: NPL-equivalent, CERCLIS-equivalent, landfill and/or solid waste disposal sites, leaking storage tank lists, registered storage tank lists, IC/EC control registries, voluntary cleanup sites, and brownfield sites.

Leighton will also review reasonably ascertainable, published literature regarding general hydrogeologic conditions along this alignment vicinity. As judged necessary to assess potential environmental concerns, Leighton may also contact other city, county, state or federal agencies who may potentially have additional information of interest for the alignment.

Historical Review

Leighton will review reasonably ascertainable historical sources of information regarding alignment usage dating back to first developed use, or back to 1940, whichever is earlier.

Alignment Reconnaissance

Leighton will drive the project alignment as an observational reconnaissance of accessible areas to look for any obvious visual indications of environmental concerns. Areas of concern will be walked. This alignment reconnaissance will be conducted by a qualified environmental professional as defined in ASTM E1527-13 and AAI. This reconnaissance will be photo-documented.

During the reconnaissance Leighton will also conduct a limited, cursory visual evaluation for obvious indications of lead-based paint, asbestos, water damage and mold, if applicable. No actual testing, sampling, or measurements for these aforementioned items will be conducted as a part of this Phase I ESA.

A visual reconnaissance of adjoining properties will also be completed from the alignment and/or publicly accessible areas, for potential issues of environmental concern.

Interviews

In general, interviews cannot reasonably be completed with property owners for a public right-of-way. However, Leighton will request SBCTA contact information to facilitate completion of a User (i.e. User of Phase I ESA report) questionnaire. A Phase I Environmental User Questionnaire should be completed by SBCTA.

Report Preparation

A report will be prepared in general accordance with ASTM E1527-13 guidelines. The report will include Leighton's findings, opinions and conclusions, and will be signed by an environmental professional meeting the qualifications indicated in ASTM E1527-13.

Deliverables:

- Phase I Environmental Assessment

TASK B.9.2.20: COMMUNITY IMPACT ASSESMENT (CIA)

Community impact will be assessed to evaluate if the Project meets the intent of applicable regional/intercity rail and other appropriate local transportation plans to determine general plan consistency with local plans and policies. Direct and indirect community impacts, including permanent and construction impacts on community services including schools and recreational facilities will also be assessed. Specific community impacts will include physical and psychological barriers, changes in land use patterns, a change in access to services including parking and transit, changes in population densities, and disruptions to neighborhood cohesiveness. The CIA will address temporary and short-term construction impacts such as access interruption, delays, and other temporary impacts associated with construction in addition to permanent impacts.

Deliverables:

- Community Impact Assessment

TASK B.9.2.21: ENVIRONMENTAL JUSTICE AND EQUITY REPORT

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994), requires FTA to make environmental justice part of the agency's mission by identifying and addressing disproportionately high and adverse human health and environmental effects of FTA programs, policies, and projects on minority populations and low-income populations. FTA funding recipients are required to incorporate EJ principles into transportation planning and decision-making processes as well as project-specific environmental reviews. HNTB will prepare an Environmental Justice and Equity Report in accordance with FTA's Environmental Justice Circular 4703.1.

Deliverables:

- Environmental Justice and Equity Report

TASK B.9.2.22: GROWTH INDUCEMENT TECHNICAL MEMO

The regulations established by the Council on Environmental Quality regarding the implementation of NEPA require the evaluation of potential environmental consequences of proposed federal activities and programs. This provision includes a requirement to examine the indirect consequences, or secondary impacts, which may occur in areas beyond the immediate influence of a proposed action and at some time in the future (40 Code of Federal Regulations 1508.8). Secondary impacts may include changes in land use, economic vitality and population density - these are all elements of growth. HNTB will prepare a growth inducement technical memo to evaluate whether the Project would induce growth. It has been assumed that the Project would accommodate current transportation demand and future growth forecasts. The Project is anticipated not to substantially induce growth and that the Project would provide a service connection between the Rancho Cucamonga Station and the Ontario International Airport.

Deliverables:

- Growth Inducement Technical Memorandum

TASK B.9.2.23: ECONOMIC/ FISCAL STUDY TECHNICAL MEMORANDUM

NEPA establishes that the federal government will use all practicable means to ensure all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings (42 U.S.C. 4331[b][2]). To further emphasize this point, the FHWA, in its implementation of NEPA (23 U.S.C. 109[h]) directs that final decisions regarding projects are to be made in the best overall public interest taking into account adverse environmental impacts, including among others: (1) economic impacts on the regional and/or local economy such as the effects of the proposed alternatives on development, tax revenues and public expenditures, employment opportunities, accessibility, and retail sales; (2) impacts on the economic vitality of existing highway-related businesses and resultant impacts on the local economy; and (3) impacts on established business districts. (4) economic benefits of a project including accessibility to markets and job creation. HNTB will evaluate loss of property taxes to local jurisdictions based on planned acquisitions; construction impacts due to local business disruption and possible damages; construction related employment (estimate number of construction jobs generated); construction indirect benefits calculated times direct benefits using SCAG's multiplier. This analysis will evaluate Project's potential economic impacts during operations and construction and will be primarily based on quantitative assessments. HNTB will develop an economic and fiscal study technical memorandum to satisfy FTA requirements.

Deliverables:

- Economic and Fiscal Study Technical Memorandum

TASK B.9.2.24: NOISE & VIBRATION REPORT

LSA will prepare a Noise and Vibration Technical Report consistent with all applicable procedures, standards, and requirements of the Federal Transit Administration (FTA) and the National Environment Policy Act (NEPA). LSA will conduct the following tasks to complete this scope of work.

Identify Noise and Vibration Standards. LSA will review and discuss applicable noise and vibration requirements and standards in the 2018 Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual for land uses adjacent to the project site.

Conduct Ambient Noise Survey. LSA will conduct up to 24 long-term ambient noise level measurements within the project area. Each long-term ambient noise level measurement will be documented for 24 hours and will be used to assess the existing ambient noise environment in the project area. Observations of noise sources, barriers, terrains, building heights, and other site-specific information will be documented for each noise level measurement location. A discussion of any existing land uses and approved future land development in the project vicinity will be included.

Evaluate Construction Noise Impacts. The report will analyze noise impacts from construction sources based on the equipment expected to be used, length of a specific construction task, equipment power type (gasoline or diesel engine), horsepower, load factor, and percentage of time in use. The FTA and Federal Highway Administration (FHWA) recommended noise emission levels will be used for the construction equipment. The construction noise impact will be evaluated in terms of maximum levels (L_{max}), hourly equivalent continuous noise levels (L_{eq}), and the frequency of occurrence at adjacent sensitive locations. Analysis requirements will be provided based on the sensitivity of the area directly adjacent to the project site and FTA construction noise standards.

Evaluate Construction Ground-borne Vibration Impacts. Ground-borne vibration impacts from construction sources will be analyzed based on the equipment expected to be used. The FTA-recommended equipment ground-borne vibration levels will be used for the construction equipment. The construction vibration impact will be evaluated in terms of the peak particle velocity (PPV, or inches per second [in/sec]) and the vibration decibel level (VdB) for building damage and human annoyance, respectively. Analysis requirements will be provided based on the sensitivity of the area directly adjacent to the project site and the FTA recommendations.

Calculate Mobile Source Noise Impacts. Vehicular traffic will be assessed qualitatively using the proposed project's trip generation and existing traffic volumes in the project vicinity. The project-related noise impacts on off-site sensitive land uses in the project vicinity will be analyzed.

Identify Stationary Source Noise Impacts. Potential noise impacts from on-site noise-generating sources to sensitive uses adjacent to the project site will be provided based on the project's layout and potential noise generating source areas. Potential noise generating source areas would include transport stations, maintenance yards, ventilation shafts, and parking facilities. LSA will use the FTA's screening distance to assess the project's potential off-site noise impacts.

Identify Operational Ground-borne Vibration Impacts. The report will evaluate ground-borne vibration impacts from on-site stationary sources based on the equipment expected to be used and its distance to existing adjacent uses. The operational ground-borne vibration impact will be evaluated in terms of PPV (in/sec) and VdB for building damage and human annoyance, respectively. Analysis requirements will be provided based on the sensitivity of the area directly adjacent to the project site and FTA recommendations.

Identify Minimization/Abatement Measures. If necessary, LSA will determine minimization/abatement measures designed to reduce short-term construction noise and ground-borne vibration impacts and long-term stationary and mobile source noise and vibration impacts to acceptable levels.

Report Preparation. LSA will summarize the above findings in a report that will include the settings and regulatory requirements and will be ready to submit for review and approval. LSA will respond up to six rounds of review comments with the revised report,

which will be submitted as a PDF file.

Deliverables:

- Noise Study Report

TASK B.9.2.25: ENERGY TECHNICAL MEMORANDUM

NEPA requires that, as part of the discussion of environmental consequences, energy requirements and conservation potential be included (40 CFR 1502.16(a)(6)). In addition, the Council on Environmental Quality regulations (40 CFR 1502.16(e)) for implementing NEPA state that proper consideration must be given to the energy requirements and conservation potential of various alternatives of a proposed project as well as mitigation measures. HNTB will prepare an Energy Technical memorandum to determine potential impacts on energy resources during construction (e.g. fuel and energy usage) based on data utilized for the air quality assessment. It is anticipated that the Project would not generate additional traffic or result in an increase in VMT.

Deliverables:

- Energy Technical Memorandum

TASK B.9.2.26: DRAFT RELOCATION IMPACT REPORT

Monument will coordinate and prepare the Draft Relocation Impact Report with a Draft Relocation Impact Statement for the Project. The report will be prepared with the applicable federal and state laws and local code. The relocation impact report will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 U.S.C. § 61). Federal regulations implementing the Uniform Act are contained in 49 CFR part 24. Preparation of the report will follow guidance on the Uniform Act as it pertains to FTA programs and projects is contained in Chapter IV, Project Management, of FTA Circular 5010.1E, Grant Management Requirements (July 16, 2018). It is assumed that the Project would not result in any residential or business relocations. If property acquisition is required to construct the Project, HNTB will notify SBCTA of the scope change and budget augment.

Deliverables:

- Relocation Impact Report

TASK B.9.2.27: PUBLIC SERVICES, UTILITIES AND SERVICE SYSTEMS TECHNICAL MEMORANDUM

The Project may impact public services during construction and operations. HNTB will identify public services that could be affected such as emergency services, schools, parks and other public facilities. In addition to public services, the Project may impact utilities by requiring utility relocation or adjustment of utility lines and facilities. Identification of utility providers, such as local electricity or telecommunications providers, should occur during the environmental review process to adequately plan utility relocations and minimize service disruption in later stages of the project development process. HNTB will evaluate potential impacts to public services and utilities and identify measures to avoid,

minimize and/or mitigate potential impacts.

Deliverables:

- Public Services, Utilities and Service Systems Technical Memorandum

TASK B.9.2.28: SAFETY AND SECURITY TECHNICAL MEMORANDUM

NEPA requires that the federal government use all practicable means to ensure that all Americans have safe, healthful, productive, and aesthetically and culturally pleasing surroundings (42 U.S.C. 4331(b)(2)). FTA in its implementation of NEPA (23 U.S.C.* 109(h)), directs that final decisions regarding projects are to be made in the best overall public interest. This requires accounting for adverse environmental impacts, including whether a project or a design option would result in unacceptable safety or operational problems. HNTB will prepare a safety and security technical memorandum which will evaluate and identify potential pedestrian and traffic hazards, as well as user and employee security issues in accordance with FTA's Standard Operating Procedures and Transit Safety and Oversight requirements.

Deliverables

- Safety and Security Technical Memorandum

TASK B.9.2.29: FLOODPLAIN EVALUATION/ HYDROLOGY REPORT

An analysis will be conducted to determine potential environmental effects related to hydrology, floodplains and storm drain systems as a result of the Project. The study will evaluate existing and proposed hydrologic and hydraulic conditions associated with the Project and potential impacts to the surrounding drainage and flood control system. The Floodplain Assessment will include: 1) a description of the hydraulic and floodplain setting, including any special requirements provided by local County and City requirements, 2) identification of potential impacts to local hydrology and storm drain/flood control systems, and 3) identification of any constraints or recommendations that may affect the project design. Maps that delineate the base floodplain and other pertinent hydraulic and flood control system data that should be considered during design will be included.

Assumptions

- Assessment will be limited to existing FEMA maps, as-builts, and /or GIS maps with respect to existing structures and flood hazard mapping.
- Separate hydraulic and hydrology calculations will not be necessary as part of this investigation.
- Alignment will cause no net effect to federally-mapped floodplains within the project area.
- All available reference material will be current and no field verification will be required.

Deliverables

- Floodplain and Hydrology Technical Report

TASK B.9.2.30: WATER QUALITY REPORT

A Water Quality Technical Report (WQTR) will be prepared to evaluate water quality conditions associated with the Project. The assessment will include: 1) a description of the hydrologic setting including receiving water bodies that might be affected by the project, associated watershed descriptions, and existing water body impairments, 2) permit identification, 3) potential impacts to water bodies as a result of construction and operation of the proposed facilities, and 4) any constraints or recommendations that may affect the project design such as incorporation of best management practices (BMPs) for flow or water pollution control. The WQTR will evaluate appropriate post construction BMPs and Low Impact Development (LID) practices to be implemented in the Project in accordance with applicable National Pollutant Discharge Elimination System (NPDES) requirements and local agency MS4 permitting requirements. Based on the extent of redevelopment, the project is anticipated to be identified as a priority project under the MS4 permit. Features within the project, such as the roadway modifications, platforms and parking lots, have different pollutants of concern to which specific site design measures, LIDs or BMPs will be evaluated.

Compliance with the Construction General Permit (CGP) is also required for site disturbance exceeding one acre. Under the CGP, project sites are designated as Risk Level 1 through 3 based on site-specific criteria (e.g., erosion potential and receiving water risk), with Risk Level 3 sites requiring the most stringent controls. Evaluation of the 303(d) list of impaired waterbodies will be conducted along with evaluation of soils in the area and sediment risk shall be evaluated. Based on the site-specific Risk Level designation, measures to prevent, monitor and control the off-site discharge of pollutants in storm water runoff during construction will be assessed.

The WQTR shall include descriptions of construction activities, temporary and permanent storm water quality impacts, construction sediment risk level, potential for encountering groundwater and recommendations of potential storm water treatment BMPs, flow control BMPs, and construction BMPs to be used in the design and construction of the project, specifically at parking lots, stations, ingress/egress sites, vent shafts, maintenance facilities and other above-ground disturbance areas.

Deliverables

- Water Quality Technical Report

TASK B.9.2.31: CEQA ANALYSIS

Environmental technical studies identified in this scope of work assumes that the analysis will be conducted to satisfy NEPA and FTA requirements, which evaluates potential Project impacts based on context and intensity. CEQA environmental documentation requires an evaluation of environmental topics provided in the CEQA Guidelines, Appendix G and a corresponding significance determination for each environmental issue. Environmental technical studies identified in this scope of work will analyze and conduct the necessary evaluation to support significance determinations in a CEQA environmental document that will be prepared by the Developer.

TASK B.9.2.32: PUBLIC OUTREACH & INFORMATIONAL MEETINGS

Arellano Associates will provide the following services:

- Collateral Materials
 - Development of meeting notice, fact sheet, and key messages
 - Coordination of edits, created in InDesign software, and PDF of final deliverable
 - Attendance at Scoping Meeting
 - It is assumed that one (1) scoping meeting will be held.
 - Staff attendance at one (1) scoping meeting.

Deliverables

- Draft and Final Meeting Notices and Fact Sheets
- Notification/ Mailing List
- Advertisements
- Scoping/Information Meeting Materials
- Outreach Summary Report
- Staff attendance at one scoping meeting

TASK B.9.2.33: CLASS OF ACTION MEMO

FTA determines if and when it will be involved in the environmental review process and requires a series of documentation to initiate FTA involvement and determine the NEPA class of action. HNTB will prepare the required documentation to support FTA's Class of Action Determination which includes providing the following information:

- 1) Project Information – Project Description and Location Map
- 2) Scope Requirements (23 CFR 771.11(f)) – Logical Termini and information to support if the project is of sufficient length to address environmental matters on a broad scope; Independent Utility; evidence that the project does not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.
- 3) Determining Significance – High-level assessment of the context and intensity of potential impacts to the human and natural environment resulting from the Project's operation and construction.
- 4) Identify the Class of Action – Based on the initial assessment of potential Project impacts, provide a justification on the level of NEPA environmental documentation (CE, EA or EIS).

Deliverables

- Class of Action Memorandum

TASK B.9.2.34: PRE-OUTLINE/SYNOPSIS

HNTB will develop a preliminary synopsis memo for FTA review covering the following items:

- 1) Detailed project description including all alternatives under consideration

Exhibit A.1
Emerging Technology Tunnel to Ontario Airport

- 2) Purpose and need statement
- 3) Project vicinity and basic alignment map
- 4) Bullet point list of anticipated technical studies
- 5) Preliminary detailed schedule

This memo will be submitted ahead of the Class of Action memo and the annotated outline for the environmental document.

TASK B.9.2.35: OVERSIGHT OF DEVELOPER-LED ENVIRONMENTAL ACTIVITIES

After the completion of the technical studies, it is anticipated that the Developer will utilize the technical studies to develop the CEQA and NEPA environmental document. During this time, transition of the environmental work will require technical clarifications and coordination with the Developer to address any questions about the results of the studies. HNTB will provide oversight for the completion or revision of technical studies led by the Developer up to the draft environmental document circulation (estimated 6 months after NTP 2).

Minute Action

AGENDA ITEM: 31

Date: July 7, 2021

Subject:

Agreement No. 20-1002311 for the merging of Inland Empire 511 and SoCal 511

Recommendation:

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

Approve Agreement No. 20-1002311 between San Bernardino County Transportation Authority, Riverside County Transportation Commission and the Los Angeles County Service Authority for Freeway Emergencies for the SoCal 511 system in an effort to migrate the system by December 31, 2021, committing \$615,176 in Service Authority for Freeway Emergencies (SAFE) Vehicle Registration Fees for integration and the first four years of service.

Background:

On July 21, 2000, the Federal Communications Commission (FCC) designated 511 as the single travel information telephone number to be made available to states and local jurisdictions across the country. The FCC ruling left the implementation of the 511 system to state and local agencies, as well as telecommunications carriers. In May 2009, San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) and Riverside County Transportation Commission (RCTC) Board took action to develop and implement an Inland Empire 511 system (IE511). In November 2009, a beta version of the system was available. On April 7, 2010, SBCTA and RCTC announced the program's launch at the SBCTA Board meeting. IE511 was the first 511 system to begin operations in the Los Angeles Metropolitan area.

Nine years since its launch, SBCTA and RCTC have had much success with the system, reaching more than 1 million website visitors and callers to the system. Marketing IE511 has been key in gaining users. Marketing efforts include:

- Android and Apple smartphone application: IE511
- Installation of more than 80 IE511 freeway signs
- IE511 brochures
- Radio advertisements
- Newspaper advertisements
- Other print media such as the "Inland Empire Magazine"
- Billboard advertisements
- Facebook/Twitter pages - where followers are notified immediately of major highway incidents and sig alerts.

SBCTA and RCTC have been in discussions with Los Angeles County Service Authority for Freeway Emergencies (LA SAFE) for the past two years to see if there can be a merging of the IE511 system with LA SAFE's Southern California 511 (SoCal511) system; LA SAFE also partners with Orange County Transportation Authority (OCTA) and Ventura County Transportation Commission (VCTC). This would create a seamless phone, web, and Android/Apple application for motorists throughout the entire region versus having to determine which county they are in that corresponds with the appropriate 511 Interactive Voice Response

Entity: San Bernardino County Transportation Authority

Board of Directors Agenda Item

July 7, 2021

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(IVR), website, and application. After careful analysis and consideration, it is recommended that the two systems merge.

SBCTA staff will ensure the latest traffic incidents continue to be up to date with as much detail as possible through relationships with California Highway Patrol (CHP) and California Department of Transportation (Caltrans). A big part of the program is reminding commuters that they should look up their commute route before leaving the house or work, to “Know Before You Go,” a key component of the campaign, reminding commuters to access SoCal 511 prior to getting on the road for information about their daily commute. With the authorization of allowing the Executive Director or his designee to execute the final version of Agreement No. 20-1002311, SBCTA will become a key partner in the regional system and will continue to provide input and decision making on what will become a regional effort.

This Agreement commits SBCTA to an integration fee of \$48,880 and a fee for the first four years of service in the amount of \$566,296, which will be funded with SAFE Vehicle Registration Fees. Data will be collected and evaluated during the first two years of service to determine if the Annual Service Fee has been appropriately established in relation to the services provided and the cost of those services. Additionally, the established cost and funding structure may be reviewed to determine if there is a more appropriate structure cost and funding solution.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on November 13, 2019. The final Agreement was delayed due to COVID and the time needed for LA SAFE’s internal reviews. SBCTA General Counsel, Procurement Manager, and Risk Management have reviewed this item and the draft Agreement.

Responsible Staff:

Kelly Lynn, Chief of Air Quality and Mobility Programs

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

General Contract Information

Contract No: 20-1002311 Amendment No.: _____
 Contract Class: Payable Department: Air Quality and Mobility
 Vendor No.: 01216 Vendor Name: LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
 Description: INLAND EMPIRE 511 AND SOCAL 511 MERGER AGREEMENT
 List Any Related Contract Nos.: _____

Dollar Amount

Original Contract	\$	615,176.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment	\$	-	Current Amendment	\$	-
Total/Revised Contract Value	\$	615,176.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	615,176.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7336

Contract Management (Internal Purposes Only)

Other Contracts _____ Sole Source? Yes No Budget Adjustment _____

State _____ MOU/COOP/JPA _____

Accounts Payable

Estimated Start Date: 07/07/2021 Expiration Date: 06/30/2025 Revised Expiration Date: _____

NHS: N/A QMP/QAP: N/A Prevailing Wage: N/A

Total Contract Funding: Total Contingency:

Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	\$
GL: 2810	15	0704	0000	52001	42212001			615,176.00	-
GL:								615,176.00	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-

Kelly Lynn

DUANE A. BAKER

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: CSS - Revised - 08-31-2020 1.21pm (7336 : Contract No. 20-1002311 merging of IE 511 and SoCal 511)

AGREEMENT
BETWEEN AND AMONGST
LOS ANGELES COUNTY
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
AND
RIVERSIDE COUNTY TRANSPORTATION COMMISSION
AND
SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY
FOR
SOUTHERN CALIFORNIA 511 TRAVELER INFORMATION SYSTEM SERVICES
LA SAFE AGREEMENT NO 21SAFE001
RCTC AGREEMENT NO. 21-45-022-00
SBCTA AGREEMENT NO. 20-1002311

Attachment: 20-1002311 draft final version [Revision 1] (7336 : Contract No. 20-1002311 merging of IE 511 and SoCal 511)

This Agreement No. 21SAFE001 (the “AGREEMENT”) is made and entered into by, between, and amongst the Los Angeles County Service Authority for Freeway Emergencies (“LA SAFE”), Riverside County Transportation Commission (“RCTC”) and San Bernardino County Transportation Authority (“SBCTA”), as of the Effective Date, and provides for the integration of the Inland Empire’s (“IE”) traveler information system into LA SAFE’s Southern California 511. LA SAFE, RCTC and SBCTA are each individually referred to as a “Party” and collectively as the “Parties.”

R1. Whereas, the Southern California 511 traveler information system is a currently-operating regional system that provides transit, traffic, rideshare and other information services on a variety of platforms to the public (“SoCal 511”);

R2. Whereas, LA SAFE operates and maintains SoCal 511 in coordination with Orange County Transportation Authority (“OCTA”) and Ventura County Transportation Commission (“VCTC”) and primarily focuses its operation and service on Los Angeles, Orange and Ventura counties;

R3. Whereas, LA SAFE operates and maintains SoCal 511 through both internal and contracted resources – which includes current contracts with IBI Group, Axiom Excel, and Oz Engineering (collectively, the “Contractors”), for the Development, Operations, and Maintenance of the various technical components of SoCal 511;

R4. Whereas, the Inland Empire 511 traveler information system is a regional system, similar to SoCal 511, that provides transit, traffic, rideshare and other information services on a variety of platforms to the public (“IE 511”);

R5. Whereas, IE 511 operates in coordination with RCTC and SBCTA and primarily focuses its operations and services on Riverside and San Bernardino counties;

R6. Whereas, residents and travelers in Southern California frequently and extensively travel between and amongst the Counties of Los Angeles, Orange, Ventura, Riverside and San Bernardino;

R7. Whereas, both SoCal 511 and IE 511 provide similar services and as such, the Parties believe that there are efficiencies, improvements, consistencies, and opportunities to provide better service to the public by integrating SoCal 511 and IE 511 into one system;

R8. Whereas, LA SAFE is the primary agency responsible for the development, administration, management, operation and maintenance of SoCal 511, and RCTC and SBCTA are the responsible agencies for the development, administration, management, operation and maintenance of IE 511;

R9. Whereas, by way of this AGREEMENT, LA SAFE, RCTC, and SBCTA desire to proceed with the integration of SoCal 511 and IE 511 for the overall betterment of the regional mobility and the public.

NOW, Therefore, all parties agree as follows:

1. INTENT

The intent of this AGREEMENT is to enable the integration of SoCal 511 and IE 511 into a single, expanded regional SoCal 511 system. This AGREEMENT outlines the relationship, roles, funding responsibilities, and understandings between LA SAFE, RCTC and SBCTA regarding the integration, administration, management, and operation of the expanded regional SoCal 511 system.

2. PERIOD OF PERFORMANCE

This AGREEMENT shall become effective as of (TBD) (the "Effective Date") and shall remain in effect for four (4) years from the date integration of IE 511 into SoCal 511 is completed and operations have commenced ("Operations Start Date" - defined as starting when the one-time integration has been completed as delineated in section 11.1), or until otherwise amended or terminated per the terms and conditions contained in this AGREEMENT.

3. TERMINATION

Each Party agrees to provide a minimum 90-day written Notice of Intent to Terminate this AGREEMENT. Upon receipt and acknowledgement of the Notice of Intent to Terminate, all Parties shall coordinate to develop a termination plan. This plan shall outline the schedule, process, costs, and any other issues necessary to affect the termination. The termination plan shall provide sufficient time to allow RCTC and SBCTA to transition to another system for the continued provision of 511 services without interruption, not to exceed Nine (9) months. All efforts shall be made to control and mitigate any and all costs to each party and any negative s

4. SERVICE/WORK

4.1. LA SAFE, utilizing a combination of internal and contracted resources, shall provide traveler information services to Riverside and San Bernardino counties via SoCal 511. SoCal 511 currently provides traveler information for Los Angeles, Orange, and Ventura counties through the following platforms – 1) Interactive Voice Response ("IVR") phone service, 2) web site, 3) mobile application and 4) twitter. LA SAFE shall ensure that the aforementioned

SoCal 511 services are upgraded to incorporate the IE and are fully available to Riverside and San Bernardino county users.

- 4.2. Should there be a change to any platform or service that may or can impact users in Riverside and/or San Bernardino counties, LA SAFE shall contact, coordinate, and collaborate with RCTC and SBCTA to review and mitigate the impact.
- 4.3. Subject to section 11.4, should RCTC or SBCTA desire to deploy additional functionality or services beyond those currently provided or if there is a need to modify the delivery of the services or information specifically for Riverside or San Bernardino County, RCTC or SBCTA shall contact, coordinate, and collaborate with LA SAFE to review the matter and agree upon the changes. Added functionality or service shall become part of SoCal 511 and may be used by or available to all SoCal 511 agencies. Any new or modified SoCal 511 functionality and service, requested by RCTC or SBCTA, shall be set forth in an amendment to this AGREEMENT. The amendment shall define the schedule, scope of work and funding and be incorporated into this AGREEMENT.

5. LA SAFE RESPONSIBILITIES

LA SAFE shall be responsible for the overall development, deployment, operation, maintenance, administration, management, and planning of the SoCal 511 program and system. Specific responsibilities shall include but are not limited to:

- 5.1. The integration of IE 511 into SoCal 511 as agreed upon by all parties;
- 5.2. SoCal 511 program management and administration;
- 5.3. SoCal 511 program operations and maintenance;
- 5.4. SoCal 511 program development and enhancements;
- 5.5. SoCal 511 systems management and operation;
- 5.6. Contracts administration and management, including procurement of new contracts;
- 5.7. Strategic planning and implementation;
- 5.8. Marketing strategy and regional marketing coordination;
- 5.9. Stakeholder and agency coordination;
- 5.10. Regional, statewide, and national coordination.
- 5.11. In the event of a dispute regarding any procurement or contract, LA SAFE shall make final decisions in accordance with its procurement policies.

6. RCTC and SBCTA RESPONSIBILITIES

RCTC and SBCTA are responsible for coordinating, managing, and representing their respective county in the development, deployment, operation, and management of the SoCal 511 program. Without limiting the generality of the foregoing, RCTC and SBCTA, respectively, are responsible for:

- 6.1.** Coordinating with their county agencies, municipalities, and interested parties in the development and use of SoCal 511;
- 6.2.** Marketing, outreach, and communications efforts within their county in support of SoCal 511 and consistent with the overall marketing SoCal 511 strategy;
- 6.3.** Facilitating the discussion of SoCal 511 for and within their county;
- 6.4.** Coordinating and collaborating with LA SAFE and other regional partners regarding SoCal 511;
- 6.5.** Supporting and participating in the development, operation, maintenance, and management of SoCal 511 for their county;
- 6.6.** Funding for the integration, enhancement, and operations and maintenance of SoCal 511 as delineated in this AGREEMENT;
- 6.7.** Supporting and managing all actions required to ensure the efficient and seamless transition of IE 511 services into SoCal 511.
 - 6.7.1.** Decommissioning of existing IE 511 services, as necessary and expedient;
 - 6.7.2.** Provision of access and use rights, which shall be effective during the term of this AGREEMENT, for the “SoCal 511” Domain Name to LA SAFE;
 - 6.7.3.** Identification and transfer, support, or authorization to use or access any required or specified data source, service, or content necessary to support the operation of IE 511 services, of which LA SAFE does not currently use or have access to;
 - 6.7.4.** Identification, authorization, and any other action required to modify existing IE 511 back-end phone numbers translation from IE 511 to SoCal 511;
 - 6.7.5.** Identification and modification, as required and expedient, of all existing IE 511 marketing material, for example freeway signage;
 - 6.7.6.** Creation and deployment of any pre-transition marketing/user awareness strategy to advise existing IE 511 users of the transition of IE 511 services into SoCal 511;
 - 6.7.7.** Coordination with LA SAFE and handling of customer/user concerns or complaints specific to the transition of IE 511 to SoCal 511;
 - 6.7.8.** Any other actions required or necessary to support the timely, efficient, and seamless transition of IE 511, that have not been identified in 6.7.1 to 6.7.8;

- 6.7.9.** RCTC and SBCTA acknowledge that any delay or impact to the actions listed in 6.7.1 to 6.7.9, may negatively impact the work and schedule to transition IE 511 services into SoCal 511.

7. JOINT RESPONSIBILITIES

All Parties agree to the following collective efforts in support of SoCal 511. Such efforts include, but are not limited to:

- 7.1. Ensuring the quality of SoCal 511;
- 7.2. Ensuring that SoCal 511 is effectively meeting and understands the needs of its customers;
- 7.3. Promoting and improving traveler mobility throughout the regions through the use of SoCal 511;
- 7.4. Collaborating on joint funding opportunities;
- 7.5. Coordinating SoCal 511 marketing and outreach activities;
- 7.6. Engaging and communicating with each other to identify opportunities to improve and/or address areas of concern regarding SoCal 511 services;
- 7.7. Coordinating on future SoCal 511 developments;
- 7.8. Ensuring coordination, collaboration and participation in procurement activities related to services in this AGREEMENT, including collaboration in the development of any statements of work for new contracts and invitation to participate in selection activities. In the event of a dispute with regard to any future procurement or contract actions, LA SAFE shall make final decisions in accordance with its procurement policies.

8. REPORTS

LA SAFE shall provide monthly reports and/or access to the existing report generating application. No specialized/ad-hoc reports will be developed nor will the existing report generating application be modified unless agreed upon by all parties and paid for by the requesting party. LA SAFE and/or their Contractor will provide a one-time training session on the use of the existing reporting system.

9. DATA CONFIDENTIALITY

A Party may from time-to-time desire access to SoCal511 information and data, including but not limited to user personally identifiable information, for data analytics or service analysis. Such Party hereby agrees to hold and use all SoCal511 information and data in confidence, and further agrees not to make any disclosures of personally identifiable information except in a manner which is aggregated or otherwise no longer attributable to any particular individual, whether directly or through reverse analytics. Without limiting the generality of the foregoing, such Party

shall also adhere to LA SAFE and SoCal 511 policies, including the SoCal 511 privacy policy, and all current legal and regulatory requirements. LA SAFE shall comply with the foregoing policies and requirements for any personally identifiable information it collects, stores, or uses as part of SoCal 511 operations.

10. MEETINGS

All Parties agree to meet on a quarterly basis or more frequently when needed.

11. COST & FUNDING

LA SAFE, RCTC and SBCTA agree upon the following four (4) year costs and funding allocation associated with the services to be provided by SoCal 511, as delineated within this AGREEMENT.

11.1. One-Time Integration

RCTC and SBCTA agree to pay for the cost to implement the agreed upon changes to SoCal 511 in support of the integration of IE 511, as generally described in Exhibit "A" attached to this AGREEMENT and incorporated herein by reference. These costs are one-time integration costs and are established as follows:

RCTC	\$ 55,120
SBCTA	\$ 48,880
Total	\$104,000

11.2. Decommissioning of IE 511

LA SAFE shall not be responsible for any fees that RCTC and SBCTA may be charged by their respective contractors for decommissioning IE 511, including any fees to extend RCTC and SBCTA contracts in the event that RCTC and SBCTA are not integrated into SoCal 511 by July 1, 2021.

11.3. On-Going Annual Service

RCTC and SBCTA agree to a 4-year annual fixed service fee structure, with a 3% annual escalation. This service fee is to support the on-going operations and maintenance associated with the existing SoCal 511 platforms (IVR, web, mobile, social) and shall commence on the Operations Start Date, as defined in Section 2 of this Agreement. The service fee structure is established as follows:

Year	1*	2	3	4	Total
RCTC	\$152,640	\$157,219	\$161,936	\$166,794	\$ 638,589
SBCTA	\$135,360	\$139,421	\$143,603	\$147,912	\$ 566,296
Total	\$288,000	\$296,640	\$305,539	\$314,705	\$1,204,885

*Year 1 shall commence on the Operations Start Date. Subsequent years shall be calculated based on this commencement date.

11.4. Future/Ad-Hoc Costs – Single Party

The cost and funding allocations as delineated in Sections 11.1 and 11.3 do not include any future or ad/hoc items. Funding for such actions, if they are for the benefit of a single Party are the responsibility of each individual Party. Future/Ad-Hoc actions may include:

- 11.4.1. New Development(s)
- 11.4.2. Enhancements
- 11.4.3. Marketing
- 11.4.4. Agency specific requests
- 11.4.5. Administrative actions
- 11.4.6. Legal actions/requirements
- 11.4.7. Any other specific ad-hoc one-time actions

11.5. Future/Ad-Hoc Costs – All Parties

During the course of this AGREEMENT, there may be a new item or action that SoCal 511 is either required or deems beneficial to pursue/implement. In such a case, LA SAFE shall coordinate and collaborate with RCTC and SBCTA determine the applicability and impact of this item/action to this AGREEMENT. If there is an impact, LA SAFE, RCTC, and SBCTA shall agree upon any cost and funding modifications and amend this AGREEMENT as necessary.

11.6. Cost Review

LA SAFE, RCTC and SBCTA agree to initiate an evaluation of funding levels after the first two years of this AGREEMENT. This evaluation will be used to determine if the Annual Service Fee has been appropriately established in relation to the services provided and the cost of those services to LA SAFE. All Parties agree that should the evaluation identify a need to change the Annual Service Fee, as delineated in Section 11.3, such change will require a formal amendment to this AGREEMENT. All Parties further agree to address this matter expeditiously, understanding that there may be certain budgetary or other related items that may impact the timely completion or final execution of the amendment. Nevertheless, all Parties agree to act in good faith to

ensure there is no damage and/or limit any damage to any individual Party and to limit any degradation of service to the Public.

11.7. Additional Agencies

OCTA and VCTC currently utilize the SoCal 511 system and the Parties acknowledge and agree that this AGREEMENT may be amended to incorporate OCTA and VCTC to establish their respective roles and responsibilities.

12. INVOICING

LA SAFE shall issue an annual invoice to the other Parties for the services provided pursuant to this AGREEMENT. Invoices will be sent to each agency in April and must be paid by June 30 of the current fiscal year.

13. INDEMNIFICATION

- 13.1.** No Party nor any of its directors, officers, agents, or employees shall be responsible for any damage or liability to the extent caused by reason of anything done or omitted to be done by any other Party under or in connection with this AGREEMENT. Pursuant to *Government Code* Section 895.4, each Party shall fully indemnify, defend, and hold the other Parties harmless from any liability for injury (as defined by *Government Code* 810.8) to the extent occurring by reason of anything done or omitted to be done by the indemnifying Party under or in connection with this AGREEMENT.
- 13.2.** Nothing in this AGREEMENT shall be construed to create any duty towards, or any rights in, any third party that is not a party to this AGREEMENT; and neither this AGREEMENT nor any of the provisions hereof shall create or enlarge any obligation of either party imposed by law, as the same may now be imposed or limited or may be imposed or limited hereafter.
- 13.3.** Each Party intends this Section 13 (Indemnification) to supersede and nullify the application, if any, of California *Government Code* sections 895.2 [joint and several liability] and 895.6 [pro rata contribution].
- 13.4.** Nothing in this Agreement, whether expressly or by implication, shall constitute a waiver by any Party of any governmental immunities or claims requirements, including but not limited to those under California *Government Code* section 900 *et seq.*, all of which are hereby categorically reserved.

14. COUNTERPARTS

This AGREEMENT may be executed and delivered in any number of duplicate-original counterparts, each of which, when executed and delivered shall be deemed an original and all of which together shall constitute the same AGREEMENT. Facsimile or electronic signatures shall be considered originals.

15. MODIFICATIONS

This AGREEMENT, along with its attachments, if any, constitutes the entire understanding between the parties, with respect to the subject matter herein. The AGREEMENT shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the Parties who agreed to the original AGREEMENT or the same level of authority.

16. CHOICE OF LAW

This AGREEMENT is entered into and shall be performed within the State of California, and as such is governed by California law. If any provision of this AGREEMENT is held by a court of competent jurisdiction to be invalid or void, the Parties intend that the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

---SIGNATURES ON FOLLOWING PAGE---

DRAFT

IN WITNESS WHEREOF, the Parties have caused this AGREEMENT to be executed by their duly authorized representatives as of the dates indicated below:

LOS ANGELES COUNTY SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

By: _____ Date: _____
Stephanie N. Wiggins
Chief Executive Officer

APPROVED AS TO FORM:

RODRIGO A. CASTRO-SILVA
County Counsel

By: _____ Date: _____
Deputy

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

By: _____ Date: _____
Curt Hagman
Board President

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

By: _____ Date: _____
Anne Mayer
Executive Director

APPROVED AS TO FORM:

By: _____ Date: _____
Best Best & Krieger, LLP

APPROVED AS TO FORM:

By: _____ Date: _____
Juanda Lowder Daniel
Assistant General Counsel

Attachment: 20-1002311 draft final version [Revision 1] (7336 : Contract No. 20-1002311 merging of IE 511 and SoCal 511)



EXHIBIT A

MODIFICATIONS TO THE SOCAL 511 IVR IN SUPPORT OF IE511 INTEGRATION

HIGH-LEVEL REQUIREMENTS

Functional Requirements

ID	Requirement	Comment
IVR-1.	The system shall handle calls to 5-1-1 originating from all telephony service providers that service those counties including cellular, landline, VOIP calls. The system shall track all such calls similarly to the way they are tracked for LA, Orange, and Ventura counties, and include statistics in IVR reports.	
IVR-2.	The opening greeting shall be as updated to include: "If this is an emergency, hang up now and dial 911" in all supported languages.	The opening greeting must accommodate English and Spanish users.
IVR-3.	Motorist aid shall not be offered to callers in Riverside and San Bernardino counties.	
IVR-4.	"91 Express Lanes" shall be added to the More Choices menu. The caller shall be transferred to the 91 Express Lanes agency.	
IVR-5.	"Rideshare" shall be added to the More Choices menu. The caller shall be prompted for a city and then transferred to the Rideshare agency for that city.	
IVR-6.	The Transfer Destinations list shall be updated to include transit agencies and Dial-a-Ride agencies in IE, and grammars shall be updated to recognize them and effect a transfer to that agency.	See Attachment 1.
IVR-7.	"Neighboring 511 Systems" shall be added to the More Choices menu. The user shall be prompted to say the name of a neighboring 511 system or select it from a list if they do not know the name of the 511 system as it is stored in the system.	Neighboring 511 systems are: San Diego 511, Nevada 511, and Arizona 511.
IVR-8.	The system shall be updated to include additional highways in the Inland Empire that are not currently in the system.	See Attachment 2.
IVR-9.	The system shall be updated to include new and updated travel time segments as supported by RIITS.	See Attachment 2, "Base" tab. The segments identified in the "Extras" tab are optional.
IVR-10.	The Help command shall be updated to include the new Main Menu and More Choices items added in this SOW.	
IVR-11.	The Help command shall direct IE511 users to the go511.com/511 Phone page for IE-specific help.	
IVR-12.	The Hotspot list shall be updated with additional hotspots in the Inland Empire that are to be provided by our IE partners.	See Attachment 3.



LASAFE

ID	Requirement	Comment
IVR-13.	Highway, street, intersection, and exit name grammars shall be updated as necessary to include the new and updated travel time segments added to the system.	See Attachment 2.
IVR-14.	The system's Administrative Portal shall be updated to accommodate new and updated travel time segments, hotspots, interchanges, highways, cities, counties, and any other elements to which a floodgate can be attached that are added to the system	
IVR-15.	The system's reports shall be updated to include statistics for calls originating in the Inland Empire The system shall be able to filter reports by County.	
IVR-16.	All modifications shall work with all supported languages.	Currently English and Spanish

Functional Operational Requirements

ID	Requirement	Comment
O-1	Track and report on IVR usage from the Inland Empire	

Non-Functional Requirements

ID	Requirement	Comment
N-1	The modifications and all existing services shall meet the service level requirements in the Contract.	
N-2	Contractor shall adhere to the configuration management process defined in the Project Management Plan.	
N-3	All work shall be performed under the existing contract	

Minute Action

AGENDA ITEM: 32

Date: July 7, 2021

Subject:

Resolution No. 22-002 Authorizing Placement of Assessments on the Tax Roll and Agreement for Collection of Special Taxes Related to the Property Assessed Clean Energy Program

Recommendation:

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

A. Approve Resolution No. 22-002 authorizing the placement of assessments related to the Property Assessed Clean Energy Program on the tax roll for Fiscal Year 2021/2022.

B. Approve Agreement No. 21-1002649 with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector authorizing the Collection of Special Taxes, Fees, and Assessments.

Background:

On March 6, 2013, the Board of Directors held a public hearing and then adopted Resolution No. 13-044 creating the Home Energy Renovation Opportunity (HERO) Program, a Property Assessed Clean Energy Program (PACE), that allows a jurisdiction and an interested property owner to enter into a contractual agreement to finance the installation of eligible renewable energy, energy efficiency, or water efficiency improvements that are permanently affixed to the property. SBCOG loans the property owner the funds for the improvements. The amount of the loan plus a fixed interest amount is repaid through an assessment on the property tax bill for the property. SBCOG obtains the funds to loan by selling bonds to private investors secured by the property tax assessments paid by the property owners.

The HERO Program administered by SBCOG ended on June 30, 2017. However, during the four (4) years of the program more than 15,000 assessments were created and SBCOG has a continuing obligation to bond holders to see that those existing assessments are collected.

Resolution No. 22-002 requests the San Bernardino County Auditor-Controller/Treasurer/Tax Collector to enter the special assessments on the tax roll consistent with the obligations agreed to by the property owners that participated in the HERO Program and with SBCOG's obligations to the trustee and bondholders. The complete list of properties to be included on the tax roll is on file with the Clerk of the Board and available for review.

Additionally, the San Bernardino County Auditor-Controller/Treasurer/Tax Collector requests that each agency sign their Agreement for Collection of Special Taxes, Fees, and Assessments each year. This agreement is required by the County and covers the expectations and responsibilities of the agency requesting the collection of the assessment or special tax and the County in the collection of that assessment or special tax.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget.

Entity: San Bernardino Council of Governments

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Reviewed By:

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

Responsible Staff:

Duane Baker, Deputy Executive Director

Approved
Board of Directors
Date: July 7, 2021

Witnessed By:

RESOLUTION NO. 22-002

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO ASSOCIATED GOVERNMENTS MAKING CERTAIN REPRESENTATIONS AND AUTHORIZING THE PLACEMENT OF ASSESSMENTS ON THE TAX ROLL IN SAN BERNARDINO COUNTY

WHEREAS, pursuant to Chapter 29 of Part 3 of Division 7 of the Streets and Highways Code of the State of California (“Chapter 29”), the Joint Exercise of Powers Agreement of the San Bernardino Associated Governments (“SANBAG”), originally made and entered into October 17, 1975, as further amended to date, and each separate Memorandum of Understanding by and between SANBAG and those parties to the Joint Exercise of Powers Agreement (each, a “Participating Party”) that have elected to participate in the implementation of a property assessed clean energy (“PACE”) program to finance the installation of distributed generation renewable energy sources, energy or water efficiency improvements or electric vehicle charging infrastructure, SANBAG has undertaken proceedings to establish and has established such a PACE program known as the “SANBAG HERO Program” (the “HERO Program”), to assist property owners within the jurisdictional boundaries of each Participating Party (the “Program Area”) with the costs of installing distributed generation renewable energy sources, energy or water efficient improvements or electric vehicle charging infrastructure (the “Authorized Improvements”) that are permanently fixed to their property; and

WHEREAS, SANBAG has by previous resolutions declared its intent to levy assessments for the purpose of financing Authorized Improvements under the provisions of Chapter 29; and

WHEREAS, assessment contracts have been entered into for properties located within the jurisdictional boundaries of San Bernardino County (the “County”); and

WHEREAS, the special assessments levied against the real property within the County are not levied with regard to property values but rather are fixed special assessments based upon the costs of the Authorized Improvements and the financing of such improvements; and

WHEREAS, SANBAG has determined and hereby certifies that the assessments are exempt from the provisions of Proposition 218, which was passed by the voters in November 1996; and

WHEREAS, SANBAG has further determined that the assessments are in compliance with all applicable laws; and

WHEREAS, SANBAG requests that the Auditor-Controller of the County enter those special assessments identified in Exhibit A on the tax roll for collection by the Auditor-Controller for the 2021-2022 fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Associated Governments as follows:

Section 1. The above recitals are true and correct.

Section 2. SANBAG orders the levy and collection of such special assessments identified on Exhibit A within the jurisdictional boundaries of each Participating Party within the County for the 2021-2022 fiscal year, and in each subsequent fiscal year in which the charges may validly be levied; that a copy of this resolution shall be delivered to the Auditor-Controller of the County for placement of such assessments on the 2021-2022 Tax Roll of the County, and in each subsequent fiscal year in which the charges may validly be levied.

Section 3. The special assessments are in compliance with all applicable laws and are exempt from the provisions of Proposition 218.

Section 4. In the event of delinquencies, SANBAG will pursue the removal of the delinquent special taxes from the delinquent secured tax roll in accordance with the provisions of the Master Indenture.

Section 5. The Deputy Executive Director, or any designee of the Deputy Executive Director (each, an “Authorized Representative”), is hereby authorized and directed to take any other actions in the judgment of the Deputy Executive Director or such Authorized Representative necessary to place the special assessments on the 2021-2022 Tax Roll of the County, including, but not limited to making additions, deletions and modifications to Exhibit A attached hereto.

Section 6. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Directors of the San Bernardino Associated Governments held on July 7, 2021.

Curt Hagman, SBCTA Board President

ATTEST:

Marleana Roman, Clerk of the Board

EXHIBIT A

Attachment: Resolution No. 22-002 for 2021-2022 PACE Special Tax Levy (7756 : Resolution 22-002 Authorizing Placement of Assessments on



AUDITOR-CONTROLLER/TREASURER/TAX COLLECTOR
 AGREEMENT FOR COLLECTION OF SPECIAL
 TAXES, FEES, AND ASSESSMENTS
 FISCAL YEAR 2021-22

THIS AGREEMENT is made and entered into this 7th day of July, 2021, by and between the COUNTY OF SAN BERNARDINO, hereinafter referred to as "County" and the San Bernardino Associated Governments, hereinafter referred to as "District".

WITNESSETH:

WHEREAS, Government Code Sections 29304 and 51800 authorize the County to recoup its collection costs when the County collects taxes, fees, or assessments for any city, school district, special district, zone or improvement district thereof; and

WHEREAS, the District and County have determined that it is in the public interest that the County, when requested by District, collect on the County tax rolls the special taxes, fees, and assessments for District.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. County agrees, when requested by District as hereinafter provided to collect on the County tax rolls the special taxes, fees, and assessments of District, and of each zone or improvement District thereof.

2. When County is to collect District's special taxes, fees, and assessments, District agrees to notify in writing the Auditor-Controller (268 W. Hospitality Lane, 4TH floor, San Bernardino, CA 92415) of the County on or before the 10th day of August of each fiscal year of the Assessor's parcel numbers and the amount of each special tax, fee, or assessment to be so collected. Any such notice, in order to be effective, must be received by the Auditor-Controller by said date.

3. County may charge District an amount per parcel for each special tax, fee, or assessment that is to be collected on the County tax rolls by the County for the District, not to exceed County's actual cost of collection.

4. District warrants that the taxes, fees, or assessments imposed by District and collected pursuant to this Agreement comply with all requirements of state law, including but not limited to, Articles XIIC and XIID of the California Constitution (Proposition 218).

5. District hereby releases and forever discharges County and its officers, agents, and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of District's responsibility under

this agreement, or other action taken by District in establishing a special tax, fee, or assessment and implementing collection of special taxes, fees or assessments as contemplated in this agreement.

6. The County Auditor-Controller has not determined the validity of the taxes or assessments to be collected pursuant to this contract, and the undersigned District hereby assumes any and all responsibility for making such a determination. The undersigned District agrees to indemnify, defend, and hold harmless the County and its authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this contract or the imposition of the taxes or assessments collected pursuant to this contract, and for any costs or expenses incurred by the County on account of any claim therefore, except where such indemnification is prohibited by law. If any judgment is entered against County or any other indemnified party as a result of action taken to implement this Agreement, District agrees that County may offset the amount of any judgment paid by County or by any indemnified party from any monies collected by County on District's behalf, including property taxes, special taxes, fees or assessments. County may, but is not required to, notify District of its intent to implement any offset authorized by this paragraph.

7. District agrees that its officers, agents and employees will cooperate with County by answering inquiries made to District by any person concerning District's special tax, fee, or assessment, and District agrees that its officers, agents, and employees will not refer such individuals making inquiries to County officers or employees for response.

8. District shall not assign, transfer this agreement or any interest herein and any such assignment or transfer or attempted assignment or transfer of this agreement or any interest herein by District shall be void and shall immediately and automatically terminate this agreement

9. This agreement shall be effective for the 2021-22 fiscal year.

10. Either party may terminate this agreement for any reason upon 30 days written notice to the other party. The County Auditor-Controller shall have the right to exercise County's right and authority under this contract including the right to terminate the contract.

11. County's waiver of breach of any one term, covenant, or other provision of this agreement, is not a waiver of breach of any other term, nor subsequent breach of the term or provision waived.

12. Each person signing this agreement represents and warrants that he or she has been fully authorized to do so.

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

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

District: **SAN BERNARDINO ASSOCIATED GOVERNMENTS**

By: _____

Printed Name: Curt Hagman

Title: SBCTA Board President

Date: _____

**ENSEN MASON CPA, CFA,
AUDITOR-CONTROLLER/TREASURER/TAX
COLLECTOR SAN BERNARDINO COUNTY**

By Authorized Deputy: _____

Printed Name: Linda Santillano

Title: Chief Deputy, Property Tax

Date: _____

DRAFT

Attachment: Contract No. 21-1002649-DRAFT (7756 : Resolution 22-002 Authorizing Placement of Assessments on the Tax Roll Related to the

Minute Action

AGENDA ITEM: 33

Date: July 7, 2021

Subject:

ECNS Contract Amendment

Recommendation:

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

Approve Amendment No. 2 to Contract No. 21-1002502 with Mission Critical Partners, LLC for the Emergency Communications Nurse System; and ratify the expenditures for work done prior to the contract being executed on December 21, 2020, and prior to the issuance of the Notice to Proceed on January 5, 2021, in an amount not-to-exceed \$19,000.

Background:

San Bernardino Associated Governments (SBCOG) contracted with Mission Critical Partners, LLC, in 2019 to conduct a study of implementation options to make the 911 dispatch system more efficient. While the study was underway, the COVID-19 pandemic occurred, which shifted the focus to implementing one of the options, the Emergency Communications System (ECNS). As the original scope of work did not include implementing the ECNS, staff brought a new contract, Contract No. 21-1002502, for implementation of the ECNS, to the SBCOG Board of Directors. The Board approved Contract No. 21-1002502 on November 4, 2020, with a term from issuance of a Notice to Proceed through September 30, 2021, for an amount not-to-exceed \$24,850. The Notice to Proceed was issued January 4, 2021.

Under Policy 11000, the Executive Director, approved and executed Amendment No. 1 to make minor changes requested by the firm, specifically, to update the key personnel and contact person for communications and notices and add Exhibit B-1, which provided a more detailed breakdown of the contract price.

While staff was processing Contract No. 21-1002502 for approval, Mission Critical Partners, LLC was doing work within the Scope of Work, but staff neglected to address the need for that work prior to execution of Contract No. 21-1002502, to enable the County to receive Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funds. Amendment No. 2 allows for payment for the work done prior to the Notice to Proceed date of January 4, 2021. Amendment No. 2 does not change the scope, schedule, or budget.

Compensation for the work done prior to issuance of the Notice to Proceed is still under negotiation, but will not exceed \$19,000 and is within the Contract's original not-to-exceed amount.

Financial Impact:

This item is consistent with the Fiscal Year (FY) 2020/2021 and FY 2021/2022 Budgets.

Reviewed By:

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

Responsible Staff:

Entity: San Bernardino Council of Governments

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Monique Reza-Arellano, Council of Governments and Equity Programs Manager

Approved
Board of Directors
Date: July 7, 2021
Witnessed By:

General Contract Information

Contract No: 21-1002502 Amendment No.: 2
 Contract Class: Payable Department: Council of Governments
 Vendor No.: 03545 Vendor Name: Mission Critical Partners Holdings Corporation
 Description: Emergency Nurse Communication System
 List Any Related Contract Nos.: 20-1002274; 19-1002152

Dollar Amount					
Original Contract	\$	24,850.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Current Amendment			Current Amendment	\$	-
Total/Revised Contract Value	\$	24,850.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	24,850.00

Contract Authorization

Board of Directors Date: 07/07/2021 Board Item # 7826

Contract Management (Internal Purposes Only)

Other Contracts Sole Source? Yes Administrative Budget Adjustment
 Local Professional Services (Non-A&E)

Accounts Payable

Estimated Start Date: 11/04/2020 Expiration Date: 09/30/2021 Revised Expiration Date:
N/A N/A N/A

							Total Contract Funding:	Total Contingency:	
Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	\$
GL: 2911	01	0501	0000	52005	48007000		PACE	24,850.00	-
GL:								24,850.00	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-

Monique Reza-Arellano Duane Baker
 Project Manager (Print Name) Task Manager (Print Name)

Additional Notes:

Attachment: CSS Amendment 2 Mission Critical (7826 : ECNS Contract Amendment No. 2 with Mission Critical Partners LLC)

AMENDMENT NO. 2 TO CONTRACT NO. 21-1002502

FOR

EMERGENCY COMMUNICATIONS NURSE SYSTEM

(MISSION CRITICAL PARTNERS, LLC)

This AMENDMENT No. 2 to Contract No. 21-1002502 is made by and between Mission Critical Partners, LLC (“CONSULTANT”) and the San Bernardino Associated Governments (“SBCOG”). CONSULTANT and SBCOG are each a "Party" and collectively "Parties”.

RECITALS:

- A. In September, 2019, the SBCOG Board of Directors partnered with CONFIRE, County Fire Chiefs, IEHP, and a myriad of stakeholders to study options to make more efficient the dispatch function of the 911 emergency system. SBCOG contracted with CONSULTANT, Contract No. 19-1002179, to conduct the study.
- B. While CONSULTANT was conducting the study, the COVID-19 pandemic occurred, which shifted the priority of the emergency system stakeholders to implementation of one option being studied, the Emergency Communications Nurse System (ECNS).
- C. On November 4, 2020, the SBCOG Board approved a new contract, Contract No. 21-1002502, with CONSULTANT to implement the ECNS. Contract No. 21-1002502 was executed December 21, 2020, and SBCOG issued a Notice to Proceed on January 4, 2021.
- D. While SBCOG was processing Contract No. 21-1002502 for approval, CONSULTANT moved forward with implementation of the ECNS as it was a critical path to ensure the County of San Bernardino maintained eligibility for CARES Act funds.
- E. On April 28, 2021, the Parties entered into Amendment No.1 to update Key Personnel and CONSULTANT’S contact information for Communications and Notices, and to add Exhibit B-1, which provided a more detailed breakdown of the contract price.
- F. The Parties desire to further amend the Contract to allow for payment of work completed prior to issuance of the Notice to Proceed on January 4, 2021.

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

1. Article 2 CONTRACT TERM, is deleted and replaced in its entirety to read as follows:

“The Contract term shall commence October 1, 2020, and shall continue in full force and effect through September 30, 2021, until otherwise terminated, or unless extended as hereinafter provided by written amendment, except that all indemnity and defense obligations hereunder shall survive termination of this Contract.”

- 2. The Recitals set forth above are incorporated herein by this reference.
- 3. Except as amended by this Amendment No. 2, all other provisions of the Contract as amended shall remain in full force and effect and are incorporated herein by this reference.
- 4. This Amendment No. 2 shall be effective upon execution by SBCOG.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 2 below.

**MISSION CRITICAL PARTNERS, LLC,
A Pennsylvania Limited Liability Company**

**SAN BERNARDINO ASSOCIATED
GOVERNMENTS**

By: _____
Patrick Duffy
Treasurer

By: _____
Curt Hagma
SBCOG Board President

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Julianna K. Tillquist
General Counsel

DRAFT

Attachment: 21-1002502-2-ECNS - DRAFT (7826 : ECNS Contract Amendment No. 2 with Mission Critical Partners LLC)

ADDITIONAL INFORMATION

BOARD OF DIRECTORS ATTENDANCE RECORD – 2021

Name	Jan	Feb	March	April	May	June	July	Aug DARK	Sept	Oct	Nov	Dec
Paul Cook Board of Supervisors	X	X	X	X	X	X						
Janice Rutherford Board of Supervisors	X	X	X	X	X							
Dawn Rowe Board of Supervisors	X	X	X	X	X	X						
Curt Hagman Board of Supervisors	X	X	X	X	X	X						
Joe Baca, Jr. Board of Supervisors	X	X	X	X	X	X						
Daniel Ramos City of Adelanto	X	X	X	X	X	X						
Gerardo Hernandez City of Adelanto						X						
Art Bishop Town of Apple Valley	X	X	X	X	X	X						
Paul Courtney City of Barstow		X			X	X						
Rick Herrick City of Big Bear Lake	X	X	X	X	X	X						
Eunice Ulloa City of Chino	X	X	X	X	X	X						
Ray Marquez City of Chino Hills	X	X	X	X	X	X						
Frank Navarro City of Colton	X	X	X	X	X	X						
Acquanetta Warren City of Fontana	X	X	X	X	X	X						
Darcy McNaboe City of Grand Terrace	X	X	X	X	X	X						
Cameron Gregg City of Hesperia	X	X	X	X		X						

Communication: Attendance (Additional Information)

X = member attended meeting. * = alternate member attended meeting. Empty box = did not attend meeting. Crossed out box = not a Board Member at the time. Shaded box=no meeting

BOARD OF DIRECTORS ATTENDANCE RECORD – 2021

Name	Jan	Feb	March	April	May	June	July	Aug DARK	Sept	Oct	Nov	Dec
Larry McCallon City of Highland	X	X	X	X	X	X						
Rhodes ‘Dusty’ Rigsby City of Loma Linda	X	X	X	X	X	X						
John Dutrey City of Montclair	X	X	X	X	X	X						
Edward Paget City of Needles		X	X		X	X						
Alan Wapner City of Ontario	X	X	X	X	X	X						
L. Dennis Michael City of Rancho Cucamonga	X	X	X	X	X	X						
Paul Barich City of Redlands	*			X	X	X						
Deborah Robertson City of Rialto	X	X	X	X	X							
John Valdivia City of San Bernardino	X	X	X	X	X	X						
Joel Klink City of Twentynine Palms	X	X	X	X	X	X						
Carlos A. Garcia City of Upland				X								
Bill Velto City of Upland	X	*										
Debra Jones City of Victorville	X	X	X	X	X	X						
David Avila City of Yucaipa	X	X	X	X	X	X						
Rick Denison Town of Yucca Valley	X	X	X	X	X	X						
Michael Beauchamp Ex-Official Member	Rebecca Guirado	X	X	Diane Morales	David Bricker	X						

Communication: Attendance (Additional Information)

X = member attended meeting. * = alternate member attended meeting. Empty box = did not attend meeting. Crossed out box = not a Board Member at the time. Shaded box=no meeting

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

AGENCY REPORTS



REPORT: Mobile Source Air Pollution Reduction Review Committee

FROM: Larry McCallon, SBCTA Representative to the MSRC

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee held a meeting remotely on Thursday, May 20, 2021. The following is a summary of the meeting.

MSRC Chair and MSRC Vice Chair Elected

Annually the MSRC elects its Chair and Vice Chair. At its May 20, 2021 meeting, the MSRC re-elected Larry McCallon as its Chair for a one-year term. Mr. McCallon is Mayor Pro Tem District 5 for the City of Highland and represents San Bernardino County Transportation Authority on the MSRC.

The MSRC also re-elected Brian Berkson as its MSRC Vice Chair for a one-year term. Mr. Berkson serves as a Council Member for Council District 3 for the City of Jurupa Valley and represents the Riverside County Transportation Commission on the MSRC.

Consider Incorporating a Labor Law Provision in MSRC Contracts for On-Road Truck Projects

At the April 2, 2021 South Coast AQMD Board meeting, the Board requested MSRC consider adding language in MSRC contracts for on-road truck projects similar to the provision in South Coast AQMD grant contracts regarding labor laws. This item had not been considered by the MSRC-TAC and was referred back to the MSRC-TAC for their consideration. Therefore, MSRC action was deferred.

FYs 2016-18 Work Program

Update on Hydrogen Infrastructure Partnership Program

Staff provided an update on the MSRC Hydrogen Infrastructure Partnership Program. As an element of their FYs 2016-18 Work Program, the MSRC allocated \$3 million for the implementation of hydrogen refueling stations within South Coast AQMD's jurisdiction. A Program Opportunity Notice (PON) was released on April 6, 2018, which had a closing date of April 9, 2021. The PON had a \$500,000 per county geographic funding minimum. To date, the MSRC has awarded \$1 million for the expansion of a station in Irvine and has authorized the submission of full proposals for two other projects, from Cal State University Los Angeles (CSULA) and San Bernardino County Transportation Authority (SBCTA). Recommendations concerning these two projects are anticipated to be brought to the MSRC-TAC and MSRC in June and will likely exceed the current targeted funding amount. Three additional project concept papers have been received,

and consideration of these projects would require the allocation of additional funding. Barring any indication from the MSRC that they do not want to entertain hydrogen infrastructure as a potential use of MSRC unallocated funds, staff and the MSRC-TAC would proceed on their current course and bring recommendations in the summer.

FYs 2018-21 Work Program

Major Event Center Transportation Program

As part of its FYs 2018-21 Work Program, the MSRC allocated \$6.5 million for event center transportation programs and released Program Announcement #PA2019-03. Subsequently, due to the unforeseen effects of COVID-19, the MSRC approved extending the Program Announcement deadline for events by one year to December 31, 2022. To date, the MSRC has awarded a total of \$3,820,682 under this solicitation. The MSRC considered recommendations regarding an additional application submitted by OCTA. OCTA requested the MSRC consider an award of \$289,054 to provide express bus services between existing transit facilities and the 2022 Orange County Fair in Costa Mesa. The service would be provided on nine routes, on Saturday and Sunday for all five weekends of the 2022 Fair season. The service will utilize “near-zero” CNG buses and eight hydrogen fuel cell buses. OCTA and its partners are committed to provide at least \$433,581 in co-funding contributions to the operation and marketing of the program. The MSRC approved a contract award to OCTA in an amount not to exceed \$289,054 for the 2022 Orange County Fair Express bus service.

Update on Partnership with South Coast AQMD and Regional Partners on Large-Scale Zero Emission Demonstration

In December 2020, the MSRC authorized up to \$8 million for partnership with South Coast AQMD and other regional partners on behalf of the Regional Zero & Near Zero Emission Truck Collaborative in a proposal seeking funding under the joint CARB/CEC “Zero-Emission Drayage Truck and Infrastructure Pilot Project” solicitation. The proposal was successful, resulting in the award of up to \$16,019,316 from CARB and up to \$10,964,955 from CEC. Staff provided an update on the details of the project. The MSRC’s \$8 million contribution will be applied exclusively towards the purchase cost of battery electric trucks, with \$3 million allocated to the NFI fleet and \$5 million allocated to the Schneider fleet. The total cost of 100 trucks for both fleets is \$41,052,625, and MSRC will be contributing 11 percent of the total project cost of \$74,017,175.

Contract Modification Requests

The MSRC considered four contract modification requests and took the following actions:

1. For the City of Bellflower, Contract #ML 12091, which provides \$100,000 for EV charging infrastructure, a location change to Simms Park for one station and a six-month no-cost term extension;
2. For the City of Eastvale, Contract #ML16040, which provides \$110,000 for EV charging infrastructure, an increase in the number of charging stations from 12 to 16 at no additional cost to the MSRC;

3. For the city of South Pasadena, Contract #ML18092, which provides \$50,000 to procure two light-duty ZEVs and install EV charging infrastructure, a 27-month no-cost term extension; and
4. For Omnitrans, proposed Contract #MS18180, which will provide \$83,000 to modify vehicle maintenance facility and train technicians, a modified design for the methane detection system improvements with no change to MSRC's contribution to the project.

Contracts Administrator's Report

The MSRC AB 2766 Contracts Administrator's report provides a written status report on all open contracts from FY 2007-08 to the present.

COMMITTEE MEMBERSHIP

**San Bernardino County Transportation Authority (SBCTA)
Representatives on SCAG Committees**

APPOINTING/ELECTING AUTHORITY	REGIONAL COUNCIL (12:15 p.m.)	POLICY COMMITTEES (Regional Council Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TC) (10:00 a.m.)		
		Community, Economic, and Human Development	Energy and Environment	Transportation
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa) District 7 (San Bernardino, Highland) District 8 (Rialto, Fontana) District 9 (Rancho Cucamonga, Upland, Montclair) District 10 (Chino, Chino Hills, Ontario) District 11 (Barstow, Big Bear, Needles, Twentynine Palms, Yucca Valley) District 65 (Adelanto, Apple Valley, Hesperia, Victorville) San Bernardino County	F. Navarro L. McCallon D. Robertson L. Michael R. Marquez R. Putz L. Becerra C. Hagman		D. Robertson R. Putz	F. Navarro L. McCallon L. Michael R. Marquez L. Becerra C. Hagman
†San Bernardino County Transportation Authority Appointee	A. Wapner			A. Wapner
SBCTA Subregional Appointees* *One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SBCTA has a total of seven subregional appointees to the policy committees. *Terms of appointment expire December 31 of odd-numbered years.		David Avila Ed Paget Acquanetta Warren	Cynthia Moran John Valdivia Rick Denison	John Dutrey

Rules of Appointment

1. SBCTA policy stipulates that all SBCTA appointees be SBCTA Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

Terms of Appointment

Terms of appointment are two years, commencing on adjournment of the annual General Assembly in May of each year. Even-numbered District representatives' terms expire in even-numbered years; odd-numbered District representatives expire in odd-numbered years. †SBCTA Regional Council Representative serves a two-year term from the date of appointment.

Stipend Summary

SCAG Regional Council members receive a \$120 stipend for attendance and travel to SCAG sponsored meetings. Regional Council members may also receive reimbursement for public transit expenses or a mileage reimbursement. Parking is validated at SCAG's downtown Los Angeles office for RC members. RC members are eligible to receive up to six (6) per diem stipends per month. Both RC members and Subregional Appointees, if eligible, may receive reimbursement (\$150 + taxes) for lodging (please review SCAG rules before making expenditure). Subregional Appointees shall receive a \$120 stipend for up to four Policy or Task Force meetings per month.

Meeting Information

The regular meetings of SCAG Regional Council and Policy Committees are on the 1st Thursday of each month at the SCAG offices located at 900 Wilshire Blvd., Ste. 700, Los Angeles. Generally, the Policy Committee meetings start at 10 AM and Regional Council meetings start at 12:15 PM.

Policy Committees

Community, Economic, and Human Development: Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.

Energy and Environment: Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservation. Reviews the Environmental Impact Report of the Regional Comprehensive Plan and Guide. Provides recommendations to the Planning Committee on state and federal legislative proposals and administrative guidelines affecting environmental quality, resource conservation.

Transportation: Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

Communication: Representatives on SCAG Committees (Committee Membership)

Appointments to External Agencies

The San Bernardino County Transportation Authority (SBCTA) and San Bernardino Council of Governments (SBCOG) work closely with not only the County and cities within the County of San Bernardino, but with a number of regional governments that relate to the multiple counties within the Southern California region. Members of the SBCTA Board of Directors frequently take active roles in representing the interests of San Bernardino County on these regional bodies. This participation provides assurance that the unique needs and characteristics of San Bernardino County are taken into consideration as policies are developed which impact this County and its individual local government units. Active participation in regional organizations further promotes the interests of San Bernardino County and secures its appropriate role in the Southern California region.

The following table lists some of the regional bodies upon which SBCTA and SBCOG representatives serve.

Committee	Appointee	Appointing Authority	Purpose	Term
California Association of Councils of Governments	Alan Wapner, Ontario	President	CALCOG facilitates communication and information sharing among its members. Most members of CALCOG are Councils of Governments (COGs), while some are transportation commissions and others are the large Metropolitan Planning Organizations like SCAG and SANDAG. CALCOG is governed by a Board of Directors comprised of a representative from each member's Board of Directors.	12/31/22
Inland Empire Economic Partnership (IEEP)	Dennis Michael, Rancho Cucamonga	President	The IEEP is a partnership that includes business, government and academic leaders to develop and carry out initiatives to benefit the region.	
The Sam and Alfreda L. Maloof Foundation for Arts and Crafts	Janice Rutherford, Supervisor	Board of Directors	A non-profit corporation that participates in the preparation of the Conservation Plan and oversees the activities and assets of the Foundation. A payment of stipend for participation has not been authorized.	12/31/21
Gold Line Phase II Joint Powers Authority	John Dutrey, Montclair, Primary Ray Marquez, Chino Hills, Alternate	Board of Directors	The Gold Line Phase II Construction Authority is a Joint Powers Authority (JPA) formed by 14 cities along the corridor and SBCTA. The JPA serves as a forum for the review, consideration, study, development and recommendation of policies and plans for the extension of the Gold Line from Pasadena to Montclair. Members receive \$100 payment from Gold Line Authority for participation.	12/31/21 12/31/22
Metro Gold Line Foothill Extension Construction Authority	Alan Wapner, Ontario, Primary John Dutrey, Montclair, Alternate	President	The Authority is responsible for the development of a light rail project from the City of Los Angeles into San Bernardino County. The Authority board meets on the second and fourth Wednesday of the month at 7:00 p.m. at the Authority's office in Monrovia. Members receive \$150 for each day spent on Authority business, not to exceed \$600 per month.	12/31/22 12/31/22
Mobile Source Air Pollution Reduction Review Committee	Larry McCallon, Highland, Primary John Valdivia, San Bernardino, Alternate	Board of Directors	Develops and implements work programs which reduce mobile source emissions, funded by AB2766 (portion of the \$4 motor vehicle registration fee). County Commissions, SCAQMD, and ARB have one appointment with alternates. In April 2005, SBCTA authorized a stipend of \$100 per day. The MSRC meets on the third Thursday of the month at 2:00 p.m. at South Coast Air Quality Management District in Diamond Bar.	12/31/22 12/31/22

Communication: Appointments to External Agencies (Committee Membership)

Appointments to External Agencies

Committee	Appointee	Appointing Authority	Purpose	Term
One Water One Watershed (OWOW) Steering Committee of the Santa Ana Watershed Project Authority	Deborah Robertson, Rialto	Board of Directors	Responsible for developing the integrated Regional Water Management Plan for the Santa Ana River. The term of the appointment is for four years for a city representative from San Bernardino County. Officers leaving elected office after appointment are still eligible to serve. Beginning January 2016, the OWOW meets on the 4 th Thursday of every other month at 11:00 a.m. at the Santa Ana Watershed Project Authority (SAWPA). Members of the Steering Committee do not receive a stipend.	12/31/22
SCAG Policy Committees	See associated table.	The Board has authorized the President to make appointments to SCAG Policy Committees.	SBCTA also has authority to appoint up to seven appointees to the three SCAG Policy Committees: i.e., Community Economic and Human Development, Energy and Environment, and Transportation. SCAG pays appointees to policy committees a stipend of \$120 per meeting.	See associated table – Representatives on SCAG Committees
Southern California Regional Rail Authority	Alan Wapner, Ontario, Primary Larry McCallon, Highland, Primary Ray Marquez, Chino Hills, Alternate John Dutrey, Montclair, Alternate	Board of Directors (Recommendation made by the Transit Committee)	SCRRA serves as the governing body for Metrolink, the regional commuter rail system serving the five Southern California Counties. Members receive payment of \$100 per day from SCRRA for participation.	Indefinite
SR 91 Advisory Committee	Ray Marquez, Chino Hills, Ex-Officio Member	Board of Directors	The Committee reviews issues and makes recommendations to OCTA regarding the transportation facilities acquired, including tolls imposed, operations, maintenance, use of toll revenues, and improvements in the area of SR 91 between I-15 and SR 55, including the identification and siting of alternate highways. SBCTA has not authorized payment of stipend for participation.	12/31/22
Regional Rideshare Agency - Mobile Source Air Pollution Reduction Review Committee	John Dutrey, Montclair, Primary Ray Marquez, Chino Hills, Alternate	Board of Directors	The County Transportation Commissions within the South Coast Air Basin operating a rideshare program are identified as the Regional Rideshare Agencies. Ride share programs consist of providing resources and ride matching to commuters to reduce single occupancy vehicle trips, as well as employer support for implementing rideshare programs and reduction plans for the South Coast Air Quality Management District’s Rule 2202. In April 2005, SBCTA authorized a stipend of \$100 per day. The MSRC meets on the third Thursday of the month at 2:00 p.m. at South Coast Air Quality Management District in Diamond Bar.	4/30/22 4/30/22

Communication: Appointments to External Agencies (Committee Membership)

San Bernardino County Transportation Authority (SBCTA) Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>General Policy Committee Membership consists of the following: SBCTA President, Vice President, and Immediate Past President 4 East Valley (3 City, 1 County) 4 West Valley (3 City, 1 County) 4 Mt/Desert (3 City, 1 County) City members shall be SBCTA Board Members elected by caucus of city SBCTA Board Members within the subarea. Policy Committee and Board Study Session Chairs are members of this policy committee. All City members serving as Board officers, Committee chairs, or Board Study Session Chair, are counted toward their subareas City membership. Supervisors collectively select their representatives. The SBCTA Vice President shall serve as Chair of the General Policy Committee.</p>	<p>Makes recommendations to Board of Directors and: (1) Provides general policy oversight which spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity; (2) Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization; (3) Serves as policy review committee for any program area that lacks active policy committee oversight. Committee has authority to approve contracts in excess of \$25,000 with notification to the Board of Directors. (Brown Act)</p>	<p><u>West Valley</u> Alan Wapner, Ontario L. Dennis Michael, Rancho Cucamonga (Chair TC) Acquanetta Warren, Fontana Curt Hagman, Supervisor (Chair/Vice President/Chair MVSS)</p> <p><u>East Valley</u> Frank Navarro, Colton (Vice Chair/President) Darcy McNaboe, Grand Terrace (Past President) Larry McCallon, Highland Dawn Rowe, Supervisor (Chair MDC)</p> <p><u>Mountain/Desert</u> Art Bishop, Apple Valley Rick Herrick, Big Bear Lake Rick Denison, Yucca Valley Paul Cook, Supervisor</p> <p>Should the chairs of each Committee and the Officers all be from the East Valley, West Valley or Mountain/Desert, additional members may be added to maintain geographical balance. Additional Board Members may be appointed annually at the discretion of the Board President.</p>	<p>6/30/2021 6/30/2021 6/30/2021 6/30/2021 6/30/2021 6/30/2021 6/30/2021 6/30/2021 6/30/2021 6/30/2021 6/30/2021</p>
<p>Transit Committee Membership consists of 12 SBCTA Board Members: 10 Valley-members, two being Southern California Regional Rail Authority (SCRRA) primary (*) and two being SCRRA alternate (**) members, and 2 Mountain/Desert Board Members. SCRRA members and alternates serve concurrent with their term on the SCRRA Board of Directors as appointed by the SBCTA Board. Other members are appointed by the SBCTA President for 2-year terms.</p>	<p>Provides policy guidance and recommendations to the SBCTA Board of Directors and Southern California Regional Rail Authority (SCRRA) delegates with respect to commuter rail and transit service. * SCRRA Primary Member ** SCRRA Alternate Member (Brown Act)</p>	<p>Ray Marquez, Chino Hills** (Chair) David Avila, Yucaipa (Vice Chair) Frank Navarro, Colton Acquanetta Warren, Fontana Larry McCallon, Highland* John Dutrey, Montclair** Alan Wapner, Ontario* L. Dennis Michael, Rancho Cucamonga Deborah Robertson, Rialto John Valdivia, San Bernardino Rick Denison, Yucca Valley Dawn Rowe, Supervisor</p>	<p>Indeterminate (6/30/202 12/31/2022 (6/30/2022) 12/31/2021 12/31/2021 Indeterminate Indeterminate Indeterminate 12/31/2021 12/31/2022 12/31/2022 12/31/2022 12/31/2022</p>

Communication : Committee Membership (Committee Membership)

San Bernardino County Transportation Authority (SBCTA) Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Mountain/Desert Committee Membership consists of 12 SBCTA Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First, Second, and Third Districts.</p>	<p>Provides ongoing policy level oversight related to the full array of SBCTA responsibilities as they pertain specifically to the Mountain/Desert subregion. The Committee also meets as the Mountain/Desert Measure I Committee as it carries out responsibilities for Measure I Mountain/Desert Expenditure Plan.</p> <p>(Brown Act)</p>	<p>Dawn Rowe, Supervisor (Chair) Art Bishop, Apple Valley (Vice Chair) Daniel Ramos, Adelanto Paul Courtney, Barstow Rick Herrick, Big Bear Lake Cameron Gregg, Hesperia Edward Paget, Needles Joel Klink, Twentynine Palms Debra Jones, Victorville Rick Denison, Yucca Valley Janice Rutherford, Supervisor Paul Cook, Supervisor</p>	<p>Indeterminate (6/30/202 Indeterminate (6/30/202 Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate</p>
<p>Legislative Policy Committee Membership consists of the following: President, Vice-President, Immediate Past President and four Board members appointed by the Board President. - 1 East Valley member - 1 West Valley member - 1 Mountain/Desert member - 1 County member</p> <p>Members shall serve for the duration of the State and Federal two-year legislative session in which they were appointed, with terms expiring December 31 of odd-numbered years. The SBCTA Board President shall serve as Chair of the Legislative Policy Committee.</p>	<p>Provide guidance and recommendations to the Board of Directors regarding issues and actions relating to the executive, legislative or judicial branches of the State and Federal government, or any other local governing body.</p> <p>Review and provide input on drafting of State and Federal legislative platform, which will serve as guiding principles to support or oppose State and Federal legislation and regulations.</p> <p>(Brown Act)</p>	<p>Curt Hagman, Supervisor (President) Art Bishop, Town of Apple Valley (Vice President) Frank Navarro, Colton (Past President) Larry McCallon, Highland Alan Wapner, Ontario Janice Rutherford, Supervisor Vacant (Mountain/Desert member)</p>	<p>Indeterminate Indeterminate Indeterminate 12/31/2021 12/31/2021 12/31/2021</p>

Communication: Committee Membership (Committee Membership)

Policy Committee Meeting Times	General Policy Committee	Second Wednesday, 9:00 a.m., SBCTA Office
	Legislative Policy Committee	Second Wednesday, 9:30 a.m., SBCTA Office
	Transit Committee	Second Thursday, 9:00 a.m., SBCTA Office
	Mountain/Desert Committee	Third Friday, 9:30 a.m., Victorville, CA

Board of Directors Study Sessions for Metro Valley Issues

STUDY SESSION	PURPOSE	MEMBERSHIP	TERMS
<p>Board of Directors Study Sessions for Metro Valley Issues Refer to SBCTA Policy 10007.</p>	<p>To review, discuss, and make recommendations for actions to be taken at regular meetings of the Board on issues relating to Measure I Projects in the Valley.</p> <p>(Brown Act)</p>	<p>Board of Directors Dawn Rowe, Supervisor (Chair) John Valdivia, San Bernardino (Vice Chair)</p>	<p>6/30/2022 6/30/2022</p>

Meeting Time: Second Thursday, 9:30 a.m., SBCTA Office

I-10 and I-15 Corridor Joint Sub-Committee

Joint Sub-Committee	PURPOSE	MEMBERSHIP	TERMS
<p>I-10 and I-15 Corridor Joint Sub-Committee of the Board of Directors Metro Valley Study Session and the Mountain/Desert Policy Committee</p> <p>Members of the committee will be members of the SBCTA Board of Directors and will be appointed by the SBCTA Board President. The President will appoint the Chair and Vice-Chair of the Sub-Committee. The Sub-Committee will include a minimum of nine and a maximum of fourteen SBCTA Board members. Membership will be composed of a minimum of three representatives from the East Valley; and a minimum of two representatives from the Victor Valley. The Sub-Committee will meet as necessary immediately following the Metro Valley Study Session.</p>	<p>The purpose is to consider and make recommendations to the Board of Directors on the development of express lanes in San Bernardino County, in particular on the I-10 and I-15 Corridors.</p> <p>(Brown Act)</p>	<p>Alan Wapner, Ontario (Chair) Art Bishop, Town of Apple Valley (Vice Chair) Joe Baca Jr., Supervisor Paul Cook, Supervisor Larry McCallon, Highland L. Dennis Michael, Rancho Cucamonga Frank Navarro, Colton Deborah Robertson, Rialto Acquanetta Warren, Fontana</p>	<p>12/31/2022 12/31/2022 12/31/2022 12/31/2022 12/31/2022 12/31/2022 12/31/2022 12/31/2022</p>

Public and Specialized Transportation Advisory and Coordinating Council (PASTACC)

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Public and Specialized Transportation Advisory and Coordinating Council (PASTACC)</p> <p>Membership consists of 11 members appointed by the SBCTA Executive Director.</p> <p>5 representing Public Transit Providers 1 representing County Dept. of Public Works 2 representing the Consolidated Transportation Services Agency - Omnitrans and VVTA also represent CTSA for the Valley and High Desert respectively. 5 At Large Members representing Social Service Providers</p>	<p>Subject to the Transportation Development Act (TDA) Section 99238 – establishes PASTACC’s statutory responsibilities;</p> <p>(1) Review and make recommendations on annual Unmet Transit Needs hearing findings (2) Score and make recommendations for Federal Transit Administration Section 5310 Capital Grant Program applications (3) Assist SBCTA in developing public outreach approach on updating the Coordinated Public Transit/Human Services Transportation Plan (4) Review call for projects for Federal Transit Administration Section 5310 grant applications (5) Monitor and make recommendations on Federal regulatory processes as they relate to transit and specialized transit (6) Monitor and disseminate information in reference to State level law and recommendations as they relate to transit and specialized transit (7) Receive annual reports on funded specialized programs funded through FTA Section 5310 and Measure I (8) Identify regional or county level areas of unmet needs (9) Address special grant or funding opportunities (10) Address any special issues of PASTACC voting and non-voting members</p> <p>(Brown Act)</p>	<p>Standing Membership – Morongo Basin Transit Authority Mountain Transit City of Needles Transit Services Omnitrans Victor Valley Transit Authority County of San Bernardino Dept. of Public Works</p> <p>At Large Membership – San Bernardino Dept. of Aging and Adult Services Foothill Aids OPARC Option House Loma Linda University Health</p>	<p>On-going On-going On-going On-going On-going On-going</p> <p>5/31/2024 9/30/2023 9/30/2023 6/30/2022 5/31/2024</p>

Communication: Committee Membership (Committee Membership)

Meeting Dates and Time: Bi monthly, beginning in January, 2nd Tuesday of the month, 10:00 a.m.. (Location rotates: SBCTA Office, VVTA, MBTA)

Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan</p> <p>The ITOC shall provide citizen review to ensure that all Measure I funds are spent by the San Bernardino County Transportation Authority (hereby referred to as the Authority) in accordance with provision of the Expenditure Plan and Ordinance No. 04-01. The ordinance specifies that each member of the ITOC have certain credentials or experience as follows:</p> <ul style="list-style-type: none"> A. One member who is a professional in the field of municipal audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector. B. One member who is a licensed civil engineer or trained transportation planner with at least five years of demonstrated experience in the fields of transportation and/or urban design in government and/or the private sector. No member shall be a recipient or sub-recipient of Measure “I” funding. C. One member who is a current or retired manager of a major publicly financed development or construction project, who by training and experience would understand the complexity, costs and implementation issues in building large scale transportation improvements. D. One member who is current or retired manager of a major privately financed development or construction project, who by training and experience would understand the complexity, costs and implementation issues in building large scale transportation improvements. E. One public member, who possesses the knowledge and skills which will be helpful to the work of the ITOC. <p>In addition to the appointed members, the SBCTA President and Executive Director will serve as ex-officio members.</p>	<p>The ITOC shall review the annual audits of the Authority; report findings based on the audits to the Authority; and recommend any additional audits for consideration which the ITOC believes may improve the financial operation and integrity of program implementation.</p> <p>The Authority shall hold a publicly noticed meeting, which may or may not be included on the agenda of a regularly scheduled Board meeting, with the participation of the ITOC to consider the findings and recommendations of the audits.</p> <p>(Brown Act)</p>	<p>Vacant (A) Gerry Newcombe (B) Wayne Hendrix (C) Rick Gomez (D) Mike Layne (E) Curt Hagman, Ex-Officio Ray Wolfe, Ex-Officio</p>	<p>12/31/24 12/31/22 12/31/22 12/31/22</p>

SBCTA Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
<p>Council of Governments Ad Hoc Committee In June 2016, the SBCTA Board President appointed this ad hoc committee.</p>	<p>To provide direction relative to the Council of Governments annual work plan.</p>	<p>Alan Wapner, Ontario – Chair Larry McCallon, Highland L. Dennis Michael, Rancho Cucamonga Frank Navarro, Colton Janice Rutherford, Supervisor</p>
<p>Omnitrans/San Bernardino County Transportation Authority Ad Hoc Committee In April 2019, President McNaboe appointed SBCTA members to this ad hoc committee.</p>	<p>To provide policy guidance related to funding allocations and project delivery.</p>	<p>Ron Dailey, Loma Linda (Omnitrans) Penny Lilburn, Highland (Omnitrans) Sam Spagnolo, Rancho Cucamonga (Omnitrans) Darcy McNaboe, Grand Terrace (SBCTA) Dusty Rigsby, Loma Linda (SBCTA) Ray Marquez, Chino Hills (SBCTA)</p>

Communication: Committee Membership (Committee Membership)

<p>Equity Ad Hoc Committee On October 7, 2020, the Board approved the establishment of this ad hoc committee composed of seven Board members appointed by the Board President. Membership consists of the following: - 2 East Valley member - 2 West Valley member - 2 Mountain/Desert member - 1 County member</p>	<p>To look broadly at equity and inequity region-wide both within the practices, policies and projects of SBCTA, as well as policies and issues facing SBCOG’s member agencies.</p>	<p>L. Dennis Michael, Rancho Cucamonga Acquanetta Warren, Fontana John Valdivia, San Bernardino Rick Denison, Yucca Valley Darcy McNaboe, Grand Terrace Art Bishop, Apple Valley Joe Baca Jr., Supervisor</p>
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SBCTA Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
<p>Transportation Technical Advisory Committee (TTAC) Committee membership consists of a primary staff representative of each SBCTA member agency designated by the City Manager or County Administrative Officer.</p>	<p>SBCTA’s Transportation Technical Advisory Committee was formed by SBCTA management to provide input to SBCTA staff on technical transportation-related matters and formulation of transportation-related policy recommendations to the SBCTA Board of Directors. The TTAC is not a Brown Act committee.</p>	<p>Generally meets on the first Monday of each month at 1:30 PM, at SBCTA.</p>
<p>City/County Manager’s Technical Advisory Committee (CCM TAC) The committee is composed of up to two representatives of the County Administrator’s Office and the city manager or administrator from each city and town in the County.</p>	<p>SBCTA’s City/County Manager’s Technical Advisory Committee was established in the Joint Powers Authority that established San Bernardino Associated Governments (SANBAG). The primary role of the committee is to provide a forum for the chief executives of SANBAG’s member agencies to become informed about and discuss issues facing SANBAG/SBCTA. It also provides a forum for the discussion of items of mutual concern and a way to cooperate regionally in addressing those concerns. The CCM TAC is a Brown Act Committee.</p>	<p>Meets on the first Thursday of each month at 10:00 AM, at SBCTA.</p>
<p>Planning and Development Technical Forum (PDTF) Committee membership consists of a primary staff representative of each SBCTA member agency designated by the City Manager or County Chief Executive Officer.</p>	<p>The SBCTA Planning and Development Technical Forum was formed by SBCTA management to provide an opportunity for interaction among planning and development representatives of member agencies on planning issues of multijurisdictional importance. The PDTF is not a Brown Act Committee.</p>	<p>Meets the 4th Wednesday of each month at 2:00 p.m. at the Santa Fe Depot (in the SCAG Office).</p>
<p>Project Development Teams</p>	<p>Project Development Teams (PDTs) are assembled for all major project development activities by SBCTA staff. Teams are generally composed of technical representatives from SBCTA, member jurisdictions appropriate to the project, Caltrans, and other major stakeholder entities that have significant involvement in the project. PDTs make recommendations related to approaches to project development, evaluation of alternatives, and technical solutions. PDTs meet on a regular basis throughout the project phase to review progress and to provide technical input required for project development. The PDTs are not Brown Act Committees.</p>	<p>Varies with the PDT.</p>

Communication: Committee Membership (Committee Membership)



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