

AGENDA
General Policy Committee Meeting
October 9, 2024
9:00 AM

Location

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

General Policy Committee Membership

Chair – Vice President

Rick Denison, Council Member
Town of Yucca Valley

President

Ray Marquez, Council Member
City of Chino Hills

Past President

Dawn Rowe, Supervisor
County of San Bernardino

West Valley Representatives

John Dutrey, Mayor
City of Montclair

Alan Wapner, Council Member
City of Ontario

Jesse Armendarez, Supervisor
County of San Bernardino

Mt./Desert Representatives

Debra Jones, Council Member
City of Victorville

Art Bishop, Mayor Pro Tem
Town of Apple Valley

East Valley Representatives

Frank Navarro, Mayor
City of Colton

Larry McCallon, Mayor Pro Tem
City of Highland

Helen Tran, Mayor
City of San Bernardino

Joe Baca, Jr., Supervisor
County of San Bernardino

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

AGENDA

General Policy Committee Meeting

October 9, 2024

9:00 AM

Location

SBCTA

First Floor Lobby Board Room

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

Items listed on the agenda are intended to give notice to members of the public of a general description of matters to be discussed or acted upon. The posting of the recommended actions does not indicate what action will be taken. The Board may take any action that it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

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 Rick Denison)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications – Mayra Alfaro

Public Comment

Brief Comments from the General Public

Note: Public Comment on items listed on this agenda will be allowed only during this committee meeting. No public comment will be allowed on committee items placed on the Consent Agenda at the Board of Directors meeting. If an item has substantially changed after consideration during the committee meeting, the item will be placed on Discussion for Board and public comment will be allowed.

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. 10

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.

INFORMATIONAL ITEMS

Items listed are receive and file items and are expected to be routine and non-controversial. Unlike the Consent Calendar, items listed as Informational Items do not require a vote.

2. September 2024 Procurement Report

Pg. 11

Receive the September 2024 Procurement Report.

Presenter: Alicia Bullock

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

3. Budget to Actual Report for Fourth Quarter Ending June 30, 2024

Pg. 19

Receive and file Budget to Actual Report for the fourth quarter ending June 30, 2024.

Presenter: Lisa Lazzar

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

DISCUSSION ITEMS

Discussion - Air Quality/Traveler Services

4. Long Term Budget for the Freeway Service Patrol Program

Pg. 30

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

A. Receive information on the proposed Freeway Service Patrol (FSP) Program long-term budget.

B. Direct staff on how to proceed with addressing the financial challenges of the FSP Program over the next six years.

Presenter: Steve Smith

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

Discussion - Regional/Subregional Planning

5. Update on Activities of the Planning and Regional Programs Department

Pg. 35

Receive an update on the activities of the Planning and Regional Programs Department, providing services under both the San Bernardino County Transportation Authority and San Bernardino Council of Governments.

Presenter: Steve Smith

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

6. Climate Pollution Reduction Grant Program Update and Goods Movement Charging Facilities Pg. 41

That the General Policy Committee, acting as the San Bernardino County Transportation Authority and San Bernardino Council of Governments (SBCOG):

A. Receive a presentation on the progress of the Environmental Protection Agency's Climate Pollution Reduction Grants planning and infrastructure programs.

B. Provide direction to staff on SBCOG's participation in the development and construction of zero-emission goods movement medium and heavy-duty charging facilities in San Bernardino County.

Presenter: Josh Lee

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

7. Transportation Development Act Article 3 Scope Change Requests: Highland City Creek and Redlands Pg. 52

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

A. Approve the City of Highland's Transportation Development Act (TDA) Article 3 scope change request to move \$29,000 from construction to pre-construction for the Fiscal Year 2017/2018 City Creek/Alabama Street Bikeway Project award.

B. Approve the City of Redlands' TDA Article 3 scope change request to move \$204,000 from construction to pre-construction for the Fiscal Year 2017/2018 East Valley Corridor Bike Route Interconnect Project award.

Presenter: Ginger Koblasz

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

Discussion - Council of Governments

8. Award Contract No. 24-1003088 with Jacobs Engineering Group, Inc., for an Emergency Evacuation Network Resilience Study Pg. 64

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

Approve Contract No. 24-1003088, in the amount of \$1,208,910.89, to be funded with a Climate Adaptation Planning grant, with Jacobs Engineering Group, Inc., to conduct an Emergency Evacuation Network Resilience Study for a one-year contract through December 31, 2025, with one one-year option term.

Presenter: Stacey Morales

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

9. Housing Trust Update and Ad Hoc Extension

Pg. 108

That the General Policy Committee recommend the Board, acting as the San Bernardino Council of Governments:

Extend the expiration date for the existing Housing Trust Ad Hoc Committee to December 31, 2025.

Presenter: Monique Reza-Arellano

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

10. San Bernardino County Transportation Authority / San Bernardino Council of Governments Equity Framework Update

Pg. 109

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

A. Receive a report on the kick-off of the SBCTA/SBCOG Equity Framework.

B. Direct staff to work under the SBCOG Board Ad Hoc Committee for direction.

Presenter: Monique Reza-Arellano

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

Comments from Board Members

Brief Comments from Board Members

ADJOURNMENT

Additional Information

Attendance

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Acronym List

Pg. 120

Mission Statement

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The next General Policy Committee meeting is scheduled for November 13, 2024.

Meeting Procedures and Rules of Conduct

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

Accessibility & Language Assistance - The meeting facility is accessible to persons with disabilities. A designated area is reserved with a microphone that is ADA accessible for public speaking. A designated section is available for wheelchairs in the west side of the boardroom gallery. If assistive listening devices, other auxiliary aids or language assistance services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk can be reached by phone at (909) 884-8276 or via email at clerkoftheboard@gosbcta.com and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Service animals are permitted on SBCTA's premises. The ADA defines service animals as dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities. Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work, or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Accesibilidad y asistencia en otros idiomas - Las personas con discapacidad pueden acceder a la sala de reuniones. Se reserva una zona designada con un micrófono accesible que cumple con los requisitos de la ADA para hablar en público. Una sección designada está disponible para sillas de ruedas en el lado oeste de la galería de la sala de reuniones. Si se necesitan dispositivos de ayuda auditiva, otras ayudas auxiliares o servicios de asistencia en otros idiomas para participar en la reunión pública, las solicitudes deben presentarse al Secretario de la Junta al menos tres (3) días hábiles antes de la fecha de la reunión de la Junta. Puede comunicarse con el Secretario llamando al (909) 884-8276 o enviando un correo electrónico a clerkoftheboard@gosbcta.com. La oficina se encuentra en 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Los animales de servicio están permitidos en las instalaciones de SBCTA. La ADA define a los animales de servicio como perros o caballos miniatura que son entrenados individualmente para hacer trabajo o realizar tareas para personas con discapacidades. Según la ADA, los animales de servicio deben tener un arnés o ser atados, a menos que estos dispositivos interfieran con el trabajo del animal de servicio, o que la discapacidad de la persona impida el uso de estos dispositivos. En ese caso, la persona debe mantener el control del animal a través de su voz, señales u otros controles efectivos.

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. Agendas are also posted at 1170 W. 3rd Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting.

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 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 President of the Board or Committee Chair (“President”) will announce the subject matter of the closed session. If reportable action is taken in closed session, the President shall report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item, except Board agenda items that were previously considered at a Policy Committee meeting where there was an opportunity for public comment. Individuals in attendance at SBCTA who desire to speak on an item may complete and turn in a "Request to Speak" form, specifying each item an individual wishes to speak on. Individuals may also indicate their desire to speak on an agenda item when the President asks for public comment. When recognized by the President, speakers should be prepared to step forward and 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 President 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. Any individual who wishes to share written information with the Board may provide 35 copies to the Clerk of the Board for distribution. If providing written information for distribution to the Board, such information must be emailed to the Clerk of the Board, at clerkoftheboard@gosbcta.com, no later than 5:00 pm the day before the meeting in order to allow sufficient time to distribute the information. Information provided as public testimony is not read into the record by the Clerk. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda. Any consent item that is pulled for discussion shall be treated as a discussion item, allowing further public comment on those items.

Public Comment –An opportunity is also provided for members of the public to speak on any subject within the Board’s jurisdiction. Matters raised under “Public Comment” will not be acted upon at that meeting. See, “Public Testimony on an Item,” above.

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

Your cooperation is appreciated!

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

Attendance.

- The President of the Board or Chair of a Policy Committee (Chair) has the option of taking attendance by Roll Call. 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.
- 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.
- Votes at teleconferenced meetings shall be by roll call, pursuant to the Brown Act, or, at any meeting, upon the demand of five official representatives present or at the discretion of the presiding officer.

The Vote as specified in the SBCTA Administrative Code and 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. (Note that Alternates may vote only at meetings of the Board of Directors, Metro Valley Study Session and Mountain/Desert Policy Committee.)

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 Chair shall ask the maker of the original motion if he or she would like to amend the 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 may require deviation from general practice (but not from the Brown Act or agency policy).
- 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

Revised June 7, 2023

Minute Action

AGENDA ITEM: 1

Date: *October 9, 2024*

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
7	N/A	City of Highland	None
	N/A	City of Redlands	None
8	24-1003088	Jacobs Engineering Group, Inc. <i>Hany Haroun</i>	None

Financial Impact:

This item has no direct impact on the Budget.

Reviewed By:

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

Responsible Staff:

Carrie Schindler, Deputy Executive Director

Approved
General Policy Committee
Date: October 9, 2024
Witnessed By:

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

Minute Action

AGENDA ITEM: 2

Date: *October 9, 2024*

Subject:

September 2024 Procurement Report

Recommendation:

Receive the September 2024 Procurement Report.

Background:

The Board of Directors adopted the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997, and approved the last revision on January 4, 2023. The Board of Directors authorized the Executive Director, or his designee, to approve: a) contracts and purchase orders up to \$100,000; b) Contract Task Orders (CTO) up to \$500,000 and for CTOs originally \$500,000 or more, increasing the CTO amount up to \$250,000; c) amendments with a zero dollar value; d) amendments to exercise the option term if the option term was approved by the Board of Directors in the original contract; e) amendments that cumulatively do-not-exceed 50% of the original contract or purchase order value or \$100,000, whichever is less; f) amendments that do-not-exceed contingency amounts authorized by the Board of Directors; 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 and the solicitation has been listed in the Annual Budget, and are estimated not-to-exceed \$1,000,000.

The Board of Directors further authorized General Counsel to award and execute legal services contracts up to \$100,000 with outside counsel as needed, and authorized Department Directors to approve and execute Contingency Amendments that do-not-exceed contingency amounts authorized by the Board of Directors.

Lastly, the Board of Directors authorized CityCom Real Estate Services, Inc. (CityCom) to issue contracts and purchase orders.

Below is a summary of the actions taken by SBCTA authorized staff:

- No new contracts were executed.
- Seven contract amendments were executed.
- Five CTO's were executed.
- Two CTO amendments were executed.
- Three contingency amendments were executed.
- One purchase order was executed.
- No purchase order amendments were executed.
- No IFB's or RFP's were released.

Below is a summary of the actions taken by CityCom:

- No new contracts were executed.
- One new purchase order was executed.

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

General Policy Committee Agenda Item

October 9, 2024

Page 2

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 September 2024 are presented herein as Attachment A, all RFPs and IFBs are presented in Attachment B, and all CityCom's contracts and purchase orders are presented in Attachment C.

Financial Impact:

This item is consistent with the adopted Budget for Fiscal Year 2024/2025. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy.

Reviewed By:

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

Responsible Staff:

Alicia Bullock, Procurement Manager

Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Attachment A - 1
September 2024 Contract/Amendment/CTO Actions

Type	Contract Number	Amendment/CTO	Vendor Name	Contract Description	Original Amount	Prior Amendments	Current Amendment	Total Amount	Total On-Call Contract Amount*
Contract Amendment	22-1002743	2	Community Baptist Church of Alta Loma, California, Inc. DBA Community Church Rancho	Park and Ride Lot Lease, to increase the contract amount, and exercise the first of two, two-year option terms, extending the term through June 30, 2026.	\$ 17,064.00	\$ -	\$ 17,064.00	\$ 34,128.00	N/A
Contract Amendment	22-10012742	1	Highland Avenue Church of the Nazarene	Park and Ride Lot Lease, to increase the contract amount, and exercise the first of two, two-year option terms, extending the term through June 30, 2026.	\$ 28,800.00	\$ -	\$ 28,800.00	\$ 57,600.00	N/A
Contract Amendment	21-1002472	2	Carl Warren Company, LLC.	Third party administrator and incident management services, exercising the second of two option years to extend the end of the contract term from December 31, 2024, to December 31, 2025.	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00	N/A
Contract Amendment	21-1002570	2	Global Solutions Group, Inc.	Laserfiche software support services. To exercise the first option term to extend the term to August 31, 2026, and include two, two-year options to extend with a not-to-exceed amount.	\$ 350,000.00	\$ 30,000.00	\$ 170,000.00	\$ 550,000.00	N/A
Contract Amendment	23-1002923	1	Best Best & Krieger, LLP.	To increase the not-to-exceed amount, for Litigation defense regarding sales tax revenues received.	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 100,000.00	N/A
Contract Amendment	20-1002292	3	PFM Asset Management, LLC.	Due to a corporate restructuring, PFM Asset Management LLC's work will be transferred to its parent company, U.S. Bancorp Asset Management, Inc., for the remainder of the contract term, i.e., through May 31, 2025 to provide investment advisory services.	\$ 355,000.00	\$ 255,500.00	\$ -	\$ 610,500.00	N/A
Contract Amendment	20-1002397	3	CityCom Real Estate Services, Inc.	Exercise the second option term to extend the contract for one year to December 31, 2025, and increase to the not-to-exceed amount.	\$ 241,440.00	\$ 185,656.00	\$ 88,560.00	\$ 515,656.00	N/A
CTO	24-1003133	CTO No. 4A	Michael Baker International	To provide active transportation program support services from now until the expiration date of June 30, 2029, with a not-to-exceed amount.	\$ 400,000.00	\$ -	\$ -	\$ 400,000.00	\$20,531,950.00 (available \$20,131,950.00)
CTO	24-1003132	CTO No. 4B	Fehr & Peers	To provide active transportation program support services from now until the expiration date of June 30, 2029, with a not-to-exceed amount.	\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	\$20,131,950.00 (available \$19,981,950.00)

*Total amount authorized for the associated on-call services bench which is typically shared with multiple vendors and controlled via contract task orders (CTO).

Attachment A - 1
September 2024 Contract/Amendment/CTO Actions

Type	Contract Number	Amendment/CTO	Vendor Name	Contract Description	Original Amount	Prior Amendments	Current Amendment	Total Amount	Total On-Call Contract Amount*
CTO	24-1003132	CTO No. 6	Fehr & Peers	To provide transportation planning support services for the Planning Department and Council of Governments.	\$ 600,000.00	\$ -	\$ -	\$ 600,000.00	\$19,981,950.00 (available \$19,381,950.00)
CTO	23-1003018	CTO No. 3	Dudek	To provide sustainability planning support services from now until the expiration date of June 30, 2029, with a not-to-exceed amount.	\$ 400,000.00	\$ -	\$ -	\$ 400,000.00	\$21,081,950.00 (available \$20,681,950.00)
CTO	24-1003135	CTO No. 3	PlaceWorks	To provide sustainability planning support services from now until the expiration date of June 30, 2029, with a not-to-exceed amount.	\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	\$20,681,950.00 (available \$20,531,950.00)
CTO Amendment	19-1002008	CTO No. 8.1	Overland Pacific & Cutler, LLC.	To reflect an extended CTO completion date of June 30, 2024, to align with the actual completion of the work for the appraisal of Redlands surplus properties loop and Etiwanda Depot site.	\$ 38,000.00	\$ -	\$ -	\$ 38,000.00	\$1,451,927.77 (available \$1,451,927.77)
CTO Amendment	18-1001907	CTO No. 4.3	Epic Land Solutions, Inc.	Time extension for the purpose of processing post construction deed transfers on the State Route 210 Lane Addition and Baseline Interchange Project.	\$ 109,093.24	\$ 27,450.00	\$ -	\$ 136,543.24	\$4,921,750.44 (available \$4,921,750.44)

*Total amount authorized for the associated on-call services bench which is typically shared with multiple vendors and controlled via contract task orders (CTO).

Attachment A - 2
September 2024 Contingency Released Actions

Contract No. & Contingency No.	Reason for Contingency Amendment (Include a Description of the Contingency Amendment)	Vendor Name	Original Contract Amount	Prior Amendments	Prior Contingencies	Current Contingencies	Amended Contract Amount
23-1002903 No. 0A	1-10 Express Lanes Landscape Contract 1 Design Build Project. Drainage improvements north of I-10 between Grove Avenue and 4th Street, adjacent to the WB on-ramp.	EXP U.S. Services Inc.	\$ 1,354,134.55	\$ -	\$ -	\$ 45,876.29	\$ 1,400,010.84
20-1002388 No. 1A	Metrolink ATP Phase II Design Contract. The City of Rancho Cucamonga previously had approved development plans which required two new driveways on the north side of 6th Street, this was never communicated to SBCTA by the City and it is out of scope work for the design. In order to resolve and not delay construction, KOA Corporation will need to modify plans and design 4 new curb ramps.	KOA Corporation	\$ 508,006.41	\$ -	\$ 30,371.58	\$ 6,888.00	\$ 545,265.99
19-1002005 No. 3C	I-215 Bi-County/Segment 5 Landscape Project. The original contract for the I-215 was awarded in 2019 and did not include environmental revalidation as it was completed by a Parent Project by Caltrans. An amendment was done in 2022 to include design for the I-215 Segment-5 Landscape Project. Due to the combining of the projects, Caltrans has requested that an environmental revalidation be prepared for Bi-County which is out of scope. Additional services are required from EXP to complete the Environmental Revalidation and obtain final design approval.	EXP U.S. Services Inc.	\$ 1,155,065.42	\$ 897,184.07	\$ 92,130.03	\$ 11,879.55	\$ 2,156,259.07

Attachment A - 3

September 2024 Purchase Order and Purchase Order Amendment Actions

Type	PO No.	PO Posting Date	Vendor Name	Description of Services	Original Purchase Order Amount	Prior Amendments	Current Amendment	Total Purchase Order Amount
New PO	4002539	9/17/24	Wells Fargo Bank N.A	Locator wands.	\$ 3,259.07	\$ -	\$ -	\$ 3,259.07

Attachment B
September 2024 RFP's, RFQ's and IFB's

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

Attachment C
September 2024 CityCom's Issued Purchase Orders/Contracts

PO/Contract No.	Vendor Name	Description of Services	Total Amount
PO SBCTA50496	Weatherite	Install secondary drain pans/Phase 2 HVAC Upgrade.	\$ 4,259.00

Minute Action

AGENDA ITEM: 3

Date: October 9, 2024

Subject:

Budget to Actual Report for Fourth Quarter Ending June 30, 2024

Recommendation:

Receive and file Budget to Actual Report for the fourth quarter ending June 30, 2024.

Background:

The Fiscal Year 2023/2024 Budget for new activity was adopted by the Board of Directors on June 1, 2023. Budgetary information includes the original and revised budgets and expenditures as of June 30, 2024.

The report is broken down by Fund group and provides a percentage of the budget received or expended through June 30, 2024.

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

General Fund

A. Revenues:

1. Measure I Sales Tax revenue finished the year just below the budgeted amount.
2. Interest is distributed to the appropriate funds at year-end based on ending cash balances. The positive balance is due to higher interest rates than budgeted as the overall rates remained high throughout the year.

B. Expenditures:

1. Expenditures to date are low mainly due to the 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.
2. Operating transfers out are from cash transfers within the General Fund to fund the Indirect Cost Fund and to properly allocate costs for the Redlands Passenger Rail Project.

Federal Fund

A. Revenues:

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

B. Expenditures:

1. Expenditures to date are low mainly due to the 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. Operating transfers in represent cash transfers from commercial paper proceeds issued for the North First Avenue Bridget Project and to properly allocate costs for the Interstate 15 (I-215) University Parkway Interchange Project.
2. Operating transfers out are for the repayment of commercial paper for the North First Avenue Bridget Project and to properly allocate costs for the I-215 University Parkway Interchange Project, Interstate 10 (I-10) Express Lanes Contract 1, and Mount Vernon Viaduct Projects.

Federal Transit Administration Fund

A. Revenues:

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

B. Expenditures:

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

State Fund

A. Revenues:

1. The timing of revenue collection fluctuates as most state grants are on a reimbursement basis.

B. Expenditures:

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

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 mainly due to the timing of capital expenditures, which can take several years.

Local Transportation Fund (LTF)

A. Revenues:

1. LTF revenue finished the year just below the amount budgeted.
2. The positive balance is due to higher interest rates than budgeted as the overall rates remained high throughout the year.

B. Expenditures:

1. Expenditures to date represent claims received and paid.

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C. Other Financing Sources:

1. Operating transfers out represent cash transfers to the General Fund to fund transit activities, which are on a reimbursement basis.

State Transit Assistance Fund

A. Revenues:

1. The timing for recording of revenues fluctuates based on the period of performance upon distribution from the state.
2. The positive balance is due to higher interest rates than budgeted as the overall rates remained high throughout the year.

B. Expenditures:

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

C. Other Financing Sources:

1. Operating transfers out represent cash transfers to the General Fund to fund transit activities, which are based on a reimbursement basis.

Senate Bill 1

A. Revenues:

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

B. Expenditures:

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

Measure I 1990-2010 Fund

A. Revenues:

1. Measure I 1990-2010 ended on March 31, 2010, and only interest earnings are accrued based on cash balances.
2. The positive balance is due to higher interest rates than budgeted as the overall rates remained high throughout the year.
3. Miscellaneous revenue is associated with reimbursed litigation costs for the State Route 210 (SR-210) project.

B. Expenditures:

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

Measure I 2010-2040 Fund

A. Revenues:

1. Measure I Sales Tax revenue finished the year just below the budgeted amount.
2. The positive balance is due to higher interest rates than budgeted as the overall rates remained high throughout the year.

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B. Expenditures:

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

C. Other Financing Sources:

1. Operating transfers in represent cash transfers from the Enterprise Fund for draws on the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the I-10 Express Lanes Contract 1, and to properly allocate costs associated with the I-215 University Parkway Interchange, Interstate-15 (I-15) Express Lanes, North First Avenue Bridge, State Route 60 (SR-60) Archibald Interchange, SR-210 Base Line Road Interchange, and Redlands Passenger Rail Projects.
2. Operating transfers out represent cash transfers to the General Fund to fund the Indirect Cost Fund, to the Debt Service Fund to cover debt service expenditures and to properly allocate costs associated with the I-10 Express Lanes Contract 1, North First Avenue Bridge Project, and SR-60 Archibald Interchange Projects.

Debt Service Fund

A. Revenues:

1. Investment earnings fluctuate with the amount of cash held by the trustee due to the timing of debt service payments.

B. Expenditures:

1. Expenditures include debt service payments.

C. Other Financing Sources:

1. Operating transfers in represent cash transfers from the Measure I funds to cover debt service expenditures.

Capital Projects Fund

A. Revenues:

1. The timing of revenue collection fluctuates as most projects are funded on a reimbursement basis.
2. The positive balance is due to higher interest rates than budgeted as the overall rates remained high throughout the year.

B. Expenditures:

1. Expenditures to date are low mainly due to the timing of capital expenditures, which can take several years.
2. Debt Service is associated with refunding of the 2014 bonds.

C. Other Financing Sources:

1. Proceeds from Bond Issuances are for the 2023 refunding bonds issued in December 2023.
2. Proceeds from commercial paper are for the recording of commercial paper.
3. Operating transfers in represent cash transfers within the I-215 University Parkway Interchange Project, SR-210 Base Line Road Interchange, Mount Vernon Viaduct, North

First Avenue Bridge, SR-60 Base Line Road Interchange, and Redlands Passenger Rail Projects to reflect the proper funding allocation.

4. Operating transfers out represent cash transfers to close out the Redlands Passenger Rail Project and to properly allocate costs associated with the SR-210 Base Line Road Interchange, SR-60 Archibald Avenue Interchange, Redlands Passenger Rail Project, and Safe Routes to Schools projects to be consistent with the funding breakdown. Also included is the transfer of commercial paper to the Federal Highway Fund for use on the North First Avenue Bridge project.

Nonmajor Governmental Funds – Excluding Council of Governments

A. Revenues:

1. The timing of revenue collection fluctuates as most of the state grants are on a reimbursement basis.
2. The positive balance is due to higher interest rates than budgeted as the overall rates remained high throughout the year.

B. Expenditures:

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

C. Other Financing Sources:

1. Operating transfers in represent cash transfers within the Valley Signal Coordination project.
2. Operating transfers out represent cash transfers to fund the Indirect Cost Fund and Service Authority for Freeway Emergency-Vehicle Registration Fees to be consistent with the funding breakdown.

Council of Governments Fund

A. Revenues:

1. The timing for collection of revenue fluctuates as this program is mostly funded on a reimbursement basis.
2. The positive balance is due to higher interest rates than budgeted as the overall rates remained high throughout the year.

B. Expenditures:

1. Expenditures to date are low mainly due to the timing of program activities.

C. Other Financing Sources:

1. Operating transfers in represent cash transfers within the Council of Governments for public outreach.
2. Operating transfers out represent the cash transfers to fund the Indirect Cost Fund and Capital Projects Fund to be consistent with the funding breakdown and for public outreach.

Enterprise Fund

A. Revenues:

1. Express Lanes operations commenced in August 2024.

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B. Expenditures:

1. Expenditures to date are low mainly due to the commencement of operations starting after the fiscal year-end.

C. Other Financing Sources:

1. Operating transfers in represent cash transfers associated with the I-15 Express Lanes Project
2. Operating transfers out represent cash transfers to the Measure I-Freeway Fund for draws on the TIFIA loan and to properly allocate costs associated with the I-15 Express Lanes Project.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025.

Reviewed By:

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

Responsible Staff:

Lisa Lazzar, Chief of Fiscal Resources

Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Fiscal Year 2023-2024
Forth Quarter Budget to Actual Report
June 30, 2024

	2023-2024 Original Budget	Amendments	2023-2024 Revised Budget	Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining for Expenditures
GENERAL FUND							
Revenues							
Sales Tax-MSI	2,570,000	-	2,570,000	2,518,059	-	51,941	
Charges for Services	263,000	-	263,000	656,870	-	(393,870)	
Investment Earnings	367,000	-	367,000	645,918	-	(278,918)	
Miscellaneous	-	-	-	1,001	-	(1,001)	
Total Revenues	3,200,000	-	3,200,000	3,821,848	-	(621,848)	
Expenditures							
General Government	13,412,249	5,067,174	18,479,423	16,283,397	-	2,196,026	11.88%
Regional & Subregional Planning	1,496,648	(15,930)	1,480,718	1,123,117	-	357,601	24.15%
Transit	85,815,590	(5,508,782)	80,306,808	37,790,495	-	42,516,313	52.94%
Project Delivery	441,697	-	441,697	51,771	-	389,926	88.28%
Fund Administration	692,162	(58,300)	633,862	520,459	-	113,403	17.89%
Total Expenditures	101,858,346	(515,838)	101,342,508	55,769,239	-	45,573,269	44.97%
Other Financing Sources							
Transfers in	99,002,219	52,433	99,054,652	55,393,992	-	43,660,660	44.08%
Transfers out	(431,940)	(4,059,498)	(4,491,438)	(4,491,438)	-	-	0.00%
Total Other Financing Sources	98,570,279	(4,007,065)	94,563,214	50,902,554	-	43,660,660	46.17%
Revenues Over (Under) Expenditures	(88,067)	(3,491,227)	(3,579,294)	(1,044,837)	-	(2,534,457)	
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	178,943,595	1,000,000	179,943,595	73,052,626	-	106,890,969	
Investment Earnings	2,546,000	-	2,546,000	144,870	-	2,401,130	
Total Revenues	181,489,595	1,000,000	182,489,595	73,197,496	-	109,292,099	
Expenditures							
Regional & Subregional Planning	-	1,015,000	1,015,000	429,148	-	585,852	42.28%
Transit	1,686,932	-	1,686,932	911,455	-	775,477	45.97%
Project Delivery	179,802,663	(2,057,435)	177,745,228	78,728,034	-	99,017,194	55.71%
Total Expenditures	181,489,595	(1,042,435)	180,447,160	80,068,637	-	100,378,523	55.63%
Other Financing Sources							
Transfers in	-	25,011,231	25,011,231	7,513,159	-	17,498,072	69.96%
Transfers out	-	(28,997,775)	(28,997,775)	(4,320,454)	-	(24,677,321)	85.10%
Total Other Financing Sources	-	(3,986,544)	(3,986,544)	3,192,705	-	(7,179,249)	180.09%
Revenues Over (Under) Expenditures	-	(1,944,109)	(1,944,109)	(3,678,436)	-	1,734,327	
FEDERAL TRANSIT ADMINISTRATION FUND							
Revenues							
Intergovernmental	32,625,062	-	32,625,062	29,973,402	-	2,651,660	
Total Revenues	32,625,062	-	32,625,062	29,973,402	-	2,651,660	
Expenditures							
Transit	32,625,062	2,000,000	34,625,062	23,143,516	-	11,481,546	33.16%
Total Expenditures	32,625,062	2,000,000	34,625,062	23,143,516	-	11,481,546	33.16%
Revenues Over (Under) Expenditures	-	(2,000,000)	(2,000,000)	6,829,886	-	(8,829,886)	

Attachment: Budget to Actual 4th Qtr 2024 (10723 : Budget to Actual Report - 4th Qtr. 2023/2024)

Fiscal Year 2023-2024
Forth Quarter Budget to Actual Report
June 30, 2024

	2023-2024 Original Budget	Amendments	2023-2024 Revised Budget	Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining for Expenditures
STATE HIGHWAY FUND							
Revenues							
Intergovernmental	83,359,106	-	83,359,106	39,067,565	-	44,291,541	
Total Revenues	83,359,106	-	83,359,106	39,067,565	-	44,291,541	
Expenditures							
General Government	10,132	(10,132)	-	-	-	-	0.00%
Regional & Subregional Planning	270,774	(67,436)	203,338	203,338	-	-	0.00%
Transit	9,507,353	11,933,227	21,440,580	5,892,558	-	15,548,022	72.52%
Project Delivery	72,783,753	(462,600)	72,321,153	32,667,123	-	39,654,030	54.83%
Fund Administration	787,094	77,568	864,662	864,662	-	-	0.00%
Total Expenditures	83,359,106	11,470,627	94,829,733	39,627,681	-	55,202,052	58.21%
Revenues Over (Under) Expenditures	-	(11,470,627)	(11,470,627)	(560,116)	-	(10,910,511)	
PROPOSITION 1B FUND							
Revenues							
Intergovernmental	4,677,540	-	4,677,540	1,999,477	-	2,678,063	
Total Revenues	4,677,540	-	4,677,540	1,999,477	-	2,678,063	
Expenditures							
Project Delivery	4,677,540	1,252,670	5,930,210	5,185,685	-	744,525	12.55%
Total Expenditures	4,677,540	1,252,670	5,930,210	5,185,685	-	744,525	12.55%
Revenues Over (Under) Expenditures	-	(1,252,670)	(1,252,670)	(3,186,208)	-	1,933,538	
LOCAL TRANSPORTATION FUND							
Revenues							
Sales Tax-LTF	150,157,833	-	150,157,833	148,432,754	-	1,725,079	
Investment Earnings	6,000,000	-	6,000,000	16,247,226	-	(10,247,226)	
Total Revenues	156,157,833	-	156,157,833	164,679,980	-	(8,522,147)	
Expenditures							
Transit	139,640,000	(3,893,969)	135,746,031	84,398,742	-	51,347,289	37.83%
Total Expenditures	139,640,000	(3,893,969)	135,746,031	84,398,742	-	51,347,289	37.83%
Other Financing Sources							
Transfers out	(34,151,952)	(3,893,969)	(38,045,921)	(38,045,920)	-	(1)	0.00%
Total Other Financing Sources	(34,151,952)	(3,893,969)	(38,045,921)	(38,045,920)	-	(1)	0.00%
Revenues Over (Under) Expenditures	(17,634,119)	-	(17,634,119)	42,235,318	-	(59,869,437)	
STATE TRANSIT ASSISTANCE FUND							
Revenues							
Intergovernmental	34,688,509	-	34,688,509	44,995,756	-	(10,307,247)	
Investment Earnings	2,513,000	-	2,513,000	6,335,177	-	(3,822,177)	
Total Revenues	37,201,509	-	37,201,509	51,330,933	-	(14,129,424)	
Expenditures							
Transit	27,324,081	-	27,324,081	7,498,304	-	19,825,777	72.56%
Total Expenditures	27,324,081	-	27,324,081	7,498,304	-	19,825,777	72.56%
Other Financing Sources							
Transfers out	(56,892,617)	-	(56,892,617)	(9,337,990)	-	(47,554,627)	83.59%
Total Other Financing Sources	(56,892,617)	-	(56,892,617)	(9,337,990)	-	(47,554,627)	83.59%
Revenues Over (Under) Expenditures	(47,015,189)	-	(47,015,189)	34,494,639	-	(81,509,828)	

Note: Intergovernmental revenue (from State Transit Assistance) is net of the amount allocated to SBCTA and accounted for in the General Fund.

Fiscal Year 2023-2024
Forth Quarter Budget to Actual Report
June 30, 2024

	2023-2024 Original Budget	Amendments	2023-2024 Revised Budget	Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining for Expenditures
SENATE BILL 1 Fund							
Revenues							
Intergovernmental	98,341,150	-	98,341,150	19,870,180	-	78,470,970	
Total Revenues	98,341,150	-	98,341,150	19,870,180	-	78,470,970	
Expenditures							
Commuter and Motorist Assistance	2,576,431	-	2,576,431	2,464,113	-	112,318	95.64%
Regional & Subregional Planning Program	550,000	-	550,000	511,948	-	38,052	93.08%
Transit	47,979,494	(7,531,000)	40,448,494	6,445,809	-	34,002,685	84.06%
Major Project Delivery	47,235,225	-	47,235,225	17,775,512	-	29,459,713	37.63%
Total Expenditures	98,341,150	(7,531,000)	90,810,150	27,197,382	-	63,612,768	70.05%
Revenues Over (Under) Expenditures	-	7,531,000	7,531,000	(7,327,202)	-	14,858,202	
MEASURE I 1990-2010 FUND							
Revenues							
Investment Earnings	121,000	-	121,000	174,229	-	(53,229)	
Miscellaneous	-	-	-	917,473	-	(917,473)	
Total Revenues	121,000	-	121,000	1,091,702	-	(970,702)	
Expenditures							
Project Delivery	1,156,040	4,200	1,160,240	814,780	-	345,460	29.77%
Total Expenditures	1,156,040	4,200	1,160,240	814,780	-	345,460	29.77%
MEASURE I 2010-2040 FUND							
Revenues							
Sales Tax-MSI	254,430,000	-	254,430,000	249,287,798	-	5,142,202	
Investment Earnings	9,149,000	-	9,149,000	24,496,859	-	(15,347,859)	
Total Revenues	263,579,000	-	263,579,000	273,784,657	-	(10,205,657)	
Expenditures							
General Government	1,264,812	7,960,861	9,225,673	9,173,750	-	51,923	0.56%
Environment and Energy Conservation	270,051	(11,200)	258,851	30,868	-	227,983	88.07%
Commuter and Motorist Assistance	904,784	(37,000)	867,784	173,509	-	694,275	80.01%
Regional & Subregional Planning	1,359,037	60,327	1,419,364	1,129,285	-	290,079	20.44%
Transit	59,640,893	3,985,378	63,626,271	32,040,006	-	31,586,265	49.64%
Project Delivery	204,206,341	(182,836)	204,023,505	89,537,371	-	114,486,134	56.11%
Fund Administration	159,288,275	(13,500)	159,274,775	76,572,703	-	82,702,072	51.92%
Total Expenditures	426,934,193	11,762,030	438,696,223	208,657,492	-	230,038,731	52.44%
Other Financing Sources							
Transfers in	62,662,439	6,551,485	69,213,924	47,810,930	-	21,402,994	30.92%
Transfers out	(19,835,366)	(1,474,898)	(21,310,264)	(20,325,409)	-	(984,855)	4.62%
Total Other Financing Sources	42,827,073	5,076,587	47,903,660	27,485,521	-	20,418,139	42.62%
Revenues Over (Under) Expenditures	(120,528,120)	(6,685,443)	(127,213,563)	92,612,686	-	(219,826,249)	

Note: Sales tax - MSI is net of the 1% for Measure I Administration and accounted for in the General Fund.

Attachment: Budget to Actual 4th Qtr 2024 (10723 : Budget to Actual Report - 4th Qtr. 2023/2024)

Fiscal Year 2023-2024
Forth Quarter Budget to Actual Report
June 30, 2024

	2023-2024 Original Budget	Amendments	2023-2024 Revised Budget	Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining for Expenditures
DEBT SERVICE FUND							
Revenues							
Investment Earnings	303,000	-	303,000	1,507,075	-	(1,204,075)	
Total Revenues	303,000	-	303,000	1,507,075	-	(1,204,075)	
Expenditures							
Debt Service	13,418,420	98,115,001	111,533,421	110,121,238	-	1,412,183	1.27%
Total Expenditures	13,418,420	98,115,001	111,533,421	110,121,238	-	1,412,183	1.27%
Other Financing Sources							
Operating Transfers In	13,418,420	98,131,664	111,550,084	108,439,495	-	3,110,589	2.79%
Operating Transfers Out	-	(16,663)	(16,663)	(16,661)	-	(2)	0.00%
Total Other Financing Sources	13,418,420	98,115,001	111,533,421	108,422,834	-	3,110,587	2.79%
Revenues Over (Under) Expenditures	303,000	-	303,000	(191,329)	-	494,329	
CAPITAL PROJECTS FUND							
Revenues							
Intergovernmental	31,346,757	-	31,346,757	21,521,567	-	9,825,190	
Investment Earnings	609,000	-	609,000	754,885	-	(145,885)	
Miscellaneous	2,695,900	-	2,695,900	186,248	-	2,509,652	
Total Revenues	34,651,657	-	34,651,657	22,462,700	-	12,188,957	
Expenditures							
Environment and Energy Conservation	657,500	-	657,500	-	-	657,500	100.00%
Commuter and Motorist Assistance	1,079,349	-	1,079,349	134,717	-	944,632	87.52%
Regional & Subregional Planning	301,255	(47,938)	253,317	150,601	-	102,716	40.55%
Transit	2,367,760	3,206,916	5,574,676	5,170,817	-	403,859	7.24%
Project Delivery	27,353,151	27,613,273	54,966,424	21,504,849	-	33,461,575	60.88%
Fund Administration	1,627,298	-	1,627,298	-	-	1,627,298	100.00%
Debt Service	-	450,000	450,000	351,621	-	98,379	21.86%
Total Expenditures	33,386,313	31,222,251	64,608,564	27,312,605	-	37,295,959	57.73%
Other Financing Sources							
Proceeds from Bond Issuance	-	96,352,000	96,352,000	96,273,385	-	78,615	0.08%
Proceeds from commercial paper	-	25,000,000	25,000,000	7,500,000	-	17,500,000	70.00%
Operating Transfers in	-	28,538,807	28,538,807	3,866,909	-	24,671,898	86.45%
Operating Transfers out	-	(124,113,567)	(124,113,567)	(104,471,589)	-	(19,641,978)	15.83%
Total Other Financing Sources	-	25,777,240	25,777,240	3,168,705	-	22,608,535	87.71%
Revenues Over (Under) Expenditures	1,265,344	(5,445,011)	(4,179,667)	(1,681,200)	-	(2,498,467)	
NONMAJOR GOVERNMENTAL FUNDS - EXCLUDING COUNCIL OF GOVERNMENTS FUND							
Revenues							
Intergovernmental	8,342,792	1,500,000	9,842,792	2,529,328	-	7,313,464	
Charges for Services	7,500	-	7,500	-	-	7,500	
Investment Earnings	118,000	-	118,000	245,583	-	(127,583)	
Miscellaneous	45,720	-	45,720	546	-	45,174	
Total Revenues	8,514,012	1,500,000	10,014,012	2,775,457	-	7,238,555	
Expenditures							
General Government	112,600	337,166	449,766	434,923	-	14,843	3.30%
Commuter and Motorist Assistance	3,315,015	141,610	3,456,625	2,267,501	-	1,189,124	34.40%
Regional & Subregional Planning	941,565	1,500,000	2,441,565	201,466	-	2,240,099	91.75%
Transit	2,012,700	3,362,240	5,374,940	1,591,074	-	3,783,866	70.40%
Total Expenditures	6,381,880	5,341,016	11,722,896	4,494,964	-	7,227,932	61.66%
Other Financing Sources							
Transfers in	-	13	13	13	-	(0)	0.00%
Transfers out	(440,205)	(13)	(440,218)	(440,218)	-	-	0.00%
Total Other Financing Sources	(440,205)	-	(440,205)	(440,205)	-	(0)	0.00%
Revenues Over (Under) Expenditures	1,691,927	(3,841,016)	(2,149,089)	(2,159,712)	-	10,623	

Attachment: Budget to Actual 4th Qtr 2024 (10723 : Budget to Actual Report - 4th Qtr. 2023/2024)

Fiscal Year 2023-2024
Forth Quarter Budget to Actual Report
June 30, 2024

	2023-2024 Original Budget	Amendments	2023-2024 Revised Budget	Actual Revenues & Expenditures to Date	Encumbrances	Balance	% of Budget Remaining for Expenditures
COUNCIL OF GOVERNMENTS FUND							
Revenues							
Intergovernmental	1,196,811	-	1,196,811	787,823	-	408,988	
Special Assessments	404,291	-	404,291	404,291	-	-	
Investment Earnings	25,000	-	25,000	50,563	-	(25,563)	
Miscellaneous	-	-	-	60,026	-	(60,026)	
Total Revenues	1,626,102	-	1,626,102	1,302,703	-	323,399	
Expenditures							
General Government	-	5,100	5,100	4,997	-	103	0.00%
Council of Governments	1,691,533	13,017	1,704,550	1,045,944	-	658,606	38.64%
Total Expenditures	1,691,533	18,117	1,709,650	1,050,941	-	658,709	38.53%
Other Financing Sources							
Transfers in	-	64	64	64	-	-	0.00%
Transfers out	(476,216)	(244)	(476,460)	(476,460)	-	-	0.00%
Total Other Financing Sources	(476,216)	(180)	(476,396)	(476,396)	-	-	0.00%
Revenues Over (Under) Expenditures	(541,647)	(18,297)	(559,944)	(224,634)	-	(335,310)	
ENTERPRISE FUND							
Revenues							
Express Lanes Fees And Charges	6,914,000	-	6,914,000	-	-	6,914,000	
Investment Earnings	-	-	-	168,792	-	(168,792)	
Total Revenues	6,914,000	-	6,914,000	168,792	-	6,745,208	
Expenditures							
Express Lanes Operation	7,633,045	300,000	7,933,045	4,891,462	-	3,041,583	38.34%
Total Expenditures	7,633,045	300,000	7,933,045	4,891,462	-	3,041,583	38.34%
Other Financing Sources							
Operating Transfers in	-	4,273,497	4,273,497	4,273,497	-	-	0.00%
Operating Transfers out	(62,854,782)	(3,973,497)	(66,828,279)	(45,371,920)	-	(21,456,359)	32.11%
Total Other Financing Sources	(62,854,782)	300,000	(62,554,782)	(41,098,423)	-	(21,456,359)	34.30%
Revenues Over (Under) Expenditures	(63,573,827)	-	(63,573,827)	(45,821,093)	-	(17,752,734)	

Minute Action

AGENDA ITEM: 4

Date: *October 9, 2024*

Subject:

Long Term Budget for the Freeway Service Patrol Program

Recommendation:

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

- A. Receive information on the proposed Freeway Service Patrol (FSP) Program long-term budget.
- B. Direct staff on how to proceed with addressing the financial challenges of the FSP Program over the next six years.

Background:

The San Bernardino County Transportation Authority (SBCTA) began its Freeway Service Patrol (FSP) Program in Fiscal Year (FY) 2005/2006. FSP consists of a fleet of tow trucks that travel on selected San Bernardino County freeways during peak periods of congestion to assist motorists with their disabled vehicles. The designated segment of highway that the tow trucks patrol is referred to as a “Beat.” Over the years, the FSP Program has demonstrated many benefits to the motoring public by reducing the amount of time a motorist is in an unsafe condition, reducing traffic congestion, as well as decreasing fuel consumption, vehicle emissions, and secondary incidents. SBCTA began FSP operations in January 2006, and now has eight separate Beats in operation covering more than 98 centerline miles. The services are provided Monday through Friday in two separate shifts to accommodate peak traffic hours. Monday through Friday the morning shift is from 6:00 a.m. to 8:30 a.m. and the Monday through Thursday afternoon shift is 1:00 p.m. to 6:00 p.m. On Fridays, the afternoon shift starts at 11:00 a.m. and continues until 6:00 p.m. FSP also operates in select areas on Saturdays and Sundays from 10:00 a.m. to 6:00 p.m. on a demonstration basis. The weekday service areas are as follows and correlate to the map in Attachment 1:

- Beat 5: State Route (SR) 60 Reservoir Street (Los Angeles County Line) to Milliken Avenue
- Beat 9: Interstate 10 (I-10) Indian Hill (Los Angeles County Line) to Sierra Avenue
- Beat 11: I-10 Sierra Avenue to Waterman Avenue
- Beat 14: Interstate 215 (I-215) Center Street (Riverside County Line) to Devore Road
- Beat 23: Interstate 15 (I-15) Jurupa Street (Riverside County Line) to Sierra Avenue
- Beat 27: I-15 Sierra Avenue to Oak Hill Road
- Beat 29: I-10 Waterman Avenue to Yucaipa Boulevard
- Beat 31: SR 210 from Los Angeles County Line to Citrus Avenue

Since the program’s inception in 2006, the FSP Program has assisted more than 940,000 motorists on San Bernardino County highways. The assists include services such as a flat tire change, a battery jump-start, providing a gallon of fuel, and performing driver safety checks, which is when a FSP Driver will check on a vehicle that is parked alongside the freeway to see if the motorist, if available, is in need of assistance and provides information on the FSP Program. FSP Tow Drivers can also help a motorist when they have accidentally locked their keys in the car while stopped along the freeway.

Entity: San Bernardino County Transportation Authority

General Policy Committee Agenda Item

October 9, 2024

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Financial Challenges – due to several factors over the past few years, there has been a substantial increase in the hourly rates paid for tow truck services. This increase has had a huge impact on operating budgets as the five-year contracts for FSP Beats come up for renewal/rebid. The current average hourly rate that will be paid for tow services in FY 2024/2025 is approximately \$106.00 per hour, the hourly rate paid for services five years ago was approximately \$69.00 per hour. The factors that have drastically increased rates for these services include the cost of insurance, the increase in workman's compensation expenses, the cost to acquire tow trucks, and the increase in hourly wages to obtain and maintain quality drivers. It is anticipated that the average rate will continue to increase, and the hourly rates for the most recent bids for tow truck services have been \$125.00 and \$145.00 per hour (new contract services to start on Beat 5 and Beat 27 on January 1, 2025).

Staff has prepared a long-range financial budget plan through FY 2029/2030. Based on the latest hourly rates and the anticipated hourly rates for FSP Beats that will be up for renewal (for example Beat 11 and Beat 29) the plan indicates that there will be a deficit of more than \$2 million with this program by FY 2029/2030.

FSP FUNDING AND EXPENSES OVER NEXT SIX FISCAL YEARS

Fiscal Year	Funding Available**	Anticipated Expenses	Deficit w/No Change
FY 24/25	\$ 3,557,005	\$ 3,792,831	\$ 235,826
FY 25/26	\$ 3,557,005	\$ 3,880,710	\$ 323,705
FY 26/27	\$ 3,557,005	\$ 4,506,224	\$ 949,219
FY 27/28	\$ 3,557,005	\$ 5,013,562	\$ 1,456,557
FY 28/29	\$ 3,557,005	\$ 5,542,859	\$ 1,985,854
FY 29/30	\$ 3,557,005	\$ 5,659,991	\$ 2,102,986

** Please note these figures are estimates. The funding from California Department of Transportation (Caltrans) can fluctuate from year to year but the funding does not automatically increase to account for inflation.

There are several strategies that staff have recommended, that if implemented, will help to address the financial challenges faced by the FSP Program over the next six years. The strategies are focused on service efficiencies or reductions and include:

Fiscal Year	Potential Reductions for FSP Program
FY 24/25	Reduce the Weekend Services (starting January 1, 2025)
FY 26/27	Combine Beat 11 and 29 - from four trucks to two trucks (April 1, 2026)
FY 27/28	Reduce Beat 31 from two trucks to one truck (January 1, 2028)
FY 28/29	Reduce Service Hours to original number of hours (this will also allow for SBCTA FSP Program to match the hours of the FSP Program in Riverside)
FY 29/30	Eliminate Beat 27 (January 1, 2030)
FY 29/30	Reduce Beat 5 from two tow trucks to one tow truck (January 1, 2030)

Reduce Weekend Service – Weekend Service currently operates on Beat 9, Beat 11, Beat 27, Beat 29, and Beat 31. There is one FSP tow truck that operates between the hours of 10:00 am and 6:00 pm on Saturday and Sunday. On Beat 9 there are two tow trucks operating. If the majority of Weekend Service was discontinued on January 1, 2025, for Beats 11, 27, 29, and 31, it would save approximately \$192,000 in FY 2024/2025. It is recommended that the Weekend Services for Beat 9 be reduced from two tow trucks to one tow truck until the construction is completed in this area (along I-10 from Indian Hill to Sierra Avenue), then the Weekend Service for Beat 9 should be eliminated. Moving forward, it is estimated that the reduction of Weekend Services will save approximately \$500,000 each fiscal year. In addition, Weekend Services have always been noted as part of a “pilot program” and it has been clearly noted in all tow operator contracts that Weekend Services are not guaranteed to the tow operator.

Combine Beats 11 and 29 – The FSP operating contracts for Beats 11 and 29 are scheduled to expire on March 31, 2026. Beats 11 and 29 operate along the I-10 from Sierra Avenue to County Line Road. The Request for Proposals (RFP) for tow services would be released prior to end of calendar year 2024. It is recommended that a single RFP for a reconfigured Beat 11/29 could be released, in which one tow truck would operate along the I-10 between Sierra Avenue and Waterman Avenue and one tow truck would operate along the I-10 between Waterman Avenue and County Line Road. Both areas could share one back-up tow truck. This would reduce the number of tow trucks from six to three for this segment of freeway. The RFP would need to be awarded to one tow operator, since both segments would share the same back-up tow truck. If this recommendation is implemented starting in FY 2026/2027 it is estimated that this could save approximately \$656,000 per fiscal year.

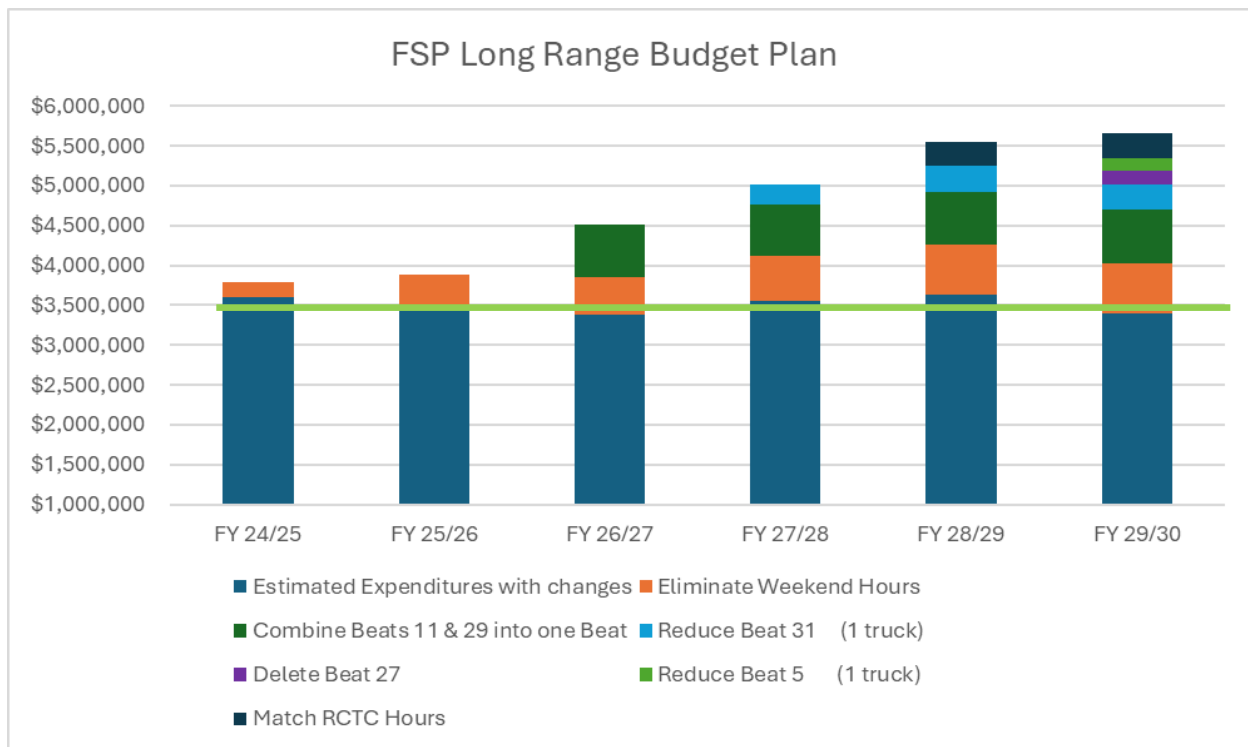
Reduce Beat 31 – The FSP operating contract for Beat 31 expires on September 30, 2027. This Beat operates two tow trucks along the SR 210 from the Los Angeles County Line to Citrus Avenue. It is anticipated that if one truck operated on this Beat, approximately \$350,000 could be saved each fiscal year.

Reduce Service Hours – Changes in hours (reduction of 2.5 hours per week or one-half hour a day) to match Riverside County Transportation Commission’s (RCTC’s) FSP hours. Please note, that the SBCTA FSP Program operated the same hours as RCTC for approximately the first ten years of the program. San Bernardino expanded its hours when Senate Bill 1 grant funds initially became available. However, over the past several years, FSP operational costs have increased significantly. Therefore, staff is recommending that we once again align with the original hours that RCTC currently provides. It is anticipated that a reduction in hours could save approximately \$300,000 per fiscal year. Due to current contract obligations, we could start making this realignment in April 2026 (with the new Beat 11 and Beat 29 contracts) and continue these efforts through FY 2027/2028.

Eliminate Beat 27 – The FSP operating contract for Beat 27 expires on December 31, 2029. This Beat operates one tow truck along the I-15 from Sierra Avenue to Oak Hill Road. It is anticipated that if this Beat is not renewed it would save \$165,000 in FY 2029/2030 and \$330,000 each fiscal year thereafter.

Reduce Beat 5 - The FSP operating contract for Beat 5 expires on December 31, 2029. This Beat operates two tow trucks on SR 60 from the Los Angeles County Line to Milliken Avenue. It is anticipated that if one truck operated on this Beat, approximately \$165,000 could be saved in FY 2029/2030 and \$330,000 each fiscal year thereafter.

The graphic below represents the long-range budget plan over the next six fiscal years. If no action is taken, expenditures will far exceed the budget (green line). The color codes above the green line (budget) represent the various staff recommendations that could be implemented to keep the FSP program within budget.



Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025

Reviewed By:

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

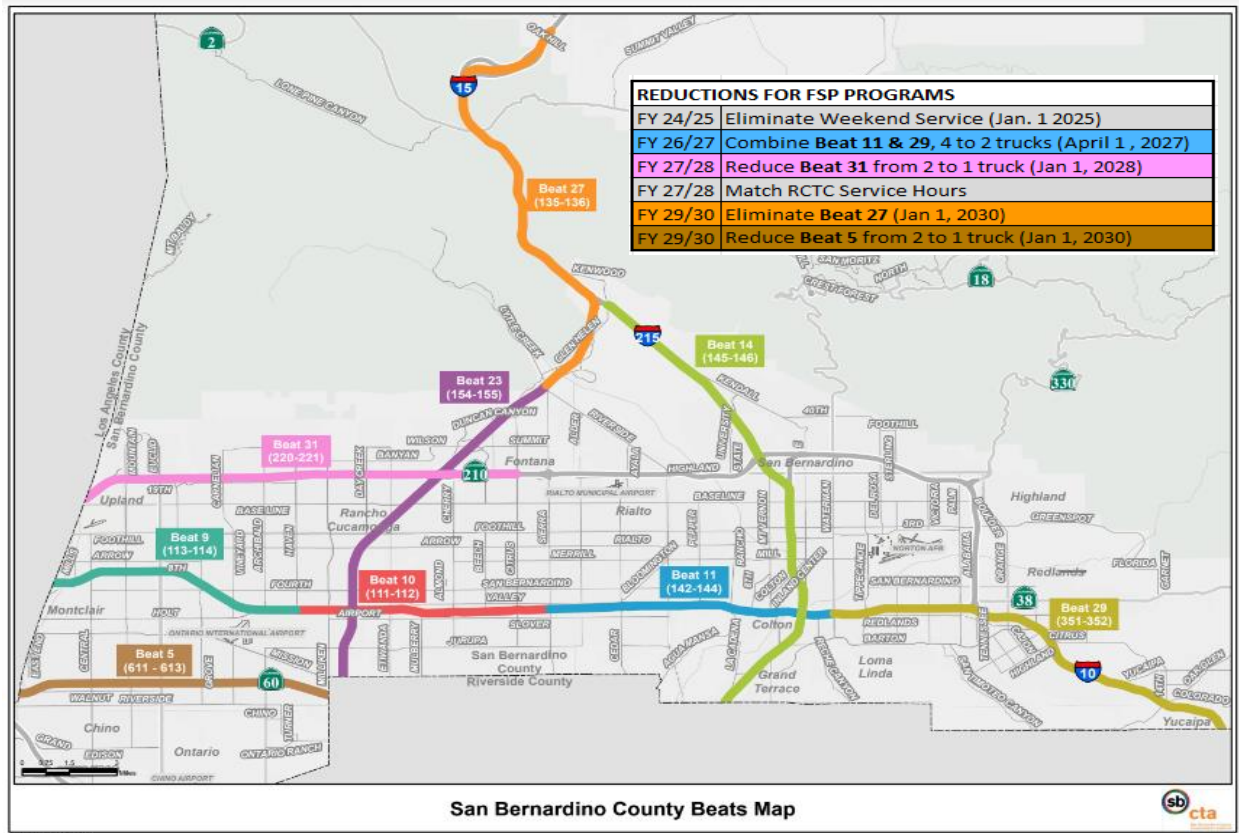
Responsible Staff:

Steve Smith, Director of Planning & Regional Programs

Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:

MAP OF FSP BEATS AND PROPOSED PROGRAM REDUCTIONS



Minute Action

AGENDA ITEM: 5

Date: *October 9, 2024*

Subject:

Update on Activities of the Planning and Regional Programs Department

Recommendation:

Receive an update on the activities of the Planning and Regional Programs Department, providing services under both the San Bernardino County Transportation Authority and San Bernardino Council of Governments.

Background:

The Planning and Regional Programs Department encompasses three core activities:

- Regional and subregional transportation planning and sustainability programs (under the San Bernardino County Transportation Authority (SBCTA) umbrella)
- Air Quality and Mobility Programs (AQMP) (under the SBCTA umbrella, with a focus on Freeway Service Patrol (FSP), Call-box Operations, and Traveler Services/511 operations)
- Council of Governments (COG) programs (under the San Bernardino Council of Governments (SBCOG) umbrella)

One of the rather unique features of SBCTA/SBCOG is that the transportation authority and COG functions are housed under the same countywide operation, though SBCTA and SBCOG are separate legal entities. This offers a number of efficiencies in operation in terms of flexibility with staff assignments, coordinating technical work, and administrative management. The only other entity in Southern California where this is the case is the Imperial County Transportation Commission (ICTC), and this occurred only in 2020 as some of the COG functions were brought into the ICTC operation under Assembly Bill (AB) 335.

The AQMP and COG programs were folded into the Planning and Regional Programs Department beginning in Fiscal Year (FY) 2022/2023. Below is a listing of some of the activities for each of these three core areas. The staff report highlights a few of the noteworthy accomplishments since the last report. The intent is to bring an update to the General Policy Committee at approximately six-month intervals. The last update to the General Policy Committee was on February 14, 2024.

ACCOMPLISHMENTS SINCE THE LAST REPORT

The last six months saw multiple accomplishments in Transportation Planning, COG, and AQMP groups. Some of the highlights include:

Transportation Planning

1. Award of \$9.6 million in state Regional Early Action Plan (REAP) 2.0 funding for development of a Vehicle Miles Traveled (VMT) mitigation bank and projects in six jurisdictions: Colton, Ontario, Rialto, Rancho Cucamonga, Upland, and San Bernardino County (County).

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

2. A major upgrade was completed to SBCTA's travel demand forecasting model San Bernardino County Transportation Analysis Model (SBTAM). This model is used to support SBCTA and local transportation project development as well as local land development projects.
3. Began work on the State Route (SR) 247/62 Emergency Bypass Lane Study, a multi-agency effort to assess how to manage traffic when a major incident or closure occurs on Interstate 15 in the Cajon Pass.
4. The Long-Range Multimodal Transportation Plan (LRMTP) tested VMT-reducing scenarios and held multiple public outreach events.
5. Staff assisted local jurisdictions with their Active Transportation Program (ATP) grant applications to California Department of Transportation (Caltrans).
6. Two Caltrans planning grants were awarded totaling \$2.2 million, both related to evacuation planning requirements placed on local jurisdictions by the legislature (Senate Bill (SB) 99 and AB 747). It is a joint effort with Western Riverside COG.

Council of Governments

1. The COG Joint Powers Authority Agreement Amendment 4 was adopted by all 24 cities and the County, enabling the COG to expand its range of services.
2. The Smart County Early Action Plan was delivered, focusing on six initiatives to move forward with specific applications to transportation, public safety, and bridging the digital divide.
3. Award of \$8.7 million in REAP 2.0 funds for multiple projects, including \$5 million for initiating the Housing Trust.
4. Partnership with South Coast Air Quality Management District on a successful \$499 million grant from the Environmental Protection Agency (EPA) focusing on zero-emission goods movement.

Air Quality and Mobility Program (AQMP, including I-REN)

1. The SBCTA Board of Directors (Board) approved a merger of FSP Beat 9 (I-10 from Indian Hill to Haven Avenues) and Beat 10 (Haven Avenue to Sierra Avenue) as an efficient way to manage the increasing costs of FSP and help improve the benefit/cost ratio of the route. The AQMP team is bringing a companion item to this committee to provide a cost-management strategy to highlight how FSP costs will need to be managed over the next several years.
2. The Inland Regional Energy Network (I-REN) team received notification from the Los Angeles County lead about the Equitable Building Decarbonization grant award through the California Energy Commission: \$329 million for the Southern California region, from which the County should receive at least a 10 percent share of energy efficiency upgrades for local homeowners.
3. The I-REN team continues its outreach on three fronts: Public Sector energy efficiency upgrades, work force development, and Codes & Standards education. FY 2024/2025 is expected to be a significant year for public sector energy efficiency projects moving forward, and discussions are taking place across the three COGs on how to further streamline the project delivery process. An overall progress report was provided for I-REN at the September 4, 2024 SBCTA Board meeting.

ADDITIONAL BACKGROUND INFORMATION ON ACTIVITIES

Regional and Subregional Transportation Planning and Sustainability Programs (under SBCTA)

Generally, the “regional” programs focus on planning activities associated with the Southern California Association of Governments (SCAG), as well as inter-county collaboration on a variety of topics. The “subregional” programs are focused on planning functions, sustainability activities, grant applications, etc. that are either countywide or cover a subarea of the county. Some of the more significant and recent activities under these programs include:

Regional

1. Provided technical input and comments to SCAG regarding the Draft 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS – “Connect SoCal”). The RTP/SCS was approved in spring 2024. SBCTA staff has provided substantial information to SCAG on growth forecasts and project listings for the RTP/SCS over the last three years. The technical work related to the next update of the RTP/SCS (for 2028) usually begins about six months after the adoption of the previous RTP/SCS.
2. SBCTA staff provided comments on a variety of statewide and regional plans and guidelines, including the Caltrans System Investment Strategy (CSIS) and Guidelines for SB 1 grant programs from the California Transportation Commission. SBCTA is currently developing projects to apply under the SB 1 grant programs with various partners.
3. Collaboration with SCAG on a variety of regional studies. An example is our collaboration with other counties, ports, and the private sector on the SCAG Zero-Emission Truck Infrastructure (ZETI) Study.
4. Completion of SR-18 Project Study Report/Project Development Report with Los Angeles Metro and Caltrans Districts 7 and 8.
5. Participation in the bi-monthly SCAG/County Transportation Commission Planning Directors coordination meetings.
6. Maintenance of the Inland Empire Comprehensive Multimodal Corridor Plan with Riverside County Transportation Commission (required for project eligibility on the SB 1 Solutions for Congested Corridors Program).
7. Pursuing the implementation of the bi-county (San Bernardino/Riverside) climate adaptation effort termed “Resilient IE.”
8. Carrying out the follow-up studies to Resilient IE – the bi-county Emergency Evacuation Route Study, funded by a Caltrans planning grant. The Request for Proposals was released during the summer, and the selection of a consultant to begin the technical assistance project will commence this fall.
9. SBCTA was recently awarded a grant from Caltrans to conduct the development of the SBCTA Evacuation and Resilience Center Design Study in the amount not-to-exceed \$725,000.
10. Providing input to the next South Coast Air Quality Management District (SCAQMD) AQMP. Staff is also represented on the Technical Advisory Committee for the Mobile Source Air Pollution Reduction Review Committee, and monitors activities of the Mojave Desert Air Quality Management District as well.

Subregional

1. Collaborating with transit agencies, local jurisdictions, and other stakeholders in development of the LRMTTP, which began in FY 2022/2023 and was funded through a Caltrans planning grant. SBCTA completed one-on-one meetings with each member of jurisdictions this summer to review current and future transit routes in their jurisdictions, especially on the possibility of prioritizing express bus/bus rapid transit lines.
2. Working with SCAG and local jurisdictions to maintain and apply the SBTAM. SBTAM is the forecasting tool used to support traffic and environmental studies for all of SBCTA's primary transportation projects. The model is used for local jurisdiction highway and development projects as well.
3. Providing guidance and technical support for local jurisdictions in the mitigation of VMT impacts for various transportation and development projects. The intent is to also develop and implement a VMT Mitigation Bank, subject to Board approval.
4. Preparing applications for Federal and State infrastructure and planning grants, including Federal discretionary grants, SB 1, and the Transit and Intercity Rail Capital Program, to secure funding for major transportation projects, supporting partnerships with Caltrans, SCAG, and other regional agencies. Actively pursue grant applications across multiple sectors, to include planning, freight, transit, and active transportation. A key focus of the Planning and Regional Programs Department has now become assistance, both internally and externally, with positioning projects to be competitive in grant funding programs and preparing the associated funding applications.
5. Supporting both the Transportation Technical Advisory Committee and the Planning and Development Technical Forum (PDTF), consisting of staff from local jurisdictions providing input on transportation and local government planning issues.
6. Supporting SBCTA project development efforts with traffic analyses and impact assessments.
7. Maintaining the policies in the Measure I 2010-2040 Strategic Plan and update the Strategic Plan narrative as necessary, together with the Fund Administration Department.
8. Preparing a priority list for Active Transportation, to assist in positioning County jurisdictions for competitive grant applications. A digital version of the Countywide Active Transportation Plan is hosted on the SBCTA website and mapping application. For the latest cycle of the State of California's competitive ATP, SBCTA assisted with grant applications submitted by our various member jurisdictions. (San Sevine Trail, Redlands/Highland Connector, etc.)
9. Managing the Transportation Development Act Article 3 Bicycle and Pedestrian Improvements program. Funding was awarded this FY under a call-for-projects. The next cycle of awards is expected to occur in FY 2025/2026.
10. Participating in subregional planning efforts led by local jurisdictions, SCAG, transit agencies or other agencies.
11. As needed, providing assistance to local jurisdictions to access and manage planning and project data disseminated by SBCTA through our Data Management Office.
12. Overseeing the Safe Routes to School Phase IV project and coordinating with Project Delivery on the design and construction of the bicycle/pedestrian improvements awarded in the Caltrans Active Transportation Project cycles.

Air Quality and Mobility Program (under SBCTA)

The AQMP activities are set up to manage three specific traveler services, as described below. Each of the services requires constant attention to ensure that the traveling public can travel in a safe and convenient manner, especially when problems occur on their trip. Collaboration on these services takes place primarily with the California Highway Patrol (CHP) and Caltrans. Refinements to these programs can occur on a year-to-year basis, so as to be most cost-effective. One of the future challenges faced in the management of these services will be dealing with the significant increase in costs, particularly regarding the Freeway Service Patrol (FSP). This has already required the merger of two FSP beats and could require more consolidation in the future.

1. **Freeway Service Patrol** – The purpose of the FSP program is to fund, implement, and maintain a program to assist stranded motorists traveling on designated highways of San Bernardino County. The FSP Program is a partnership between SBCTA, CHP, and Caltrans. An important goal of this partnership and of the FSP Program is to keep the freeways moving and reduce the chances of secondary incidents. SBCTA's FSP began full-time operations in January of 2006. The FSP Program operates a total of eight Beats along 98.38 centerline miles of highway in the Valley and portions of the Cajon Pass area and has assisted more than 77,000 motorists last fiscal year.
2. **Call Box System** – Another purpose of the AQMP is to maintain and operate a countywide motorist aid call box system responsive to the needs of motorists in the County. The current system consists of approximately 777 call boxes along 1,800 centerline highway miles. As the Valley has urbanized, fewer call boxes have been needed, given the prevalence of mobile phones and good cell signals. Cell signal coverage in outlying areas is spotty and is where most of the call boxes are now being located.
3. **SoCal 511** – SBCTA participates in the operation of the Southern California 511 (SoCal 511) traveler information phone service and www.GO511.com traveler information website. In the current fiscal year we have continued the transition to a regional 511 system merger with four other county commissions. The goal is to provide seamless regional traveler information through the SoCal 511 system for all commuters in the Southern California region.

Council of Governments (under SBCOG)

The function of the COG is to promote and encourage regional collaboration among agencies in the County and to conduct specific projects focused on local government services, sustainability, technology, equity, and quality of life that are of benefit to the member agencies. SBCOG actively participates in state and local sustainability and clean energy initiatives, thereby building stronger, more resilient, and prosperous communities.

The Board approved the Joint Powers Authority Agreement Amendment 4 language and dues increase on January 3, 2024, and all 24 cities/towns and the County have approved the amendment. The following are listed as some of the key engagements of the COG in the current fiscal year:

1. Operation of the I-REN in conjunction with Western Riverside COG and the Coachella Valley Association of Governments.

San Bernardino Council of Governments

San Bernardino County Transportation Authority

2. Preparation of the Early Action Plan as part of the Smart County Master Plan, funded by a contribution from the County. The full report should be completed by the end of calendar year 2025.
3. Planning and coordination of local agencies to plan and implement the Small Business component of the annual Business to Business event.
4. Planning and coordination for the annual City/County Conference in conjunction with the Legislative and Public Affairs Department.
5. Planning and coordination between SBCTA/SBCOG and local agencies to develop and implement an Equity Framework. That project has now been initiated with a consultant.
6. Participation in selected elements of the Countywide Vision implementation.
7. Hosting grant writing seminars for SBCOG member agencies.
8. Preparing grant applications that are of countywide interest and benefit. An example is the federal Climate Pollution Reduction Grant Program, a program of nearly \$5 billion managed by the EPA. Although EPA announced in July that the grant application submitted by SBCOG was not awarded, the partnership grant application by SCAQMD on goods movement was awarded \$500 million to bring funding for medium and heavy-duty electric vehicle charging stations to the Riverside-San Bernardino-Ontario Metropolitan Statistical Area.
9. The state's REAP 2.0 grant program is another example of a countywide grant-funded effort. SBCOG also provided assistance to many of our local jurisdictions on preparation of their Housing Elements through REAP 1.0 funding. The REAP 2.0 technical assistance will begin this fall.
10. Much of the local coordination for SBCOG occurs through the City/County Managers' Technical Advisory Committee and the PDTF, designed for information-exchange among local planning departments in the county.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025.

Reviewed By:

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

Responsible Staff:

Steve Smith, Director of Planning & Regional Programs

Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:

Minute Action

AGENDA ITEM: 6

Date: *October 9, 2024*

Subject:

Climate Pollution Reduction Grant Program Update and Goods Movement Charging Facilities

Recommendation:

That the General Policy Committee, acting as the San Bernardino County Transportation Authority and San Bernardino Council of Governments (SBCOG):

- A. Receive a presentation on the progress of the Environmental Protection Agency's Climate Pollution Reduction Grants planning and infrastructure programs.
- B. Provide direction to staff on SBCOG's participation in the development and construction of zero-emission goods movement medium and heavy-duty charging facilities in San Bernardino County.

Background:

The Climate Pollution Reduction Grants (CPRG) planning program provides grants to states, local governments, tribes, and territories to develop and implement plans for reducing greenhouse gas (GHG) emissions and other harmful air pollution. Section 60114 of the Inflation Reduction Act provides an investment of \$5 billion to support efforts by states and municipalities thereof to develop and implement local GHG reduction strategies. This two-staged grant program provides funding of \$250 million for noncompetitive planning grants and \$4.6 billion for competitive implementation grants. Planning grant funds can be used to update existing climate, energy, or sustainability plans.

The Environmental Protection Agency (EPA) is committed to supporting the development of climate action plans and the expeditious implementation of investment-ready policies, programs, and projects to reduce GHG emissions in the near term. Through the CPRG program, the EPA will support the development and deployment of technologies and solutions that will reduce GHGs and harmful air pollution, as well as transition America to a clean energy economy that benefits all Americans.

On July 5, 2023, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) authorized the Executive Director, or his designee, to execute a future Restricted Grant Agreement between SBCTA and the EPA for a not-to-exceed amount of \$1 million for the development of a regional Climate Action Plan (CAP) for the Riverside-San Bernardino-Ontario Metropolitan Statistical Area (MSA). To expeditiously accommodate the new grant funding and begin work on the project with a very tight deadline for phase I, SBCTA prepared a CPRG Work Plan and schedule with the EPA to outline how the \$1 million would be expended. On December 6, 2023, and February 7, 2024, the SBCTA/SBCOG staff provided a presentation to the Board on the progress of the CPRG planning program. The Board also approved staff to be the lead agency on the CPRG implementation application to be submitted to the EPA in April.

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

Subsequently, staff submitted a \$200 million CPRG Implementation Grant Application in April 2024 that included residential and municipal building decarbonization and light-duty zero emission vehicle (ZEV) charging programs. Although staff was notified in July that the proposal was not selected for funding, they did hear from the South Coast Air Quality Management District (SCAQMD) that the regional grant application associated with goods movement GHG reduction measures was awarded \$500 million. SBCTA staff worked closely with SCAQMD staff on the grant application and will continue to work with SCAQMD staff on implementing projects associated with the medium and heavy-duty truck ZEV charging facilities in the Inland Empire region. (See attached factsheet on SCAQMD's CPRG Grant Application)

The SCAQMD application included programs and projects intended to provide support to all four counties by offering a program intended to have the most impact on GHG reduction measures in the goods movement industry and achieve the goals of the CPRG program.

The grant focuses on incentives to deploy zero-emission, battery electric goods movement technologies in four measures (hydrogen excluded):

- Switcher locomotives and infrastructure
- Class 8 trucks and infrastructure
- Cargo handling equipment and infrastructure
- Last-mile freight delivery for medium-duty vehicles and infrastructure

SCAQMD is negotiating with the EPA to execute a grant agreement and plans to release a project-level Request for Proposals (RFP) soon after. SBCTA/SBCOG staff is leading the program development process with SCAQMD on behalf of the Inland Empire region in partnership with the Western Riverside Council of Governments (WRCOG), Coachella Valley Association of Governments (CVAG), Mojave Desert Air Quality Management District, and Southern California Association of Governments (SCAG).

Inland Empire (Riverside-San Bernardino-Ontario) MSA Progress Report

The Priority CAP (PCAP) section of the CPRG planning document provides a comprehensive summary of GHG reduction measures for the Riverside-San Bernardino-Ontario MSA, comprised of 54 jurisdictions in San Bernardino and Riverside Counties that are affiliated with the three Councils of Governments (COGs). The GHG reduction measures are organized into two main sections:

- Priority Regional Measures that represent the entire MSA that have broad applicability to the region and suitability for the CPRG's Implementation Grant Application.
- Additional measures that represent the full range of GHG reduction measures in each COG's existing CAPs that have been adopted or drafted by the COGs themselves (regional CAPs) or by individual jurisdictions (local CAPs).

In total, the PCAP's GHG reduction measures cover 25 jurisdictions in San Bernardino County and 29 jurisdictions in Riverside County. The development of the PCAP was completed in March 2024 and was approved by the EPA in the same month. As soon as PCAP was completed for the region, staff began work on the development of Comprehensive Climate Action Plan GHG inventories for San Bernardino (SBCOG), Western Riverside (WRCOG), and Coachella Valley (CVAG) regions that include the following sectors: energy (buildings and stationary

sources), transportation (on-road and off-road vehicles), water, waste, wastewater, and agriculture.

SBCTA/SBCOG CPRG Timeline and Next Steps

The timeline of SBCTA/SBCOG involvement thus far has been:

- On July 5, 2023, the Board authorized the Executive Director to approve grant terms and conditions between SBCTA and the EPA for receipt of an amount not-to-exceed \$1 million. It was agreed that SBCTA would serve as the lead agency for the development of the PCAP, collaborating with WRCOG, CVAG, the air districts, and SCAG. California Air Resources Board (CARB) was taking the lead at the state level.
- July 20, 2023 – The \$1 million planning grant was awarded to SBCTA as lead for the Riverside-San Bernardino-Ontario MSA by EPA.
- September 20, 2023 - EPA Notice of Funding Opportunity on CPRG Implementation grants issued.
- October 6, 2023 – Kickoff meeting with the consultant and participating stakeholder agencies, with frequent meetings between the staff of the three COGs since that time.
- October 25, 2023 – Kickoff meeting with the SBCTA/SBCOG jurisdictions at the October Planning and Development Technical Forum.
- November 1, 2023 – An email update was sent to the SBCOG Inland Regional Energy Network (I-REN) Executive Committee members regarding the special November 21, 2023 I-REN Executive Committee meeting to discuss this item.
- November 21, 2023 – CPRG presentation at the I-REN Executive Committee meeting on the potential for using the current I-REN structure for the CPRG implementation grant.
- December 6, 2023 – Staff provided an update of the CPRG Planning and Implementation Grant programs. A discussion of CPRG strategy with the SBCTA/SBCOG Board occurred and the Board authorized SBCTA/SBCOG staff to take the lead on the CPRG Implementation Grant program application.
- February 7, 2024 – Staff presentation on CPRG PCAP planning document and discussion of CPRG strategy of Priority Reduction Measures for the grant application.
- March 1, 2024 – SBCTA/SBCOG submitted the CPRG PCAP document to EPA.
- March 5, 2024 – EPA approved SBCTA/SBCOG CPRG PCAP document.
- April 1, 2024 – SBCTA/SBCOG submitted CPRG Implementation Grant Application to EPA.
- July 19, 2024 – SBCTA was informed of its non-selection of the implementation grant.
- July 22, 2024 – SCAQMD informed SBCTA of its implementation grant award announcement.
- November 2024 – SCAQMD is expected to sign a grant agreement with EPA and have a workforce development and community outreach plan completed in the first or second quarter of 2025. An RFP for individual projects will be released soon after the two planning components are approved by EPA.

SBCTA/SBCOG's Role in CPRG Implementation Projects and Other Goods Movement Related Implementation Projects

On April 4, 2024, SBCTA staff brought a discussion item to the Board to receive direction on the role of SBCOG in the implementation of residential decarbonization grant programs. Although the conversation between Board members revolved around SBCOG's staffing capacity to take on energy-related residential programs, the consensus to take on more opportunity for outside funding versus limiting the risk to the agency was clear. Most of the Board members were on the side of being aggressive about grant opportunities but having a larger role in providing oversight to the staff and programs. Similarly, SBCTA has now been pulled into various discussions about playing a more significant role in the transportation infrastructure grant programs related to ZEV charging facilities, especially related to the components of medium- and heavy-duty truck charging facilities. Just as with the residential decarbonization programs, staff is seeking direction from the Board on what the level of SBCTA's commitment would need to be moving forward.

The following is an example list of how certain Federal and State transportation grant applications have been designed to incorporate ZEV charging facilities in recent years. It also explains why transportation commissions are being requested to take on a greater role in implementing transportation charging facilities. There have been several competitive grants that have directly funded standalone charging facilities or have encouraged the inclusion of charging facilities as a component in larger infrastructure projects.

Charging and Fueling Infrastructure Program – US Department of Transportation

To strategically deploy publicly accessible electric vehicle (EV) charging and alternative fueling infrastructure in the places people live and work within urban and rural areas and along designated alternative fuel corridors. The program funds: 1. Community Charging and Fueling Grants (Community Program): To strategically deploy EV charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure located on public roads or in other publicly accessible locations. 2. Alternative Fuel Corridor Grants (Corridor Program): To strategically deploy charging and alternative fueling infrastructure located along designated alternative fuel corridors.

Grant – EPA and SCAQMD

The EPA announced 25 selected applications for over \$4.3 billion in grants to implement community-driven solutions to the climate crisis, reduce air pollution, advance environmental justice, and accelerate America's clean energy transition. The selected applications will fund state, local, and Tribal entities located in 30 states.

For the Southern California region, the selected SCAQMD application will support California and the municipal statistical areas of Los Angeles, Long Beach-Anaheim, Riverside-San Bernadino-Ontario to decarbonize the Southern California goods movement corridor. The grant will fund four measures to incentivize projects, aligned with the National Zero-Emission Freight Corridor Strategy, via initiatives such as installing EV charging, increasing zero-emission freight vehicles, and electrifying equipment and diesel freight switcher. San Bernardino Council of Governments
San Bernardino County Transportation Authority

locomotives in the region. However, SCAQMD has noted that CPRG will only fund ZEV infrastructure related electric power and not hydrogen.

The Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES) – US Department of Energy

The ARCHES is California's initiative to accelerate renewable hydrogen projects and the necessary infrastructure. This drive supports a transition to a zero-carbon economy. ARCHES prioritizes environmental and energy justice, equity, the improved quality of life for our communities, and the creation of good green careers for our workforce.

ARCHES is a collaborative initiative between public and private entities aimed at establishing a robust, environmentally friendly hydrogen hub in California and other regions. By harnessing local renewable resources, the project aims to produce hydrogen in a sustainable manner with the goal of completely decarbonizing the local economy. This effort places a high priority on environmental justice, equity, economic leadership, and workforce development.

Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) Incentives for Clean Trucks and Buses – CARB

Provides vouchers for the purchase of zero-emission trucks and buses, including funding for charging or fueling infrastructure.

- Public School Bus Set-Aside - Open
- Innovative Small e-Fleet - Open
- Drayage Truck – Closed
- Standard HVIP – Closed
- Local Education Agency School Bus Replacement Grants – Closed

Communities Taking Charge Accelerator Grant – US Department of Energy

The goal of the grant is to fund innovative approaches to expanding EV adoption and charging access, particularly at the local level in urbanized areas where land use, density, car ownership rates, grid considerations, and other factors create unique needs and considerations for electrifying the transportation network where the demand for transportation access is at its highest density.

Topic 1: Solving for No-Home Charging: Expanding Charging Access for Privately Owned E-Mobility

Topic 2: Expanding E-Mobility Solutions through Electrified Micro, Light and Medium-Duty Fleets

Topic 3: Managed Charging for Clean Reliable Energy

Trade Corridor Enhancement Program (TCEP) – California Transportation Commission (CTC)

The purpose of the TCEP is to provide funding for infrastructure improvements on federally designated Trade Corridors of National and Regional Significance, on California's portion of the National Highway Freight Network, as identified in the California Freight Mobility Plan, and along other corridors that have a high volume of freight movement. The program will support actions that support the transition to zero-emission freight infrastructure, including building zero-emission infrastructure that supports freight and improves access to freight charging or hydrogen

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fueling infrastructure to refuel battery electric and fuel cell powered trucks. SBCTA has been successful in receiving these funds in the past by partnering with the private sector to include these innovative charging facility components as part of the larger transportation corridor projects.

Solutions for Congested Corridors Program (SCCP) - CTC

The primary objective of the SCCP is to fund projects designed to reduce congestion in highly traveled and highly congested corridors through performance improvements that balance transportation improvements, community impacts, and that provide environmental benefits.

Both the TCEP and SCCP programs allow funding of projects that include supporting infrastructure for the deployment of current and future technologies, such as zero-emission vehicle charging or hydrogen fueling stations, and capital projects to upgrade maintenance facilities supporting zero-emission vehicles.

Other Charging Infrastructure Grants to Note:

The California Electric Vehicle Infrastructure Project (CALeVIP) – California Energy Commission (CEC)

The grant program offers substantial rebates for publicly available EV chargers. Incentives for the purchase and installation of EV charging infrastructure (Level 2 and/or DC fast-charging stations) at publicly accessible sites throughout California.

The Clean Transportation Program (previously known as the Alternative and Renewable Fuel and Vehicle Technology Program) – CEC

The grant program provides funding to support innovation and accelerate the development and deployment of zero-emission transportation and fuel technologies. The program was established by Assembly Bill 118 (Núñez, 2007), which took effect January 1, 2008, and was most recently extended through July 1, 2035, by Assembly Bill 126 (Reyes, 2023). Administered by the Energy Commission's Fuels and Transportation Division, the Clean Transportation Program invests in a broad portfolio of transportation and fuel transportation projects throughout the state, leveraging public and private investments.

Energy Infrastructure Incentives for Zero Emission Commercial Vehicles (EnergIIZE Project Goals Commercial Vehicles) - CEC

This is the nation's first commercial vehicle infrastructure incentive project. Funded by the CEC and implemented by CALSTART, EnergIIZE provides incentives for ZEV infrastructure equipment for medium-duty and heavy-duty and off-road battery-electric and hydrogen fuel cell vehicles operated and domiciled in California.

Charge Ready Transport Program – Southern California Edison

The grant offers low-to no-cost electrical system upgrades to support the installation of EV charging equipment for qualifying vehicles. This program provides a unique opportunity for fleet operators choosing to acquire electric vehicles by providing support and reducing the costs with installing the necessary charging equipment.

California's National Electric Vehicle Infrastructure Formula Program – California Department of Transportation and CEC

The grant supports projects that will strategically deploy high-powered direct current fast charger EV charging infrastructure and establish an interconnected network to facilitate data collection, access, and reliability.

Next Steps

After participating in recent discussions and workshops regarding grant guidelines at the Federal, State, and Regional levels, it has become evident that the approach taken by SBCTA staff to maximize competitiveness in securing funding for goods movement programs will depend on the level of aggressiveness that the Board wishes to pursue. As competitive funding programs continue to evolve, it will be important for us to tailor our approach based on the current landscape and opportunities available at different levels of government.

Funding for zero-emission goods movement is a complex area where grant funding generally needs to be channeled through public agencies but where ownership and operation of goods movement infrastructure, including vehicle charging and fueling infrastructure, needs to be retained by the private sector. However, public sector operations such as transit services and government fleets need to rely on the same or similar facilities. Public and private fleets may in fact need to share some of this infrastructure to take advantage of economies of scale, and some of the grant funding dollars can be used for either public or private operation.

How then should government agencies like SBCTA/SBCOG position themselves to ensure that the benefits of grant funding can be accessed while not taking on more responsibility than is appropriate? We can start by breaking this problem into its component parts: 1) transit operations and other government fleets, and 2) private sector fleets. There is also likely a difference in how certain energy/fuel sources are handled, particularly electric versus hydrogen, which have different use cases.

For example, in the case of goods movement, electric may be appropriate for shorter haul local trips, while hydrogen more appropriate for long haul and larger, heavier vehicles, due primarily to the limits of range with electric and the long charging times. Some vendors like WattEV are addressing the electric range issue by running electric truck leasing operations where cabs can be swapped out mid-day either locally or enroute with strategically placed electric truck depots. Transit operators are also finding that the range limits for electric buses and long charging times can create operational problems and additional costs compared to their current Compressed Natural Gas operations.

How then do public and private entities invest going forward, and how is this transition to zero-emission fleets accomplished within the framework of public/private partnerships? A good way to start is with establishing some key principles that can guide investments and grant pursuits for agencies like SBCTA/SBCOG, broken down by vehicle sector.

Observations for Transit Services and Government Fleets

- For transit, the transition to CNG from diesel over the last several decades has been relatively easy, because the ranges of CNG buses are long and the fueling times short.

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However, the mandate to reduce GHGs requires a transition to zero-emission, not just for the vehicle, but also considering GHG production from a well-to-wheel fuel production standpoint. Green hydrogen (essentially no GHGs from well-to-wheel) is considerably more expensive than “grey hydrogen,” which is generally derived from natural gas, and viewpoints differ on the extent to which grey hydrogen should be allowed during this transition period when hydrogen production has to ramp up. The CARB Low Carbon Fuel Standard is poised to allow for hydrogen production fuel credits after January 1, 2030 to be earned only by hydrogen produced by electrolysis. See link at: [Low Carbon Fuel Standard | California Air Resources Board](#).

- Transit operators need reliable fuel sources, ample vehicle ranges, and fueling times that minimize vehicle down-time and the need to swap out buses mid-day. This impedes operations and puts limits on route planning.
- Transit operators should ideally have charging/fueling facilities on-site at their depots or layover locations, with direct control over those operations. Natural gas pipelines and on-site dispensers have made that very practical and cost-effective. In the transition to zero-emission, the transit industry has focused almost exclusively on electric, with buses being manufactured at scale and with charging capabilities on-site. But with this has come increased complexity of operations, hence the pursuit of hydrogen fuel-cell buses and hydrogen fueling.
- While hydrogen fuel has been available for many years, the quantities produced have been small relative to what is needed for the transition of public and private sector fleets going forward, and the cost of both fuel-cell buses and the fuel is high. Hydrogen costs are projected to drop significantly once brought to scale, including green hydrogen, but the industry is in an awkward and costly “scale-up” period at this time.
- Transit operators and other government fleets can generally apply directly for grant funding as a public agency, without the need for a intermediary such as SBCTA/SBCOG. However, pooled grant requests across multiple agencies may have a place in bringing funds to areas such as San Bernardino County.

Observations for Goods Movement Fleets and Equipment

- Private fleets are at the very front end of transitioning to zero-emission. Currently, fueling with diesel may take place either on fleet property or at commercial fueling stations. It is fast, efficient, and reliable, and because of the unknowns and generally greater costs of alternative fuels, federal and state grant funding is paramount to gaining momentum for the path to zero-emission for the freight industry.
- Electric trucks of all sizes are now being produced at scale, but as with transit, there are operational concerns for longer-haul and heavier trucks. Delivery of power to a fleet depot or publicly accessible truck charging facility takes time and can vary in expense. It has been pointed out that a larger-size truck charging depot can require as much power as an NFL stadium.
- Hydrogen provides greater range and shorter fueling times, providing more flexibility in operations. But it is currently expensive (whether produced on-site or off-site) and will generally need to be delivered to a site from a production facility like diesel fuels are delivered from refineries today. Significant reductions in price are expected in the next 5-10 years as it is brought to scale. While on-site hydrogen production may be possible (e.g. for a truck or transit vehicle depot), it is likely the most expensive way to generate a

reliable hydrogen supply. Hence, there is discussion about creating larger hydrogen hubs, with support from the federal government. See link at: [Regional Clean Hydrogen Hubs | Department of Energy](#).

- Most grant programs focused on zero-emission trucks require a public agency to be the lead and for the charging/fueling facilities to be publicly available. However, the facility can be privately owned and operated as long as the public agency provides oversight of the construction and initial operation (often a minimum of five years). This has been the path SBCTA has followed in the Senate Bill (SB) 1 TCEP funding secured for three truck charging/fueling facilities associated with SBCTA's Interstate 10 Contract 2 and US 395 Contract 2 projects.

Initial Principles for SBCTA/SBCOG Involvement in Charging/Fueling Infrastructure Grants and Site Development

As a countywide agency with responsibilities for both transportation projects and COGs, SBCTA/SBCOG is in a strategic position to assist transit agencies, goods movement entities, and public fleets with access to federal and state grant funding that make the transition to zero-emission more financially feasible. Considering this, there are some general principles that can be established to guide the extent to which we can and should be involved, but SBCTA staff is to the point where additional guidance and/or confirmation are needed. Some of the candidate principles include:

- SBCTA/SBCOG would not want to own or operate charging/fueling stations other than what is for use on our own property.
- SBCTA has a vested interest in seeing that the transition to hydrogen succeeds, given the needs of our transit operators for hydrogen buses and given the ZEMU hydrogen-fueled train for Arrow Service that has just been delivered (with the prospect for additional trainsets). Gaining access to a secure supply of reasonably priced hydrogen fuel has been difficult.
- SBCTA/SBCOG should be willing to serve as a lead agency in grant applications on behalf of our transit operators, while preferring the operator to apply directly. For example, there may be reasons for SBCTA applying on behalf of multiple operators if it increases the likelihood of securing grant funding. SBCTA could also provide project delivery services if it is difficult for a particular transit operator to do so.
- SBCTA/SBCOG should also be willing to serve as lead agency in grant applications on behalf of private vendors, as long as the private vendor is committed to be the owner/operator of the site with certain minimum requirements consistent with the grant. This is especially true where SBCTA grants for transportation infrastructure (such as the SB 1 TCEP) will be more competitive by inclusion of the zero-emission charging/fueling infrastructure in the grant.
- SBCTA/SBCOG does not intend to own the land on which a private vendor would build a charging/fueling facility or a hydrogen production facility. However, SBCTA/SBCOG could help facilitate site location and acquisition by a member jurisdiction or other public or quasi-public entity and serve as lead on a grant application that could bring grant funding to a public/private venture, on a case-by-case basis. This may be needed, for example, for the location of a hydrogen production hub in San Bernardino County that

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benefits transit agencies, member agency fleets, and private sector fleets for goods movement or otherwise.

Questions can then arise as to what exceptions to the above principles might be appropriate under given conditions.

- Should SBCTA/SBCOG be more aggressive in seeking grant funding to our area, when others are reluctant to do so, by taking on more risk for actions such as acquiring property, environmental clearance, and design/construction of projects, even when they will be operated by others?
- Is there any circumstance envisioned where we could become involved in charging/fueling site operations other than on our own property? It is difficult for staff to see any circumstance where this would occur, but a request could arise on behalf of a city or group of cities as part of our COG function.

Staff would like to have an open discussion about the set of principles put forward and what the Board would like the SBCTA/SBCOG role to be in both zero-emission infrastructure planning, grant pursuits, as well as whether a more proactive and aggressive effort should be taken with regard to site development, and recognizing the pros and cons. The primary “pro” would be better positioning for grant opportunities for San Bernardino County and our member agencies. The primary “con” would be greater level of risk and cost that would come with that responsibility.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025.

Reviewed By:

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

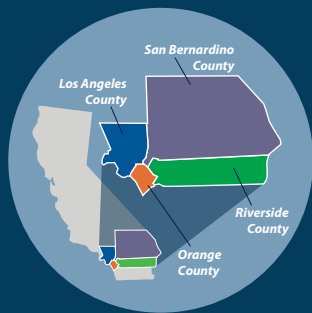
Responsible Staff:

Josh Lee, Deputy Director of Planning

Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority



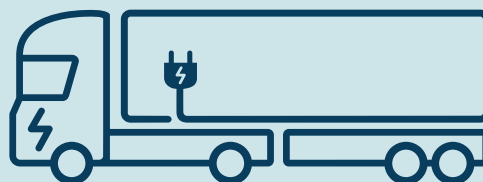
April 2024

U.S. EPA CLIMATE POLLUTION REDUCTION GRANT PROPOSAL

INVEST CLEAN (Infrastructure, Vehicles, and Equipment Strategy for Climate, Equity, Air Quality, and National Competitiveness)

\$500 Million

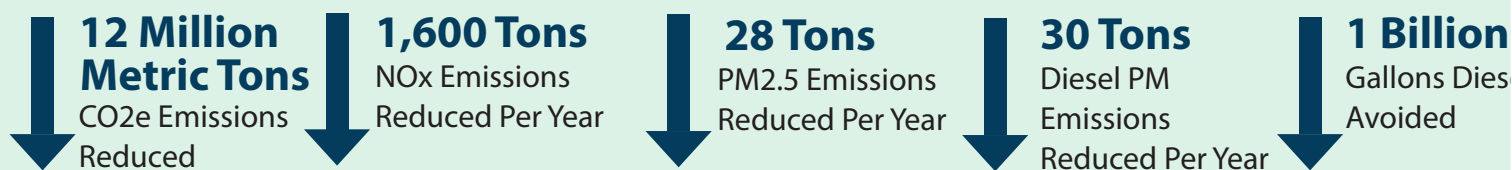
South Coast AQMD submitted a \$500 million application to U.S. EPA for the Climate Pollution Reduction Grant Program on behalf of the Los Angeles – Orange County and Inland Empire Metropolitan Statistical Areas which covers a region from the coast through the Inland Valleys to the California, Nevada and Arizona borders.



Grant focuses on incentives to deploy zero-emission, battery electric goods movement technologies in four measures:

- Switcher locomotives and infrastructure
- Class 8 trucks and infrastructure
- Cargo handling equipment and infrastructure
- Last mile freight delivery for medium-duty vehicles and infrastructure

Benefits Over 25 Years (2025-2050):



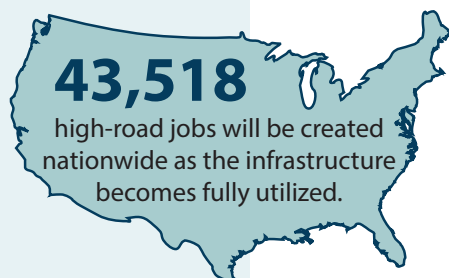
Excellent cost effectiveness at **\$42/metric ton** CO₂e over the **25-year** period.

Jobs

Workforce training program in partnership with National Electrical Contractors Association – International Brotherhood of Electrical Workers

467 in California

4,712 jobs across the nation.



Community Benefits

INVEST CLEAN will see community benefits through emission reductions, and workforce training. Through a Community Benefits Plan, a Steering Committee will conduct outreach and education on climate, air quality, Zero Emission technology, and workforce. Community priorities will be incorporated as voluntary measures that infrastructure project applicants can elect to implement.

INVEST CLEAN received seven letters of commitment with 15 signatories and 73 letters of support with 101 signatories and partnered with National Renewable Energy Lab to collect data and analyze the incentive structure.



South Coast Air Quality Management District
21865 Copley Dr. Diamond Bar, CA 91765
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@SouthCoastAQMD



Packet Pg. 51

Minute Action

AGENDA ITEM: 7

Date: October 9, 2024

Subject:

Transportation Development Act Article 3 Scope Change Requests: Highland City Creek and Redlands

Recommendation:

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

A. Approve the City of Highland's Transportation Development Act (TDA) Article 3 scope change request to move \$29,000 from construction to pre-construction for the Fiscal Year 2017/2018 City Creek/Alabama Street Bikeway Project award.

B. Approve the City of Redlands' TDA Article 3 scope change request to move \$204,000 from construction to pre-construction for the Fiscal Year 2017/2018 East Valley Corridor Bike Route Interconnect Project award.

Background:

San Bernardino County Transportation Authority (SBCTA) oversees the disbursement of 2% of the Local Transportation Funds made available to counties and cities for facilities exclusively used by 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 80% of the TDA Article 3 Program funds would be made available for projects that improve bicycle and pedestrian facilities. The remaining 20% would be available for projects that improve access to transit stops for pedestrians and persons with disabilities.

Another competitive funding source for active transportation projects is the Active Transportation Program (ATP) which was created by Senate Bill 99 (Chapter 359, Statutes 2013) and Assembly Bill 101 (Chapter 354, Statutes 2013) to encourage increased use of active modes of transportation, such as biking and walking. On March 2, 2016, knowing that the California Transportation Commission (CTC) would soon be releasing a Cycle 3 ATP Call for Projects, the Board preemptively released a TDA Article 3 Call for Projects to provide local match assistance for member jurisdictions who intended to submit Cycle 3 ATP applications.

On June 1, 2016, the Board awarded \$371,546.24 to the City of Highland to be used as additional match for the City Creek/Alabama Street Bikeway Project and \$264,401 to the City of Redlands for use as additional match for the East Valley Corridor Bike Route Interconnect Project. See **Figure 1** (on the following page) for the Fiscal Year (FY) 2017/2018 TDA Article 3 match application rankings and award selections (shown in grey). While both projects were also awarded ATP Cycle 3 funds, both projects encountered challenges ultimately leading to the forfeiture of the respective ATP awards.

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Figure 1: FY 17/18 TDA Article 3 Board Approved ATP Matches shown in grey

Agency	Project	Average Reviewer Score (50 Max)	Total Project Cost	ATP Funds	Article 3 Match Request	Local Match	Cumulative Article 3 Award
Fontana*	San Seavine Trail Connectivity	43.40	\$4,900,000.00	\$3,920,000	\$588,000.00	\$392,000	\$588,000
Highland	City Creek/Alabama Street Bikeways	42.60	\$2,322,164.00	\$1,857,731	\$371,546.24	\$92,887	\$959,546
Rancho Cucamonga	6th Street Cycle Track	42.00	\$1,341,246.60	\$1,072,997	\$214,599.46	\$53,650	\$1,174,146
County of San Bernardino	Walk and Bike SB	40.00	\$2,000,000.00	\$1,600,000	\$320,000.00	\$80,000	\$1,494,146
Hesperia	Bear Valley Road Bicycle Bypass Project	37.60	\$3,854,881.25	\$3,083,905	\$616,781.00	\$154,195	\$2,110,927
Big Bear Lake	Alpine Pedal Path Rathbun Creek Expansion	36.60	\$1,094,200.25	\$875,360	\$175,072.04	\$43,768	\$2,285,999
Victorville	Arrowhead Dr./7th Ave Bike Lane & Sidewalk Project	36.00	\$1,560,000.00	\$1,248,000	\$249,600.00	\$62,400	\$2,535,599
Redlands**	East Valley Corridor Bike Route Interconnect Project	35.80	\$2,640,131.00	\$2,112,105	\$264,401.00	\$105,605	\$2,800,000
Rialto	Cactus Avenue Multi-use Path	35.00	\$1,774,013.00	\$1,419,210	\$283,842.08	\$70,961	
Ontario	San Antonio Bicycle Corridor Project	34.60	\$309,280.00	\$247,424	\$49,484.80	\$12,371	
Upland	Elementary School Safe Walking & Street Crossing Pathway Improvement Program	32.80	\$715,000.00	\$572,000	\$114,400.00	\$28,600	
County of San Bernardino	Joshua Tree Class II Bike Path	30.00	\$1,118,300.00	\$894,640	\$178,928.00	\$44,732	
Rancho Cucamonga	SRTS Sidewalk Safety Improvements	28.20	\$574,259.40	\$459,408	\$91,881.50	\$22,970	
Yucaipa	Sand Canyon Road - Pedestrian Improvements	25.60	\$600,408.00	\$480,326	\$96,065.28	\$24,016	
	Total		\$24,803,884	\$19,843,107	\$3,614,601	\$1,188,155	

* City of Fontana increased City's share of the project from 4% to 8% and requested 12% match instead of 16%.

** City of Redlands will be awarded partial funding in the amount of \$261,401 as the available funds for the program is \$2.8 million.

In spite of the challenges, both projects were able to complete some pre-construction work and the cities are now requesting a scope change for their TDA Article 3 awards to help offset expenses incurred. The City Creek/Alabama Street Bikeway Project aimed to design and construct a Class I bikeway/walkway along the west levee of City Creek from Base Line Street to Alabama Street and a Class II bike lane along both sides of Alabama Street from 3rd Street to the City's southern limit. This project ran into the following complications that resulted in a forfeiture of ATP funds:

1. A lengthy 2–3 year Army Corp of Engineers approval process.
2. San Bernardino County Flood Control District (SBCFCD) estimate of 5-10 years needed to complete required levee repairs.
3. Inability to use existing SBCFCD bridge due to poor condition, thus additional funds would be needed to construct a new bridge.

To date, SBCTA has reimbursed the City of Highland TDA Article 3 funds in the amount of \$297,236.99. Based on the original Project Programming Request submitted by City of Highland, the scope change needed is for \$29,000 to be moved from construction to the pre-construction plans, specifications, and estimates (PS&E) phase (**Figure 2**, below). The City of Highland will look for an opportunity to seek funding to reinitiate and complete the project in the future, after the SBCFCD has completed the required levee repairs.

Figure 2: City Creek/Alabama Street Bikeway Project Programming Request

Phase	FY 17/18 TDA Art 3	Cycle 3 ATP	Highland	San Bernardino	Total
E&P (PA/ED)	\$108,000	\$0	\$26,000	\$1,000	\$135,000
PS&E	\$59,000	\$300,000	\$15,000	\$1,000	\$375,000
ROW	\$176,000	\$880,000	\$44,000	\$0	\$1,100,000
SUBTOTAL	\$343,000	\$1,180,000	\$85,000	\$2,000	\$1,610,000
CON	\$29,000	\$1,992,000	\$333,000	\$1,000	\$2,355,000
TOTAL	\$372,000	\$3,172,000	\$418,000	\$3,000	\$3,965,000

The City of Redlands' East Valley Corridor Bike Route Interconnect Project aimed to:

1. Construct a Class I bikeway across the Santa Ana River connecting to the City of Highland and the City of San Bernardino.
2. Install a Class IV cycle track on San Bernardino Avenue connecting disadvantaged communities to extended destinations and existing trails.
3. Add Class II bike lanes along Alabama Street connecting shopping, employment, and the Santa Ana River Trail.

During the environmental review, it was determined that the Class I segment on Alabama Street would impact critical habitat for the Kangaroo Rat and the Santa Ana Sucker. The environmental costs and time needed for processing permits was unattainable thus, the City of Redlands developed an alternative design that avoided the critical habitat area. This alternative was rejected by the CTC, causing the City of Redlands to have to forfeit their ATP award. The City of Redlands is currently seeking alternative funding sources to complete the modified project.

To date, SBCTA has reimbursed the City of Redlands in the amount of \$108,646.91. Based on the original Project Programming Request submitted by the City of Redlands, the scope change needed is for \$204,000 to be moved from construction to the pre-construction PS&E phase (**Figure 3**, below).

Figure 3: East Valley Corridor Bike Route Interconnect Project Programming Request

Phase	FY 17/18 TDA Art 3	Cycle 3 ATP	Redlands	County of San Bernardino	San Bernardino	Total
E&P (PA/ED)	\$9,000	\$80,000	\$11,000	\$0	\$0	\$100,000
PS&E	\$35,000	\$216,000	\$8,000	\$7,000	\$4,000	\$270,000
ROW	\$15,000	\$120,000	\$0	\$0	\$15,000	\$150,000
SUBTOTAL	\$59,000	\$416,000	\$19,000	\$7,000	\$19,000	\$520,000
CON	\$204,000	\$1,696,000	\$164,000	\$37,000	\$19,000	\$2,120,000
TOTAL	\$263,000	\$2,112,000	\$183,000	\$44,000	\$38,000	\$2,640,000

Additional Abbreviations Used:

- E&P (PA/ED) – Environmental Studies and Permits (Project Approval & Environmental Document)
- ROW – Right-of-way
- CON – Construction

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025.

Reviewed By:

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

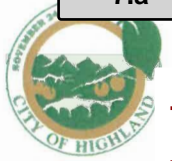
Responsible Staff:

Ginger Koblasz, Senior Planner

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Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:



May 10, 2024

Ginger Koblasz
San Bernardino County Transportation Authority
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410-1715

Subject: City Creek/Alabama Street Bikeway Project – TDA Article 3 Scope Change and Forfeiture of ATP Funds, Project No. ATP-5449(037)

Dear Ginger:

The City of Highland (City) requests a scope change of the subject project for TDA Article 3 (1) CON funds to Pre-CON and (2) from project construction to project design/environmental. The TDA Article 3 funds in the amount of \$371,546 will be used in the Pre-Con phase. This change is necessary because this project will not be able to proceed with construction.

In addition, the Cycle 3 ATP funds for this project are having to be forfeited for the following reasons:

1. Required 2-3 years Army Corps of Engineers approval process of a Safety Assurance Review (with no guarantee of this timeline) due to a 4-foot cut of the west City Creek levee at SR-210 to provide pedestrian clearance.
2. West City Creek levee repairs required by SBCFCD will not be done prior to construction of the City's project. SBCFCD indicated they are still working with the Army Corps of Engineers and repairs are not expected to be completed until 5 to 10 years from now at the earliest. SBCFCD will not commit to a schedule on the repairs, and this work would have an impact on the new trail facility constructed by the City. SBCFCD informed City staff they would not be responsible to replace the trail.
3. The original project scope anticipated using an existing SBCFCD bridge structure on the west levee of City Creek between SR-210 and 5th Street. SBCFCD staff informed us that they would not give the City permission to the existing bridge due to the condition of the deck not being suitable for use by pedestrians and bicycles.
4. Additional funds would need to be secured to construct a new pedestrian bridge crossing.

Please do not hesitate to contact me if you have any questions or require any additional information. Thank you in advance for your consideration of our request.

Sincerely,

Carlos Zamano
City Manager

Mayor
Penny Lilburn

Mayor Pro Tem
Larry McCallon

City Council
Jesse Chavez-Cordova

City Council
Anaëli Solano

City Council
John P. Timmer

City Manager
Carlos Zamano

27215 Base Line • Highland, CA 92346

Tel: 909.864.6861 • Fax: 909.862.3180 • www.cityofhighland.org



City of
REDLANDS

Incorporated 1888
Municipal Utilities & Engineering Department
35 Cajon Street, Suite 15A
Redlands, CA 92373
909-798-7698

JOHN R. HARRIS
MUED Director

July 18, 2024

Ginger Koblasz
San Bernardino County Transportation Authority
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410-1715

East Valley Corridor Bike Route Interconnect Project – TDA Article 3 Grant Scope Change Request

Ms. Koblasz,

On December 18, 2018, City of Redlands (City) accepted a Transportation Development Act Article 3 grant funding in the amount of \$264,401 with a local match of \$265,000 for the design of the ATP Cycle 3 East Valley Corridor Bike Route Interconnect project (Project). The construction of the project was to be funded through ATP funds in the amount of \$2,112,000. The Project scope was originally to a Class I bikeway on Alabama Street across the Santa Ana River connecting to City of Highland and City of San Bernardino. The original scope also included a Class IV bikeway on San Bernardino Avenue from Mountain View Street to California Street and transitioned to a Class II bikeway with buffer to Alabama Street. The final portion of the original scope was a Class II bikeway along Alabama Street from Lugonia Avenue to Pioneer Avenue and Class III at the end of California Street.

In December 2018, an agreement was awarded to KOA Corporation to complete the design and environmental documents for the project. During the environmental review, it was determined that the segment on Alabama Street with a Class I bikeway impacts the Critical Habitat for the San Bernardino Kangaroo Rat (SBKR) and the Santa Ana Sucker. The environmental costs and time needed for processing permits were unattainable. With guidance from KOA and their environmental subconsultant, the City determined to seek design alternatives to alleviate the environmental mitigation challenge.

In February 2023, a scope change request was submitted to Caltrans for the construction portion of the project. Caltrans denied the scope change and lapsed the ATP construction funds for the project. The City is seeking alternative funding sources for the construction portion of this project.

The City is formally requesting SBCTA's approval of a scope change for the TDA portion of the project. The most suitable scope change proposes to build a Class II bikeway with buffer (2-foot striping buffer, a 5-foot bike lane in each direction of travel with street shoulder) on the west and



east side of Alabama Street from the proposed SART entrance to the City Limits, in lieu of the Class I bikeway. Other proposed scope changes are highlighted below:

- a) The original scope of the Project excluded any improvements on Alabama Street from Pioneer Avenue to the proposed SART entrance/connection. The proposed scope includes approximately .65 miles of Class II bikeway on this portion of Alabama Street.
- b) The original scope of the Project included slurry seal south of Pioneer Avenue and north of the SART connection/entrance on Alabama Street. The proposed scope excludes this item because it was determined it was not needed since Street improvements have recently been completed or are scheduled for this area.
- c) The original scope of the Project ended at the City's limits on the east side of Alabama Street. The proposed scope extends the Class II bikeway until the nearest signalized intersection in the City of Highland. There is no existing bike lane on Alabama Street from the City Limits to the nearest signalized intersection. Continuing the Class II bikeway until a signalized intersection allows the users to exit the Alabama Street corridor safely and avoid confusion from both motorized and non-motorized traffic.
- d) The original scope of the Project included AC dikes for the Class IV bikeway on San Bernardino Avenue. The proposed scope replaces the AC dike with a 4" PCC curb with median break.
- e) The original scope of the Project included a ramp to connect the Class IV bikeway on San Bernardino Avenue to the existing East Valley Corridor Multi-Purpose Trail. The proposed scope eliminated the ramp because it is not needed.
- f) The original scope of the Project included bike boxes, bike detection loops and marking, and stage queue boxes to allow bicycle users to stage in front of traffic during red lights at signalized intersections and get a head start of cars when going straight or making a left turn. The proposed scope removes these items as it was deemed unsafe for bicyclists.

The TDA Article 3 funds allowed the City to complete 100% of the design of the project, therefore, no additional funding is needed for the design phase of the project.

If you have any questions, please contact me at 909-798-7584 Ext. 6.

Sincerely,

Veronica Medina

Veronica Medina
Associate Engineer





June 6, 2023

Gerard Nepomuceno
Associate Engineer
Via email at: gnepomuceno@cityofredlands.org

RE: 2017/18 East Valley Corridor Bike Route Interconnect – Scope Change

Dear Mr. Nepomuceno:

On June 7, 2023, the SBCTA Board of Directors granted the City of Redlands's request to modify the Scope of Work for the FY 2017/18 Transportation Development Act (TDA) Article 3 awarded East Valley Corridor Bike Route Interconnect Project. Please see attached Board item for additional information.

Should you have any questions regarding the above, please feel free to contact me via email at gkoblasz@gosbcta.com or phone at (909) 884-8276 x112.

Sincerely,

A handwritten signature in black ink, appearing to read "Ginger Koblasz", is written over a light blue horizontal line.

Ginger Koblasz
Senior Planner

Minute Action

AGENDA ITEM: 13

Date: June 7, 2023

Subject:

Transportation Development Act Article 3: Redlands Scope Reduction Requests

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority, approve the following scope reductions for the City of Redlands' Transportation Development Act (TDA) Article 3 awards:

A. Fiscal Year (FY) 2013/2014 Orange Blossom Trail Phase III: remove construction of a Class I path between Bryn Mawr Avenue and California Street with a return in the amount of roughly \$140,000 to the TDA Article 3 program.

B. FY 2017/2018 East Valley Corridor Bike Route Interconnect: change Class I on Alabama Street to Class II with a buffer plus other modifications with a return in the amount of \$155,754.14 to the TDA Article 3 program.

Background:

San Bernardino County Transportation Authority (SBCTA) oversees the disbursement of 2% of the Local Transportation Funds (LTF) made available to counties and cities for facilities exclusively used by 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 80% of the TDA Article 3 program funds would be made available for projects that improve bicycle and pedestrian facilities. The remaining 20% would be available for projects that improve access to transit stops for pedestrians and persons with disabilities.

Over the years, the City of Redlands (City) has received several TDA Article 3 awards, three of which the City is unable to complete as originally scoped. Below is a description of the scope reductions the City is currently requesting (City request letters included as Attachment 1).

A. Fiscal Year (FY) 2013/2014 Orange Blossom Trail Phase III: remove construction of a Class I path between Bryn Mawr Avenue and California Street with a return in the amount of roughly \$140,000 to the TDA Article 3 program.

On July 10, 2013, the SBCTA Board awarded the City TDA Article 3 funding in the amount of \$918,722, with a local match of \$162,128, for a total project cost of \$1,080,850, to complete a 1.2-mile Class I bike lane from Mountain View Avenue to California Street by June 30, 2016. Since then, several requests relating to this project have been approved including:

1. On February 23, 2016, SBCTA staff approved a one-year extension, revising the deadline to June 30, 2017.
2. On October 26, 2016, SBCTA staff approved an extension from June 30, 2017 to December 30, 2017 and a scope change that replaced a 0.5-mile section between Bryn Mawr Avenue and Mountain View Avenue with a 0.5-mile section between Alabama Street and Tennessee Street. The project location change was needed due to

Entity: San Bernardino County Transportation Authority

complications obtaining an encroachment permit from San Bernardino County Flood Control.

3. On October 10, 2017, SBCTA staff approved a deadline extension to December 31, 2018.
4. On August 21, 2019, SBCTA staff approved a deadline extension to December 31, 2020.
5. On March 3, 2021, the SBCTA Board approved a project deadline extension to December, 31, 2021.
6. On December 1, 2021, the SBCTA Board approved a deadline extension to December 31, 2023.

In February 2022, the City went out to bid for the revised scope as approved in October 2016. However, due to escalating costs since 2013, all of the proposals came in over budget and were rejected. In June 2022, the City went out to bid for construction for a portion of this project between Alabama Street and Tennessee Street and awarded a contract in the amount of \$782,396.00 with a completion date in April of 2023.

On March 30, 2023, the City submitted a letter requesting a scope reduction to remove construction of a Class I bike lane between Bryn Mawr Avenue and California Street, leaving only the portion for which the City awarded a construction contract in June 2022.

If approved, the total cost will be \$916,634.90 (\$779,181.64 TDA Article 3 & \$137,453.26 local match) of the original \$1,080,850 budget. The total cost reflects the design of the Orange Blossom Trail Phase III from Mountain View Avenue to California Street, which the City will use in the future, as well as the segment from Alabama Street to Tennessee Street. The rest of the cost was used for permits, inspections fees, and construction of the trail from Alabama Street to Tennessee Street.

The City has already been reimbursed using TDA Article 3 funds in the amount of \$107,558.05 and, pending approval of this scope change request, expect to submit additional invoices totaling roughly \$672,000, resulting in a return of roughly \$140,000 to the TDA Article 3 program.

B. FY 2017/2018 East Valley Corridor Bike Route Interconnect: change Class I on Alabama Street to Class II with a buffer plus other modifications with a return in the amount of \$141,246.74 to the TDA Article 3 program.

On June 1, 2016, the SBCTA Board awarded the City TDA Article 3 funding in the amount of \$264,401 to be used as a partial match for an Active Transportation Program (ATP) Cycle 3 award in the amount of \$2,112,000 for the East Valley Corridor Bike Route Interconnect Project (Project). The Project scope was originally to construct a Class I bikeway on Alabama Street across the Santa Ana River connecting to City of Highland and City of San Bernardino. The original scope also included a Class IV bikeway on San Bernardino Avenue from Mountain View Avenue to California Street and transitioned to a Class II bikeway with buffer to Alabama Street. The final portion of the original scope was a Class II bikeway along



City of REDLANDS

Incorporated 1888
Municipal Utilities & Engineering Department
35 Cajon Street, Suite 15A
Redlands, CA 92373
909-798-7698

JOHN R. HARRIS
MUED Director

April 26, 2023

Ginger Koblasz
San Bernardino County Transportation Authority
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410-1715

EAST VALLEY CORRIDOR BIKE ROUTE INTERCONNECT PROJECT – TDA Article 3 Grant Funding

Ms. Koblasz,

On December 18, 2018, City of Redlands (City) accepted a Transportation Development Act Article 3 grant funding in the amount of \$264,401 with a local match of \$265,000 for the design of the ATP Cycle 3 East Valley Corridor Bike Route Interconnect project (Project). The construction of the project is funded through ATP funds in the amount of \$2,112,000. The Project scope was originally to a Class I bikeway on Alabama Street across the Santa Ana River connecting to City of Highland and City of San Bernardino. The original scope also included a Class IV bikeway on San Bernardino Avenue from Mountain View Street to California Street and transitioned to a Class II bikeway with buffer to Alabama Street. The final portion of the original scope was a Class II bikeway along Alabama Street from Lugonia Avenue to Pioneer Avenue and Class III at the end of California Street. Recently, the scope was changed to minimize the environmental mitigation challenges that occurred on the Alabama Street segment where a Class I bikeway was proposed.

In December 2018, an agreement was awarded to KOA Corporation to complete the design and environmental documents for the project. During the environmental review, it was determined that the segment on Alabama Street with a Class I bikeway impacts the Critical Habitat for the San Bernardino Kangaroo Rat (SBKR) and the Santa Ana Sucker. The environmental costs and time needed for the construction of this project were unattainable. With guidance from KOA and their environmental subconsultant, the City determined to seek design alternatives to alleviate the environmental mitigation challenge. The scope changes propose to build a Class II bikeway with buffer (two (2) foot striping buffer, a five (5) foot bike lane in each direction of travel with street shoulder) on the west and east side of Alabama Street from the proposed SART entrance to the City Limits, in lieu of the Class I bikeway. Other proposed scope changes are highlighted below:

- a) The original scope of the Project excluded any improvements on Alabama Street from Pioneer Avenue to the proposed SART entrance/connection. The proposed scope includes approximately .65 miles of Class II bikeway on this portion of Alabama Street.



- b) The original scope of the Project included slurry seal south of Pioneer Avenue and north of the SART connection/entrance on Alabama Street. The proposed scope excludes this item because it was determined it was not needed since Street improvements have recently been completed or are scheduled for this area.
- c) The original scope of the Project ended at the City's limits on the east side of Alabama Street. The proposed scope extends the Class II bikeway until the nearest signalized intersection in the City of Highland. There is no existing bike lane on Alabama Street from the City Limits to the nearest signalized intersection. Continuing the Class II bikeway until a signalized intersection allows the users to exit the Alabama Street corridor safely and avoid confusion from both motorized and non-motorized traffic.
- d) The original scope of the Project included AC dikes for the Class IV bikeway on San Bernardino Avenue. The proposed scope replaces the AC dike with a 4" PCC curb with median break.
- e) The original scope of the Project included a ramp to connect the Class IV bikeway on San Bernardino Avenue to the existing East Valley Corridor Multi-Purpose Trail. The proposed scope eliminated the ramp because it is not needed.
- f) The original scope of the Project included bike boxes, bike detection loops and marking, and stage queue boxes to allow bicycle users to stage in front of traffic during red lights at signalized intersections and get a head start of cars when going straight or making a left turn. The proposed scope removes these items as it was deemed unsafe for bicyclists.

In February 2023, a scope change request was submitted to Caltrans for the construction portion of the project. Caltrans denied the scope change and lapsed the ATP construction funds for the project. The City is seeking alternative funding sources for the construction of this project.

The City is formally requesting SBCTA's approval of a scope change for the TDA portion of the project to be able to apply for future construction funding. The proposed scope change reduces construction costs from \$2,112,00 to \$1,769,680. No additional TDA Article 3 grant funds are needed for the completion of the design phase of the project. The project is shovel ready, with the plans and specifications reflecting the scope change.

If you have any questions, please contact me at 909-798-7584 Ext. 6.

Sincerely,

Veronica Medina

Veronica Medina
Associate Engineer



Minute Action

AGENDA ITEM: 8

Date: *October 9, 2024*

Subject:

Award Contract No. 24-1003088 with Jacobs Engineering Group, Inc., for an Emergency Evacuation Network Resilience Study

Recommendation:

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

Approve Contract No. 24-1003088, in the amount of \$1,208,910.89, to be funded with a Climate Adaptation Planning grant, with Jacobs Engineering Group, Inc., to conduct an Emergency Evacuation Network Resilience Study for a one-year contract through December 31, 2025, with one one-year option term.

Background:

The San Bernardino County Transportation Authority (SBCTA) released Request for Proposals (RFP) No. 24-1003088 on June 18, 2024, seeking a firm knowledgeable and experienced to develop an Emergency Evacuation Network Resilience (EENR) Study.

The RFP notification for this project was received by 384 consultants registered on PlanetBids and was downloaded by 19 firms. A Pre-Proposal conference was held on June 26, 2024, and attended by five firms.

On July 18, 2024, SBCTA received two proposals, one from Fehr and Peers, Inc., and the other from Jacobs Engineering Group, Inc.

The Evaluation Committee (Committee) consisted of two SBCTA staff, one representative from the California Department of Transportation, one representative from the Western Riverside Council of Governments, and one from the San Bernardino County Fire Department. The procurement professional reviewed each proposal and determined they were both responsive to the requirements of the RFP. Each panel member independently read and scored each firm's proposal, and on July 31, 2024, the Committee met to evaluate and rank the firms based on qualifications, related experience, reference scores, staffing and organization, and work plan. The panel members individually scored the proposals based on the following evaluation criteria: Qualifications of the Firm – 30 points, Proposed Staffing and Project Organization – 30 points, Work Plan - 30 points, and Price - 10 points, for a total of 100 points.

On August 5, 2024, both firms were invited to interviews to further assess their capabilities to fulfill the obligations of the scope of work. The Committee independently scored each firm based on the firms' answers to questions.

The interview was weighted 40% and the technical proposal was weighted 60%. Fehr and Peers, Inc., ranked number one, and Jacobs Engineering Group, Inc., ranked number two. However, negotiations with Fehr and Peers over contract exceptions could not be successfully concluded and as a result, staff recommends that the contract to perform the scope of work, as

Entity: San Bernardino County Transportation Authority

General Policy Committee Agenda Item

October 9, 2024

Page 2

outlined in RFP No. 24-1003088, be awarded to Jacobs Engineering Group, Inc. The firm clearly demonstrated a thorough understanding of the scope of work and proposed an overall solid team. Conclusively, staff recommends Jacobs Engineering Group, Inc., be awarded the contract in the amount not-to-exceed \$1,208,910.89 for a one-year contract through December 31, 2025, with one one-year option term.

Financial Impact:

The Project is included in the adopted Budget for Fiscal Year 2024/2025 and funded with Climate Adaptation Planning grant funds in Program 20, Planning and Regional Programs.

Reviewed By:

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

Responsible Staff:

Stacey Morales, Management Analyst II

Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:

San Bernardino County Transportation Authority

Contract No:	<u>24-1003088</u>	Amendment No.:	<u> </u>
Contract Class:	<u>Payable</u>	Department:	<u>Planning and Regional</u>
Vendor No.:	<u>01123</u>	Vendor Name:	<u>Jacobs Engineering Group, Inc.</u>
Description:	<u>EENR Study</u>		
List Any Related Contract Nos.:	<u>24-1003087, 20-1002341</u>		

Dollar Amount							
Original Contract		\$	1,208,910.89	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Prior Contingency Released		\$	-	Prior Contingency Released (-)		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	1,208,910.89	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	1,208,910.89

Board of Directors	Date: 11/6/2024	Committee	Item #
Contract Management (Internal Purposes Only)			

Board of Directors

Date: 11/6/2024

Committee

Item #

Contract Management (Internal Purposes Only)

Other Contracts

Sole Source? No

No Budget Adjustment

State

Professional Services (Non-A&E)

N/A

[illegible]

Stacey Morales

Steve Smith

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

CONTRACT NO. 24-1003088**BY AND BETWEEN**

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

AND

JACOBS ENGINEERING GROUP, INC.

FOR**EMERGENCY EVACUATION NETWORK RESILIENCE (EENR) STUDY**

This contract ("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 Jacobs Engineering Group, Inc. ("CONSULTANT"), whose address is 3257 Guasti Road Suite 120, Ontario, CA 91761. SBCTA and CONSULTANT are each a "Party" and are collectively the "Parties."

RECITALS:

WHEREAS, SBCTA requires certain work services as described in Exhibit "A" of this Contract; and

WHEREAS, CONSULTANT has confirmed that CONSULTANT has the requisite professional qualifications, personnel and experience and is fully capable and qualified to perform the services identified herein; and

WHEREAS, CONSULTANT desires to perform all Work identified herein and to do so for the compensation and in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, the Parties agree as follows:

ARTICLE 1. PROJECT DESCRIPTION/SCOPE OF WORK

- 1.1 CONSULTANT agrees to perform the work and services set forth in Exhibit A "Scope of Work" ("Work") in accordance with all applicable professional standards which are generally accepted in the State of California, in accordance with the terms and conditions expressed herein, and in the sequence, time, and manner defined herein. The word "Work" includes, without limitation, the performance, fulfillment and discharge by CONSULTANT of all obligations, duties, tasks, and services imposed upon or assumed by CONSULTANT hereunder; and the Work performed hereunder shall be completed to the satisfaction of SBCTA, with SBCTA's satisfaction being based on prevailing applicable professional standards.

- 1.2 The Project Manager for this Contract is Stacey Morales or such other designee as shall be designated in written notice to CONSULTANT from time to time by the SBCTA Director of Planning and Regional Programs or his or her designee. The Project Manager shall have authority to act on behalf of SBCTA in administering this Contract, including giving notices (including, without limitation, notices of default and/or termination), technical directions and approvals and demanding performance and accepting work performed, but is not authorized to receive or issue payments or execute amendments to the Contract itself.

ARTICLE 2. CONTRACT TERM

The Contract term shall commence upon issuance of a written Notice To Proceed (NTP) issued by SBCTA's Procurement Analyst, and shall continue in full force and effect through **December 31, 2025**, 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. CONSULTANT shall not be compensated for any Work performed or costs incurred prior to issuance of the NTP.

SBCTA at its sole discretion may extend the original term of the Contract for one, one-year option term. The maximum term of this Contract, including the Option Term, if exercised, will not exceed December 31, 2026.

ARTICLE 3. COMPENSATION

- 3.1 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 Time & Materials basis for all obligations incurred in, or application to, CONSULTANT's performance of Work, and for which CONSULTANT shall furnish all personnel, facilities, equipment, materials, supplies, and Services (except as may be explicitly set forth in this Contract as furnished by SBCTA) shall not exceed the amount set forth in section 3.2 below.
- 3.2 The total Contract Not-To-Exceed Amount is One Million, Two Hundred Eight Thousand, Nine Hundred Ten Dollars and Eighty Nine Cents (\$1,208,910.89). All Work provided under this Contract is to be performed as set forth in Exhibit A "Scope of Work," and shall be reimbursed pursuant to Exhibit B "Price Proposal for Time and Materials." The hourly labor rates identified in Exhibit B 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. Any travel expenses must be pre-approved by SBCTA and shall be reimbursed for per diem expenses at a rate not to exceed the currently authorized rates for state employees under the California Department of Human Resources rules. SBCTA will not reimburse CONSULTANT for any expenses not shown in Exhibit B or agreed to and approved by SBCTA as required under this Contract.
- 3.3 INTENTIONALLY OMITTED.
- 3.4 INTENTIONALLY OMITTED.
- 3.5 Any Work provided by CONSULTANT not specifically covered by the Scope of Work shall not be compensated without prior written authorization from SBCTA. It shall be CONSULTANT's responsibility to recognize and notify SBCTA in writing when services not

covered by the Scope of Work have been requested or are required. All changes and/or modifications to the Scope of Work shall be made in accordance with the “CHANGES” Article in this Contract. Any additional services agreed to in accordance with this Contract shall become part of the Work.

3.6 All subcontracts in excess of \$25,000 shall contain the above provisions.

ARTICLE 4. INVOICING

4.1 Payment to CONSULTANT as provided herein shall be payable in four (4) week billing period payments, forty-five (45) calendar days after receipt of an acceptable invoice by SBCTA prepared in accordance with the instructions below. Payment shall not be construed to be an acceptance of Work.

4.2 CONSULTANT shall prepare invoices in a form satisfactory to and approved by SBCTA, which shall be accompanied by documentation supporting each element of measurement and/or cost. Each invoice will be for a four-week billing period and will be marked with SBCTA’s contract number, description and task order number, dates and times of Work, locations of Work, and itemized costs associated with performance of Work, if applicable. Identification of each individual who provided services during the period of the invoice and the number of hours and hourly rates of each individual must be included in invoices. Invoices shall be submitted within fifteen (15) calendar days for the period covered by the invoice except for the month of June, which will require the invoice to be submitted by July 10th. Invoices shall include request for payment for Work (including additional services authorized by SBCTA) completed by CONSULTANT during each billing period and shall include back-up information sufficient to establish the validity of the invoice. Any invoice submitted which fails to comply with the terms of this Contract, including the requirements of form and documentation, may be returned to CONSULTANT. Any costs incurred by CONSULTANT in connection with the resubmission of a proper invoice shall be at CONSULTANT’s sole expense. The final invoice shall be marked “FINAL” and will be submitted within 60 calendar days after SBCTA has received and approved all Work and deliverables. Invoices should be e-mailed to SBCTA at the following address:

ap@gosbcta.com

For large files over 30 megabytes, invoices can be submitted using this link:
<https://sanbag-lfweb.sanbag.ca.gov/Forms/Invoice-submission>

4.3 CONSULTANT shall include a statement and release with each invoice, satisfactory to SBCTA, that CONSULTANT has fully performed the Work invoiced pursuant to the Contract for the period covered, that all information included with the invoice is true and correct, and that all payments to and claims of CONSULTANT and its subconsultants for Work during the period will be satisfied upon making of such payment. SBCTA shall not be obligated to make payments to CONSULTANT until CONSULTANT furnishes such statement and release.

4.4 INTENTIONALLY OMITTED.

- 4.5 No payment will be made prior to approval of any Work, nor for any Work performed prior to the NTP or the issuance of an applicable CTO, nor for any Work under any amendment to the Contract until SBCTA's Awarding Authority takes action.
- 4.6 CONSULTANT agrees to promptly pay each subconsultant for the satisfactory completion of all Work performed under this Contract no later than ten (10) calendar days from the receipt of payment from SBCTA. CONSULTANT also agrees to return any retainage payments to each subconsultant within ten (10) calendar days after the subconsultant's work is satisfactorily completed. Any delay or postponement of payment from the above-referenced time frame may occur only for good cause following written approval by SBCTA. SBCTA reserves the right to request documentation from CONSULTANT showing payment has been made to its subconsultants. SBCTA also reserves the right, at its own sole discretion, to issue joint checks to CONSULTANT and any subconsultant(s), which shall constitute payment to CONSULTANT in compliance with the terms of this Contract. This clause applies to both DBE and non-DBE subconsultants.
- 4.7 INTENTIONALLY OMITTED.

ARTICLE 5. TAXES, DUTIES AND FEES

Except to the extent expressly provided elsewhere in this Contract, CONSULTANT shall pay when due, and the compensation set forth herein, shall be inclusive of all: a) local, municipal, State, and federal sales and use taxes; b) excise taxes; c) taxes on personal property owned by CONSULTANT; and d) other governmental fees and taxes or charges of whatever nature applicable to CONSULTANT to enable it to conduct business.

ARTICLE 6. AVAILABILITY OF FUNDS

The award and performance of this Contract is contingent on the availability of funds. If funds are not appropriated and/or allocated and available to SBCTA for the continuance of Work performed by CONSULTANT, Work directly or indirectly involved may be suspended or terminated by SBCTA at the end of the period for which funds are available. When SBCTA becomes aware that any portion of Work will or may be affected by a shortage of funds, it will promptly notify CONSULTANT. Nothing herein shall relieve SBCTA from its obligation to compensate CONSULTANT for work already performed pursuant to this Contract. No penalty shall accrue to SBCTA in the event this provision is exercised.

ARTICLE 7. PERMITS AND LICENSES

CONSULTANT shall, without additional compensation, keep current all governmental permits, certificates and licenses (including professional licenses) necessary for CONSULTANT to perform Work identified herein.

ARTICLE 8. DOCUMENTATION AND RIGHT TO AUDIT

- 8.1 CONSULTANT shall maintain all records related to this Contract in an organized way in the original format, electronic and hard copy, conducive to professional review and audit, for a period of three (3) years from the date of final payment by SBCTA, or until the conclusion of all litigation, appeals or claims related to this Contract, whichever is longer. CONSULTANT shall provide SBCTA, the California State Auditor, or other authorized representatives of

SBCTA access to Consultants' records which are directly related to this Contract for the purpose of inspection, auditing or copying during the entirety of the records maintenance period above. CONSULTANT further agrees to maintain separate records for costs of Work performed by amendment. CONSULTANT shall allow SBCTA and its representatives or agents to reproduce any materials as reasonably necessary.

- 8.2 The cost proposal and/or invoices for this Contract are subject to audit by SBCTA and/or any state or federal agency funding this Work at any time. After CONSULTANT receives any audit recommendations, the cost or price proposal shall be adjusted by CONSULTANT and approved by SBCTA's Project Manager to conform to the audit recommendations. CONSULTANT agrees that individual items of cost identified in the audit report may be incorporated into the Contract at SBCTA's sole discretion. Refusal by CONSULTANT to incorporate the audit or post award recommendations will be considered a breach of the Contract and cause for termination of the Contract. Any dispute concerning the audit findings of this Contract shall be reviewed by SBCTA's Chief Financial Officer. CONSULTANT may request a review by submitting the request in writing to SBCTA within thirty (30) calendar days after issuance of the audit report
- 8.3 Subcontracts in excess of \$25,000 shall contain this provision.

ARTICLE 9. RESPONSIBILITY OF CONSULTANT

- 9.1 CONSULTANT shall be responsible for the professional quality, technical accuracy, and assurance of compliance with all applicable federal, State and local laws and regulations and other Work furnished by CONSULTANT under the Contract. The Contract includes reference to the appropriate standards for Work performance stipulated in the Contract.
- 9.2 In addition to any other requirements of this Contract or duties and obligations imposed on CONSULTANT by law, CONSULTANT shall, as an integral part of its Work, employ quality control procedures that identify potential risks and uncertainties related to scope, schedule, cost, quality and safety of the Project and the Work performed by CONSULTANT within the areas of CONSULTANT's expertise. At any time during performance of the Scope of Work, should CONSULTANT observe, encounter, or identify any unusual circumstances or uncertainties which could pose potential risk to SBCTA or the Project, CONSULTANT shall immediately document such matters and notify SBCTA in writing. CONSULTANT shall also similarly notify SBCTA in regard to the possibility of any natural catastrophe, or potential failure, or any situation that exceeds assumptions and could precipitate a failure of any part of the Project. Notifications under this paragraph shall be specific, clear and timely, and in a form which will enable SBCTA to understand and evaluate the magnitude and effect of the risk and/or uncertainties involved.

ARTICLE 10. REPORTING AND DELIVERABLES

All reports and deliverables shall be submitted in accordance with Exhibit A "Scope of Work". At a minimum, CONSULTANT shall submit monthly progress reports with their monthly invoices. The report shall be sufficiently detailed for SBCTA to determine if CONSULTANT is performing to expectations and is on schedule; to provide communication of interim findings; and to sufficiently address any difficulties or problems encountered, so remedies can be developed.

ARTICLE 11. TECHNICAL DIRECTION

- 11.1 Performance of Work under this Contract shall be subject to the technical direction of SBCTA's Project Manager, identified in Section 1.2, upon issuance of the NTP and/or subsequently by written notice during the Contract. The term "Technical Direction" is defined to include, without limitation:
- 11.1.1 Directions to CONSULTANT which redirect the Contract effort, shift work emphasis between work areas or tasks, require pursuit of certain lines of inquiry, fill in details, or otherwise serve to accomplish the Scope of Work.
 - 11.1.2 Provision of written information to CONSULTANT which assists in the interpretation of reports or technical portions of the Scope of Work described herein.
 - 11.1.3 Review and, where required by the Contract, approval of technical reports and technical information to be delivered by CONSULTANT to SBCTA under the Contract.
 - 11.1.4 SBCTA's Project Manager may modify this Contract for certain administrative modifications without issuing a written amendment. Administrative modifications are limited to: substitutions of personnel identified in the Contract, including Key Personnel and subconsultants; modifications to classifications, hourly rates and names of personnel in Exhibit B; and modifications of the address of the CONSULTANT. All such modifications will be documented in writing between the Parties.
- 11.2 Technical Direction must be within the Scope of Work under this Contract. SBCTA's Project Manager does not have the authority to, and may not, issue any Technical Direction which:
- 11.2.1 Increases or decreases the Scope of Work;
 - 11.2.2 Directs CONSULTANT to perform Work outside the original intent of the Scope of Work;
 - 11.2.3 Constitutes a change as defined in the "CHANGES" Article of the Contract;
 - 11.2.4 In any manner causes an increase or decrease in the Contract price as identified in the "COMPENSATION" Article or the time required for Contract performance;
 - 11.2.5 Changes any of the expressed terms, conditions or specifications of the Contract, unless identified herein;
 - 11.2.6 Interferes with CONSULTANT's right to perform the terms and conditions of the Contract unless identified herein; or
 - 11.2.7 Approves any demand or claims for additional payment.
- 11.3 Failure of CONSULTANT and SBCTA's Project Manager to agree that the Technical Direction is within the scope of the Contract, or a failure to agree upon the Contract action to be taken with respect thereto, shall be subject to the provisions of the "DISPUTES" Article herein.
- 11.4 All Technical Direction shall be issued in writing by SBCTA's Project Manager.

11.5 CONSULTANT shall proceed promptly with the performance of Technical Direction issued by SBCTA's Project Manager, in the manner prescribed by this Article and within their authority under the provisions of this Article. If, in the opinion of CONSULTANT, any instruction or direction by SBCTA's Project Manager falls within one of the categories defined in sections 11.2.1 through 11.2.7 above, CONSULTANT shall not proceed but shall notify SBCTA in writing within five (5) working days after receipt of any such instruction or direction and shall request SBCTA to modify the Contract accordingly. Upon receiving the notification from CONSULTANT, SBCTA shall:

11.5.1 Advise CONSULTANT in writing within thirty (30) calendar days after receipt of CONSULTANT's letter that the Technical Direction is or is not within the scope of this Contract.

11.5.2. Advise CONSULTANT within a reasonable time whether SBCTA will or will not issue a written amendment.

ARTICLE 12. CHANGES

12.1 The Work shall be subject to changes by additions, deletions, or revisions made by SBCTA. CONSULTANT will be advised of any such changes by written notification from SBCTA describing the change. This notification will not be binding on SBCTA until SBCTA's Awarding Authority has approved an amendment to this Contract.

12.2 Promptly after such written notification of change is given to CONSULTANT by SBCTA, the Parties will attempt to negotiate a mutually agreeable adjustment to compensation or time of performance, and amend the Contract accordingly.

ARTICLE 13. EQUAL EMPLOYMENT OPPORTUNITY

13.1 During the term of this Contract, CONSULTANT shall not willfully discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, gender, sex, marital status, gender identity, gender expression, sexual orientation, age, or military or veteran status. CONSULTANT agrees to comply with the provisions of Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act, and other applicable Federal, State and County laws and regulations and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted.

13.2 The CONSULTANT and all subconsultants shall comply with all provisions of Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin. In addition, CONSULTANT and all subconsultants will ensure their services are consistent with and comply with obligations and procedures outlined in SBCTA's current Board-adopted Title VI Program, including the Public Participation Plan and the Language Assistance Plan.

ARTICLE 14. CONFLICT OF INTEREST

CONSULTANT agrees that it presently has no interest, financial or otherwise, and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of Work required under this Contract or be contrary to the interests of SBCTA as to the Project. CONSULTANT further agrees that in the performance of this Contract, no person having any such interest shall be employed. CONSULTANT is obligated to fully disclose to SBCTA, in writing, any conflict of interest issues as soon as they are known to CONSULTANT. CONSULTANT agrees that CONSULTANT and its staff shall comply with SBCTA's Conflict of Interest Policy, No. 10102.

ARTICLE 15. KEY PERSONNEL

The personnel specified below are considered to be essential to the Work being performed under this Contract. Prior to diverting any of the specified individuals to other projects, or reallocation of any tasks or hours of Work that are the responsibility of Key Personnel to other personnel, CONSULTANT shall notify SBCTA in writing in advance and shall submit justifications (including proposed substitutions, resumes and payroll information to support any changes to the labor rates) in sufficient detail to permit evaluation of the impact on the Project. Diversion or reallocation of Key Personnel shall not be made without prior written consent of SBCTA's Project Manager. CONSULTANT shall not substitute any Key Personnel without the prior written consent of SBCTA. In the event that the Parties cannot agree as to the substitution of Key Personnel, SBCTA may terminate this Contract. Key Personnel are:

Name	Job Classification/Function
John Khoury	QC and Project Delivery
Loren Bloomberg	Project Manager
Seth Torma	Transportation Planning SME
Marissa Greenway	Stakeholder Engagement
Aimee Flannery	Community Resilience
David Von Stroh	Transportation Network Modeling and Resilience Assessment
Alvin Marquees	Evacuation Planning
John Kerenyi	Policy and Procedures Implementation

ARTICLE 16. REPRESENTATIONS

All Work supplied by CONSULTANT under this Contract shall be supplied by personnel who are qualified, careful, skilled, experienced and competent in their respective trades or professions. CONSULTANT agrees that they are supplying professional services, findings, and/or recommendations in the performance of this Contract and agrees with SBCTA that the same shall conform to professional standards that are generally accepted in the profession in the State of California.

ARTICLE 17. PROPRIETARY RIGHTS/CONFIDENTIALITY

17.1 If, as a part of this Contract, CONSULTANT is required to produce materials, documents data, or information ("Products"), then CONSULTANT, if requested by SBCTA, shall deliver to SBCTA the original of all such Products, which shall become the sole property of SBCTA.

- 17.2 All materials, documents, data or information obtained from SBCTA's data files or any SBCTA-owned medium furnished to CONSULTANT in the performance of this Contract will at all times remain the property of SBCTA. Such data or information may not be used or copied for direct or indirect use outside of this Project by CONSULTANT without the express written consent of SBCTA.
- 17.3 Except as reasonably necessary for the performance of the Work, CONSULTANT agrees that it, its employees, agents and subconsultants will hold in confidence and not divulge to third parties, without prior written consent of SBCTA, any information obtained by CONSULTANT from or through SBCTA unless (a) the information was known to CONSULTANT prior to obtaining same from SBCTA, or (b) the information was at the time of disclosure to CONSULTANT, or thereafter becomes, part of the public domain, but not as a result of the fault or an unauthorized disclosure of CONSULTANT or its employees, agents, or subconsultants, or (c) the information was obtained by CONSULTANT from a third party who did not receive the same, directly or indirectly, from SBCTA and who had, to CONSULTANT's knowledge and belief, the right to disclose the same. Any materials and information referred to in this Article, which are produced by CONSULTANT shall remain confidential until released in writing by SBCTA, except to the extent such materials and information become subject to disclosure by SBCTA under the California Public Records Act, or other law, or otherwise become public information through no fault of CONSULTANT, or its employees or agents. Any communications with or work product of SBCTA's legal counsel to which CONSULTANT or its subconsultants or agents have access in performing work under this Contract shall be subject to the attorney-client privilege and attorney work product doctrine and shall be confidential.
- 17.4 CONSULTANT shall not use SBCTA's name or photographs in any professional publication, magazine, trade paper, newspaper, seminar or other medium without first receiving the express written consent of SBCTA. CONSULTANT shall not release any reports, information or promotional material related to this Contract for any purpose without prior written approval of SBCTA.
- 17.5 All press releases, or press inquiries relating to the Project or this Contract, including graphic display information to be published in newspapers, magazines, and other publications, are to be made only by SBCTA unless otherwise agreed to in writing by both Parties.
- 17.6 CONSULTANT, its employees, agents and subconsultants shall be required to comply with SBCTA's Confidentiality Policy; anyone who may have access to Personally Identifiable Information ("PII") and/or Sensitive Security Information ("SSI") will be required to execute a Confidentiality Agreement.

ARTICLE 18. TERMINATION

- 18.1 Termination for Convenience - SBCTA shall have the right at any time, with or without cause, to terminate further performance of Work by giving thirty (30) calendar days written notice to CONSULTANT specifying the date of termination. On the date of such termination stated in said notice, CONSULTANT shall promptly discontinue performance of Work and shall preserve Work in progress and completed Work, pending SBCTA's instruction, and shall turn over such Work in accordance with SBCTA's instructions.

- 18.1.1 CONSULTANT shall deliver to SBCTA all deliverables prepared by CONSULTANT or its subconsultants or furnished to CONSULTANT by SBCTA. Upon such delivery, CONSULTANT may then invoice SBCTA for payment in accordance with the terms herein.
- 18.1.2 If CONSULTANT has fully and completely performed all obligations under this Contract up to the date of termination, CONSULTANT shall be entitled to receive from SBCTA as complete and full settlement for such termination a pro rata share of the Contract cost based upon the percentage of all contracted Work satisfactorily executed to the date of termination.
- 18.1.3 CONSULTANT shall be entitled to receive the actual costs incurred by CONSULTANT to return CONSULTANT's tools and equipment, if any, to it or its suppliers' premises, or to turn over Work in progress in accordance with SBCTA's instructions plus the actual cost necessarily incurred in effecting the termination.
- 18.2 Termination for Cause - In the event CONSULTANT shall file a petition in bankruptcy court, or shall make a general assignment for the benefit of its creditors, or if a petition in bankruptcy court shall be filed against CONSULTANT, or a receiver shall be appointed on account of its insolvency, or if CONSULTANT shall default in the performance of any express obligation to be performed by it under this Contract and shall fail to immediately correct (or if immediate correction is not possible, shall fail to commence and diligently continue action to correct) such default within ten (10) calendar days following written notice, SBCTA may, without prejudice to any other rights or remedies SBCTA may have, and in compliance with applicable Bankruptcy Laws: (a) hold in abeyance further payments to CONSULTANT; (b) stop any Work of CONSULTANT or its subconsultants related to such failure until such failure is remedied; and/or (c) terminate this Contract by written notice to CONSULTANT specifying the date of termination. In the event of such termination by SBCTA, SBCTA may take possession of the deliverables and finished Work by whatever method SBCTA may deem expedient. A waiver by SBCTA of one default of CONSULTANT shall not be considered to be a waiver of any subsequent default of CONSULTANT, of the same or any other provision, nor be deemed to waive, amend, or modify any term of this Contract.
- 18.2.1 CONSULTANT shall deliver to SBCTA all finished and unfinished deliverables under this Contract prepared by CONSULTANT or its subconsultants or furnished to CONSULTANT by SBCTA within ten (10) working days of said notice.
- 18.3 All claims for compensation or reimbursement of costs under any of the foregoing provisions shall be supported by documentation submitted to SBCTA, satisfactory in form and content to SBCTA and verified by SBCTA. In no event shall CONSULTANT be entitled to any payment for prospective profits or any damages because of such termination.

ARTICLE 19. STOP WORK ORDER

Upon failure of CONSULTANT or its subconsultants to comply with any of the requirements of this Contract, SBCTA shall have the right to stop any or all Work affected by such failure until such failure is remedied or to terminate this Contract in accordance with section "Termination" above.

ARTICLE 20. CLAIMS

SBCTA shall not be bound to any adjustments in the Contract amount or schedule unless expressly agreed to by SBCTA in writing. SBCTA shall not be liable to CONSULTANT for any claim asserted by CONSULTANT after final payment has been made under this Contract.

ARTICLE 21. INSURANCE

21.1 Prior to commencing the Work, subject to the provisions of Article 21.2 “General Provisions”, and at all times during the performance of the Work and for such additional periods as required herein, CONSULTANT and all sub-consultants of every tier performing any Work under this contract shall, at CONSULTANT’s and sub-consultant’s sole expense, procure and maintain broad form insurance coverage at least as broad as the following minimum requirements specified below:

21.1.1 Professional Liability. The policies must include the following:

- A limit of liability not less than \$2,000,000 per claim
- An annual aggregate limit of not less than \$2,000,000
- Coverage shall be appropriate for the CONSULTANT’s profession and provided services to include coverage for errors and omissions arising out of the CONSULTANT’s professional services, or services of any person employed by the CONSULTANT, or any person for whose acts, errors, mistakes or omissions the CONSULTANT may be legally liable.
- If Coverage is on a claims made basis:
 - Policy shall contain a retroactive date for coverage of prior acts, which date will be prior to the date the CONSULTANT begins to perform Work under this Contract.
 - CONSULTANT shall secure and maintain “tail” coverage for a minimum of three (3) years after Contract completion.

21.1.2 Worker’s Compensation/Employer’s Liability. The policies must include the following:

- Coverage A. Statutory Benefits
- Coverage B. Employer’s Liability
- Bodily Injury by accident - \$1,000,000 per accident
- Bodily Injury by disease - \$1,000,000 policy limit/\$1,000,000 each employee

Such policies shall contain a waiver of subrogation in favor of the parties named as Indemnitees below. Such insurance shall be in strict accordance with the applicable workers’ compensation laws in effect during performance of the Work by CONSULTANT or any subconsultant of any tier. All subconsultants of any tier performing any portion of the Work for CONSULTANT shall also obtain and maintain the same insurance coverage as specified in this subparagraph, with a waiver of subrogation in favor of CONSULTANT and all parties named as Indemnitees below. Where coverage is provided through the California State Compensation Insurance Fund, the requirement for a minimum A.M. Best rating does not apply.

21.1.3. Commercial General Liability. The policy must include the following:

- Consultant shall maintain commercial general liability (CGL) insurance (Insurance Services Office (ISO) Form CG 00 01), and if necessary excess/umbrella commercial liability insurance, with a combined limit of liability of not less than **\$2,000,000 each occurrence and with \$2,000,000 Aggregate .**
- The policy shall, at a minimum, include coverage for any and all of the following: bodily injury, property damage, personal injury, broad form contractual liability (including coverage to the maximum extent possible for the indemnifications in this Contract), premises-operations (including explosion, collapse and underground coverage), duty to defend in addition to (without reducing) the limits of the policy(ies), and products and completed operations.
 - \$2,000,000 per occurrence limit for property damage or bodily injury
 - \$1,000,000 per occurrence limit for personal injury and advertising injury
 -
- Coverage is to be on an “occurrence” form. “Claims made” and “modified occurrence” forms are not acceptable.
- A copy of the declaration page or endorsement page listing all policy endorsements for the CGL policy must be included.

All subconsultants of any tier performing any portion of the Work for CONSULTANT shall also obtain and maintain the CGL insurance coverage with limits not less than:

- Each occurrence limit: \$1,000,000
- General aggregate limit: \$2,000,000
- Personal injury and advertising limit \$1,000,000
- Products-completed operations aggregate limit \$2,000,000

All subconsultants’ and sub-subconsultants’ deductibles or self-insured retentions must be acceptable to SBCTA’s Risk Manager.

21.1.4 Umbrella/Excess CGL. The policy must include the following:

- If the CONSULTANT elects to include an umbrella or excess policy to cover any of the total limits required beyond the primary commercial general liability policy limits and/or the primary commercial automobile liability policy limits, then the policy must include the following:
 - The umbrella or excess policy shall follow form over the CONSULTANT’s primary general liability coverage and shall provide a separate aggregate limit for products and completed operations coverage.
 - The umbrella or excess policy shall not contain any restrictions or exclusions beyond what is contained in the primary policy.
 - The umbrella or excess policy shall contain a clause stating that it takes effect (drops down) in the event the primary limits are impaired or exhausted.
 - The umbrella or excess policy must also extend coverage over the automobile policy if it is to be used in combination with the primary automobile policy to meet the total insurance requirement limits.

There shall be no statement limiting the coverage provided to the parties listed as additionally insureds or as indemnitees below.

21.1.5 Commercial Auto. The policy must include the following:

- A total limit of liability of not less than **\$2,000,000** each accident. This total limits of liability may be met by combining the limits of the primary auto policy with an umbrella or excess policy in accordance with subparagraph 4 (Umbrella/Excess CGL) of Section A of this Article.
- Such insurance shall cover liability arising out of any vehicle, including owned, hired, leased, borrowed and non-owned vehicles assigned to or used in performance of the CONSULTANT services.
- Combined Bodily Injury and Property Damage Liability insurance. The commercial automobile liability insurance shall be written on the most recent edition of ISO Form CA 00 01 or equivalent acceptable to SBCTA.

21.1.6 Pollution Liability. Intentionally Omitted.

21.1.7 Technology Professional Liability Errors and Omissions Insurance. Intentionally Omitted.

21.1.8 Railroad Protective Liability. Intentionally Omitted.

21.2. General Provisions

21.2.1 Qualifications of Insurance Carriers. If policies are written by insurance carriers authorized and admitted to do business in the state of California, then the insurance carriers must have a current A.M. Best rating of A-VIII or better and 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.

21.2.2 Additional Insured Coverage. All policies, except those for Workers' Compensation and Professional Liability insurance, shall be endorsed by ISO Form CG 20 10 12 19, or if not available, then ISO Form CG 20 38, to name San Bernardino County Transportation Authority and Western Riverside Council of Governments (WRCOG) and their officers, directors, members, employees, and agents, 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 any Additional Insured to vicarious liability, but shall allow coverage for all Additional Insureds to the full extent provided by the policy.

21.2.3 Proof of Coverage. Evidence of insurance in a form acceptable to SBCTA's Risk Manager, certificates of insurance and the required additional insured endorsements, shall be provided to SBCTA's Procurement Analyst prior to issuance of the NTP or prior to commencing any Work, as SBCTA specifies. Certificate(s) of insurance, as evidence of the required insurance shall: be executed by a duly authorized

representative of each insurer; show compliance with the insurance requirements set forth in this Article; set forth deductible amounts applicable to each policy; list all exclusions which are added by endorsement to each policy; and also include the Contract Number and the SBCTA Project Manager's name on the face of the certificate.

- 21.2.4 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-CONSULTANTS 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. Without SBCTA's Risk Manager's expressed written approval, no deductibles or SIR will be allowed. At the option of SBCTA, if the deductible or SIR is approved and it is greater than \$10,000 or one (1) 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 shall have the right to review any and all financial records that SBCTA, at its sole discretion, deems necessary to approve any deductible or SIR. 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.
- 21.2.5 CONSULTANT's and Subconsultants' Insurance will be Primary. All policies required to be maintained by the CONSULTANT or any subconsultant, with the exception of Professional Liability and Worker's Compensation shall be endorsed, with a form at least as broad as ISO Form CG 20 01 04 13, to be primary coverage, and any coverage carried by any of the Additional Insureds shall be excess and non-contributory. Further, none of CONSULTANT's or subconsultants' pollution, automobile, general liability or other liability policies (primary or excess) will contain any cross-liability exclusion barring coverage for claims by an additional insured against a named insured.
- 21.2.6 Waiver of Subrogation Rights. To the fullest extent permitted by law, CONSULTANT hereby waives all rights of recovery under subrogation against the Additional Insureds named herein, and any other consultant, subconsultant or sub-subconsultant performing work or rendering services on behalf of SBCTA in connection with the planning, development and construction of the Project. To the fullest extent permitted by law, CONSULTANT shall require similar written express waivers and insurance clauses from each of its subconsultants of every tier. CONSULTANT shall require all of the policies and coverages required in this Article

to waive all rights of subrogation against the Additional Insureds (ISO Form CG 24 04 05 09). Such insurance and coverages provided shall not prohibit CONSULTANT from waiving the right of subrogation prior to a loss or claim.

- 21.2.7 Cancellation. If any insurance company elects to cancel or non-renew coverage for any reason, CONSULTANT will provide SBCTA thirty (30) days prior written notice of such cancellation or nonrenewal. If the policy is cancelled for nonpayment of premium, CONSULTANT will provide SBCTA ten (10) days prior written notice. In any event, CONSULTANT will provide SBCTA with a copy of any notice of termination or notice of any other change to any insurance coverage required herein which CONSULTANT receives within one business day after CONSULTANT receives it by submitting it to SBCTA at insurance@gosbcta.com, to the attention of SBCTA's Procurement Analyst, and by depositing a copy of the notice in the U.S. Mail in accordance with the notice provisions of this Contract.
- 21.2.8 Non-Limitation of Insurance Requirements. The insurance coverage provided and limits required under this Contract are minimum requirements and are not intended to limit the CONSULTANT's indemnification obligations under the Contract, nor do the indemnity obligations limit the rights of the Indemnified Parties to the coverage afforded by their insured status. To the extent required by Law in connection with Work to be performed, the CONSULTANT shall obtain and maintain, or cause to be obtained and maintained, in addition to the insurance coverage expressly required under this Contract, such other insurance policies for such amounts, for such periods of time and subject to such terms, as required by Law and any other agreements with which the CONSULTANT is required to comply, including any Third-Party Agreements. Liability insurance coverage will not be limited to the specific location designated as the Site, except that if the CONSULTANT arranges project-specific general liability, excess liability, or workers' compensation coverage, limitations of coverage to the Site will be permitted subject to SBCTA approval and use of the broadest available site-specific endorsements. No liability policy will contain any provision or definition that would serve to eliminate so-called "third-party-over action" claims, including any exclusion for bodily injury to an employee of the insured or of any Subcontractor. The CONSULTANT acknowledges and will at all times comply with the provisions of Labor Code Section 3700 which require every employer in the State to be insured against liability for workers' compensation, or to undertake self-insurance in accordance with the provisions of that code.
- 21.2.9 Enforcement. SBCTA may take any steps as are necessary to assure CONSULTANT's compliance with its insurance obligations as identified within this Article. Failure to continuously maintain insurance coverage as provided herein is a material breach of contract. In the event the CONSULTANT fails to obtain or maintain any insurance coverage required, SBCTA may, but is not required to, maintain this coverage and charge the expense to the CONSULTANT or withhold such expense from amounts owed CONSULTANT, or terminate this Contract. The insurance required or provided shall in no way limit or relieve CONSULTANT of its duties and responsibility under the Contract, including but not limited to obligation to indemnify, defend and hold

harmless the Indemnitees named below. Insurance coverage in the minimum amounts set forth herein shall not be construed to relieve CONSULTANT for liability in excess of such coverage, nor shall it preclude SBCTA from taking other actions as available to it under any other provision of the Contract or law. Nothing contained herein shall relieve CONSULTANT, or any subconsultant of any tier of their obligations to exercise due care in the performance of their duties in connection with the Work, and to complete the Work in strict compliance with the Contract.

- 21.2.10 No Waiver. Failure of SBCTA to enforce in a timely manner any of the provisions of this Article shall not act as a waiver to enforcement of any of these provisions at a later date.
- 21.2.11 Project Specific Insurance. All insurance coverage required to be provided by CONSULTANT, with the exception of Professional Liability, Automobile Liability and Worker's Compensation, shall apply specifically and exclusively for the Project and extend to all aspects of the Work, with coverage limits dedicated solely to the Project. Use of other insurance programs is acceptable, provided that coverage under such programs provides dedicated Project-specific limits and identified premiums and meets all requirements described in contract.
- 21.2.12 No Representations or Warranties. SBCTA makes no representation or warranty that the coverage, limits of liability, or other terms specified for the insurance policies required under this contract are adequate to protect the CONSULTANT against its undertakings under this Contract or its liability to any third party, nor will they preclude SBCTA from taking any actions as are available to it under this Contract or otherwise at law.
- 21.2.13 Review of Coverage. SBCTA may at any time review the coverage, form, and amount of insurance required under this contract, and may require the CONSULTANT to make changes in such insurance reasonably sufficient in coverage, form, and amount to provide adequate protection against the kind and extent of risk that exists at that time. SBCTA may change the insurance coverages and limits required under this contract by notice to the CONSULTANT, whereupon the CONSULTANT will, within sixty (60) days of such notice date, procure the additional and/or modified insurance coverages. Upon such change any additional cost (at actual cost) from such change will be paid by SBCTA and any reduction in cost will reduce the Contract Price pursuant to a Contract amendment.
- 21.2.14 Subconsultant Insurance. Insurance required of the CONSULTANT shall be also provided by subconsultants or by CONSULTANT on behalf of all subconsultants to cover their services performed under this Contract. CONSULTANT may reduce types and the amounts of insurance limits provided by subconsultant(s) to be proportionate to the amount of the subconsultant's contract and the level of liability exposure for the specific type of work performed by the subconsultant. CONSULTANT shall be held responsible for all modifications, deviations, or omissions in these insurance requirements as they apply to subconsultant.
- 21.2.15 Higher limits. If CONSULTANT maintains higher limits than the minimums shown above, SBCTA shall be entitled to coverage for the higher limits maintained by

CONSULTANT. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to SBCTA.

- 21.2.16 Special Risks or Circumstances. SBCTA reserves the right to modify any or all of the above insurance requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

ARTICLE 22. INDEMNITY

- 22.1 To the extent, but only to the extent, that CONSULTANT's Work falls within the scope of Civil Code Section 2782.8, the following indemnification is applicable:

CONSULTANT shall indemnify and defend (with legal counsel reasonably approved by SBCTA) SBCTA, the San Bernardino Council of Governments ("SBCOG"), Western Riverside Council of Governments (WRCOG), SBCOG's and (WRCOG's) Entities (as identified in Exhibit C, "SBCOG and WRCOG List of Entities," attached hereto and incorporated herein, and their authorized officers, employees, and agents (collectively "Indemnitees"), from any and all losses, damages, liability, actions, and/or costs for claims that arise out of, pertain to, or are related to the negligence, recklessness, or willful misconduct of the professional to the maximum extent permitted by Civil Code Section 2782.8.

- 22.2 For all other Work and obligations under this Contract, CONSULTANT agrees to indemnify, defend (with legal counsel reasonably approved by SBCTA) and hold harmless SBCTA, SBCOG, and WRCOG and their Entities, and their authorized officers, employees, and agents ("Indemnitees"), from any and all claims, actions, losses, damages and/or liability (Claims) arising out of this Contract from any cause whatsoever, including acts, errors, or omissions of any person and for any costs or expenses incurred by any Indemnitee(s) on account of any claim, except where such indemnification is prohibited by law. This indemnification provision shall apply regardless of the existence or degree of fault of Indemnitees. CONSULTANT's indemnification obligation applies to Indemnitees' "active" as well as "passive" negligence, but does not apply to the "sole negligence" or "willful misconduct."

ARTICLE 23. ERRORS AND OMISSIONS

CONSULTANT shall be responsible for the professional quality, technical accuracy, and coordination of all Work required under this Contract. CONSULTANT shall be liable for SBCTA's costs resulting from errors or deficiencies in Work furnished under this Contract, including, but not limited to, any fines, penalties, damages, and costs required because of an error or deficiency in the Work provided by CONSULTANT under this Contract.

ARTICLE 24. OWNERSHIP OF DOCUMENTS

Except for Consultant's or third parties' pre-existing materials, underlying methodologies and intellectual property which shall remain the property of Contractor and/or third parties as applicable, all deliverables, including but not limited to, drawings, reports, worksheets, and other data developed by CONSULTANT under this Contract shall become the sole property of SBCTA when prepared, whether delivered to SBCTA or not. Notwithstanding anything herein to the contrary, the parties herein acknowledge and agree that licensed data is subject to the terms of a separate License Agreement whereby the licensee retains ownership of its data product, the

underlying data remains confidential, and SBCTA obtains the right to use output from the data product for its internal business purposes. Such License Agreement governs each party's rights in, and use of, licensed data, and takes precedence over any conflicting or inconsistent terms in this Contract.

ARTICLE 25. SUBCONTRACTS

- 25.1 CONSULTANT shall not subcontract performance of all or any portion of Work under this Contract, except to those subconsultants listed in CONSULTANT's proposal, without first notifying SBCTA in writing of the intended subcontracting and obtaining SBCTA's written approval of the subcontracting and the subconsultant. The definition of subconsultant and the requirements for subconsultants hereunder shall include all subcontracts at any tier.
- 25.2 CONSULTANT agrees that any and all subconsultants of CONSULTANT performing Work under this Contract will comply with the terms and conditions of this Contract applicable to the portion of Work performed by them. CONSULTANT shall incorporate all applicable provisions of this Contract into their subcontracts regardless of the tier. If requested by SBCTA, CONSULTANT shall furnish SBCTA a copy of the proposed subcontract for SBCTA's approval of the terms and conditions thereof and shall not execute such subcontract until SBCTA has approved such terms and conditions. SBCTA's approval shall not be unreasonably withheld.
- 25.3 Approval by SBCTA of any Work to be subcontracted and the subconsultant to perform said Work will not relieve CONSULTANT of any responsibility or liability in regard to the acceptable and complete performance of said Work. Any substitution of subconsultants must be approved in writing by SBCTA. CONSULTANT shall have sole responsibility for managing all of their subconsultants, including resolution of any disputes between CONSULTANT and its subconsultants.

ARTICLE 26. RECORD INSPECTION AND AUDITING

SBCTA or any of its designees, representatives, or agents shall at all times have access during normal business hours to CONSULTANT's operations and products wherever they are in preparation or progress, and CONSULTANT shall provide sufficient, safe, and proper facilities for such access and inspection thereof. Inspection or lack of inspection by SBCTA shall not be deemed to be a waiver of any of their rights to require CONSULTANT to comply with the Contract or to subsequently reject unsatisfactory Work or products.

ARTICLE 27. INDEPENDENT CONTRACTOR

CONSULTANT is and shall be at all times an independent contractor. Accordingly, all Work provided by CONSULTANT shall be done and performed by CONSULTANT under the sole supervision, direction and control of CONSULTANT. SBCTA shall rely on CONSULTANT for results only, and shall have no right at any time to direct or supervise CONSULTANT or CONSULTANT's employees in the performance of Work or as to the manner, means and methods by which Work is performed. All personnel furnished by CONSULTANT pursuant to this Contract, and all representatives of CONSULTANT, shall be and remain the employees or agents of CONSULTANT or of CONSULTANT's subconsultant(s) at all times, and shall not at any time or for any purpose whatsoever be considered employees or agents of SBCTA.

ARTICLE 28. ATTORNEY'S FEES

If any legal action is instituted to enforce or declare any Party's rights under the Contract, each Party, including the prevailing Party, must bear its own costs and attorneys' fees. This Article shall not apply to those costs and attorneys' fees directly arising from any third party legal action against a Party hereto and payable under the "Indemnity" provision of the Contract.

ARTICLE 29. GOVERNING LAW AND VENUE

This Contract shall be subject to the law and jurisdiction of the State of California. The Parties acknowledge and agree that this Contract was entered into and intended to be performed in whole or substantial part in San Bernardino County, California. The Parties agree that the venue for any action or claim brought by any Party to this Contract will be the Superior Court of California, San Bernardino County. Each Party hereby waives any law or rule of court which would allow them to request or demand a change of venue. If any action or claim concerning this Contract is brought by any third party, the Parties hereto agree to use their best efforts to obtain a change of venue to the Superior Court of California, San Bernardino County.

ARTICLE 30. FEDERAL, STATE AND LOCAL LAWS

CONSULTANT warrants that in the performance of this Contract, it shall comply with all applicable federal, State and local laws, ordinances, rules and regulations.

ARTICLE 31. PRECEDENCE

- 31.1 The Contract consists of the following: Contract Articles, Exhibit A "Scope of Work," and Exhibit B "Price Proposal," SBCTA's Request for Proposal and CONSULTANT's proposal, all of which are incorporated into this Contract by this reference.
- 31.2 The following order of precedence shall apply: first, the Contract Articles; second, Exhibits A and B; third, SBCTA's Request for Proposal; and last, CONSULTANT's proposal. In the event of a conflict between the Contract Articles and the Scope of Work, the Contract Articles will prevail.
- 31.3 In the event of an express conflict between the documents listed in this Article, or between any other documents which are a part of the Contract, CONSULTANT shall notify SBCTA in writing within three (3) business days of its discovery of the conflict and shall comply with SBCTA's resolution of the conflict.

ARTICLE 32. COMMUNICATIONS AND NOTICES

Notices sent by mail shall be by United States Mail, postage paid, certified mail (return receipt requested). 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 fax or email during regular business hours; (b) the first business day following delivery by fax or email when not made during regular business hours; or (c) on the fourth business day after deposit of such notice into the United States Mail. Each such notice shall be sent to the respective Party at the address indicated below or to any other address as the respective Parties may designate from time to time by a notice given in accordance with this Article. CONSULTANT shall notify SBCTA of any contact information changes within ten (10) business days of the change.

To CONSULTANT	To SBCTA
3527 East Guasti Road Suite 120	1170 W. 3rd Street, 2nd Floor
Ontario, CA 91761	San Bernardino, CA 92410-1715
Attn: Hany Haroun	Attn: Stacey Morales
Email: hany.haroun@jacobs.com	Email: smorales@gosbcta.com
Phone: 949-375-0309	Phone: (909) 884-8276
2 nd Contact: Loren Bloomberg	Copy: Procurement Manager
Email: loren.bloomberg@jacobs.com	Email: procurement@gosbcta.com

ARTICLE 33. DISPUTES

- 33.1 In the event any dispute, other than an audit, arises between the Parties in connection with this Contract (including but not limited to disputes over payments, reimbursements, costs, expenses, Work to be performed, Scope of Work and/or time of performance), the dispute shall be decided by SBCTA's Procurement Manager within thirty (30) calendar days after notice thereof in writing, which notice shall include a particular statement of the grounds of the dispute. If CONSULTANT does not agree with the decision, then CONSULTANT shall have ten (10) calendar days after receipt of the decision in which to file a written appeal thereto with SBCTA's Executive Director. If the Executive Director fails to resolve the dispute in a manner acceptable to CONSULTANT, then such dispute may be reviewed by a court of competent jurisdiction.
- 33.2 During resolution of the dispute, CONSULTANT shall proceed with performance of this Contract with due diligence.

ARTICLE 34. GRATUITIES

CONSULTANT, its employees, agents, or representatives shall not offer or give to any officer, official, agent or employee of SBCTA, any gift, entertainment, payment, loan, or other gratuity.

ARTICLE 35. REVIEW AND ACCEPTANCE

All Work performed by CONSULTANT shall be subject to periodic review and approval by SBCTA at any and all places where such performance may be carried on. Failure of SBCTA to make such review or to discover defective work shall not prejudice the rights of SBCTA at the time of final acceptance. All Work performed by CONSULTANT shall be subject to periodic and final review and acceptance by SBCTA upon completion of all Work.

ARTICLE 36. CONFIDENTIALITY

See Article 17.

ARTICLE 37. EVALUATION OF CONSULTANT

CONSULTANT's performance may be evaluated by SBCTA periodically throughout the Contract performance period, such as at the completion of certain milestones as identified in Scope of Work and/or at the completion of the Contract. A copy of the evaluation will be given to CONSULTANT for their information. The evaluation information shall be retained as part of the Contract file and may be used to evaluate CONSULTANT if they submit a proposal on a future RFP issued by SBCTA.

ARTICLE 38. SAFETY

CONSULTANT shall strictly comply with OSHA regulations and local, municipal, state, and federal safety and health laws, orders and regulations applicable to CONSULTANT's operations in the performance of Work under this Contract. CONSULTANT shall comply with all safety instructions issued by SBCTA or their representatives.

ARTICLE 39. DRUG FREE WORKPLACE

CONSULTANT agrees to comply with the Drug Free Workplace Act of 1990 per Government Code Section 8350 et seq, the Drug-Free Workplace Act of 1988, as amended, 41 U.S.C. § 8103, et seq.; U.S. DOT regulations, "Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)," 49 CFR Part 32; and U.S. OMB regulatory guidance, "Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)," 2 CFR Part 182, particularly where the U.S. OMB regulatory guidance supersedes comparable provisions of 49 CFR Part 32.

ARTICLE 40. ASSIGNMENT

CONSULTANT shall not assign this Contract in whole or in part, voluntarily, by operation of law, or otherwise, without first obtaining the written consent of SBCTA. SBCTA's exercise of consent shall be within its sole discretion. Any purported assignment without SBCTA's prior written consent shall be void and of no effect, and shall constitute a material breach of this Contract. Subject to the foregoing, the provisions of this Contract shall extend to the benefit of and be binding upon the successors and assigns of the Parties.

ARTICLE 41. AMENDMENTS

The Contract may only be changed by a written amendment duly executed by the Parties. Work authorized under an amendment shall not commence until the amendment has been duly executed.

ARTICLE 42. PREVAILING WAGES

42.1 The State of California's General Prevailing Wage Rates are not applicable to this Contract.

ARTICLE 43. CONTINGENT FEE

CONSULTANT warrants by execution of this Contract that no person or selling agency has been employed or retained to solicit or secure this Contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by CONSULTANT for the purpose of securing business. For breach or violation of this warranty, SBCTA has the right to terminate this Contract without liability, pay only for the value of the Work actually performed, or, in its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

ARTICLE 44. FORCE MAJEURE

CONSULTANT shall not be in default under this Contract in the event that the Work performed by CONSULTANT is temporarily interrupted or discontinued for any of the following reasons: riots, wars, sabotage, acts of terrorism, civil disturbances, insurrection, explosion, pandemics, quarantines, acts of God, acts of government or governmental restraint, and natural disasters such as floods,

earthquakes, landslides, and fires, or other catastrophic events which are beyond the reasonable control of CONSULTANT and which CONSULTANT could not reasonably be expected to have prevented or controlled. "Other catastrophic events" does not include the financial inability of CONSULTANT to perform or failure of CONSULTANT to obtain either any necessary permits or licenses from other governmental agencies or the right to use the facilities of any public utility where such failure is due solely to the acts or omissions of CONSULTANT.

ARTICLE 45. WARRANTY

CONSULTANT warrants that all Work performed shall be in accordance with the Contract and all applicable professional standards. In the event of a breach of this provision, CONSULTANT shall take the necessary actions to correct the breach at CONSULTANT's sole expense. If CONSULTANT does not take the necessary action to correct the breach, SBCTA, without waiving any other rights or remedies it may have, may take the necessary steps to correct the breach, and the CONSULTANT shall promptly reimburse SBCTA for all expenses and costs incurred.

ARTICLE 46. ENTIRE DOCUMENT

- 46.1 This Contract constitutes the sole and only agreement governing the Work and supersedes any prior understandings, written or oral, between the Parties respecting the Project. All previous proposals, offers, and other communications, written or oral, relative to this Contract, are superseded except to the extent that they have been expressly incorporated into this Contract.
- 46.2 No agent, official, employee or representative of SBCTA has any authority to bind SBCTA to any affirmation, representation or warranty outside of, or in conflict with, the stated terms of this Contract, and CONSULTANT hereby stipulates that it has not relied, and will not rely, on same.
- 46.3 Both Parties have been represented or had the full opportunity to be represented by legal counsel of their own choosing in the negotiation and preparation of this Contract. Therefore, the language in all parts of this Contract will be construed, in all cases, according to its fair meaning, and not for or against either Party.

ARTICLE 47. COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

CONSULTANT shall comply with all applicable provisions of the Americans with Disabilities Act in performing Work under this Contract.

ARTICLE 48. EFFECTIVE DATE

The date that this Contract is executed by SBCTA shall be the Effective Date of the Contract.

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

IN WITNESS WHEREOF, the Parties hereto have executed this Contract below.

**JACOBS ENGINEERING GROUP,
INC. A DELAWARE CORPORATION**

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Hany Haroun
Vice President

By: _____
Ray Marquez
President, Board of Directors

Date: _____

Date: _____

APPROVED AS TO FORM

By: _____
Justin Johnson
Secretary

By: _____
Julianna K. Tillquist
General Counsel

Date: _____

Date: _____

CONCURRENCE

By: _____
Alicia J. Bullock
Procurement Manager

Date: _____

Attachment: 24-1003088 (10783 : Award Contract No. 24-1003088 with Jacobs Engineering Group, Inc. for EENR Study)

EXHIBIT A

SCOPE OF WORK

SBCTA/WRCOG Emergency Evacuation Network Resilience (EENR) Study San Bernardino County Transportation Authority Sustainable Transportation Planning Grant – Climate Adaptation

Introduction

The San Bernardino County Transportation Authority (SBCTA) and the Western Riverside Council of Governments (WRCOG) propose to hire an experienced consultant to develop the SBCTA/WRCOG Emergency Evacuation Network Resilience (EENR) Study (Study). This new Study will conduct local-level evacuation compliance assessments (per Senate Bill 99) and a high-level evacuation route capacity, safety, and viability analysis (per Assembly Bill 747) for up to 40 member agencies within SBCTA and WRCOG's jurisdictions.

The new Study builds upon the recently-completed Resilient IE Study ([Resilient IE | WRCOG, CA](#)), previously funded by the 2017 SB 1 Caltrans Climate Adaptation Planning Grant Program. The Resilient IE Study resulted in a Transportation Toolkit that provides data on the risk from climate-related hazards along with tools/resources for developing and implementing climate adaptation and resilience strategies to reduce these risks. The Toolkit specifically addresses the anticipated increasing risks and impacts of climate-related hazards on the inland areas of Southern California.

The EENR Study will provide further planning resources for extreme weather events by focusing on:

- Evacuation planning;
- Identifying communities with inadequate access to transportation options (e.g., determining transit-dependent residents); and
- Planning for increased transportation options in evacuation corridors (e.g., addition of Ebike programs, etc.).

This study is funded through the FY 2023-24 Caltrans Sustainable Transportation Planning Grant Program. Due to project timeline constraints outlined by Caltrans, this study will need to be completed by December 2025. Since the start of this project has been delayed, there is the possibility of requesting an extension from Caltrans.

Background

Current projections show that the region will most likely experience some of the most severe climate-induced effects in Southern California. A February 5, 2023 Washington Post article stated, "California's mountain snowpack is the largest it's been in decades, thanks to a barrage of atmospheric rivers in late December into January. The snow is a

boon for the state's water supply but could also pose a flood risk as the season progresses." These impacts, as currently modeled, will exacerbate existing hazards, such as landslides, flooding, and wildfire risks, and are expected to strain the transportation networks and communities of both San Bernardino and Riverside Counties.

To address these anticipated impacts, some agencies in the region have already begun resilience planning efforts. San Bernardino County completed a regional vulnerability assessment for unincorporated areas of the County in 2018, and prepared draft adaptation and resilience strategies to address these vulnerabilities. Similarly, in 2014, WRCOG prepared CAPtivate, a climate action plan for the western Riverside County subregion, which included a vulnerability assessment and adaptation policies. These individual planning efforts by both entities laid the groundwork for the development of this Toolkit, which builds on these existing efforts, as well as other resources prepared by State and regional agencies.

The recently-completed Resilient IE Toolkit specifically focused on the following elements:

- **Section 1, Introduction:** Describes the project background, the preceding planning projects leading up to its inception, its funding sources, and the legal frameworks that have shaped its development.
- **Section 2, Vulnerability Assessment:** Features vulnerability assessments produced for the western Riverside County and San Bernardino County subregions, lists the major findings from the analysis for each region, and explains the methodology used to prepare the vulnerability assessments.
- **Section 3, Evacuation and Transportation Route Hazard Mapping:** Discusses the purpose, approach, and data summary of the Evacuation Route Mapping tool.
- **Section 4, Adaptation Strategies:** Contains regional adaptation strategies to address the major vulnerabilities in the WRCOG and SBCTA subregions and help support a consistent adaptation approach across jurisdictions.
- **Section 5, Climate Resilient Transportation Infrastructure Guidebook:** Summarizes the Guidebook's purpose and its contents and contains a link to electronically access the document.
- **Section 6, Resilience Template:** Contains the model strategies that communities can use as a foundation to build their own adaptation approach. This section also contains the Implementation Handbook, which shows jurisdictions how to incorporate model strategies into their planning documents such as their safety, housing, and environmental justice elements; capital improvement plans; and other relevant local government planning documents that pertain to adaptation and resilience.

As noted earlier, the latest Study (the subject of this application) will build upon the Resilient IE *Section 3, Evacuation and Transportation Route Hazard Mapping*, by conducting local-level evacuation compliance assessments (SB 99) and a high-level evacuation route capacity, safety, and viability analysis (AB 747) for up to 40 member agencies within SBCTA and WRCOG's jurisdictions. **This Study will help vulnerable communities in identifying neighborhoods that lack network redundancy during evacuation scenarios and will help agencies determine how to improve the evacuation network during those events.**

Disadvantaged Communities

Both San Bernardino and Riverside Counties have a significant number of Disadvantaged Communities (DACs) within their jurisdictions. San Bernardino County is the largest county in the United States by area (20,105 square miles) and the 12th most populous. It contains roughly 2.1 million residents and 630,000 enrolled students across 24 cities/towns and 33 school districts of highly diverse character. A significant proportion of San Bernardino County residents live in community areas considered disadvantaged. Approximately 650,000 county residents and 170,000 students live in locales ranked by the CalEnviroScreen 4.0 as among the top 10% most disadvantaged communities statewide. The County's Community Vital Signs (CVS) initiative measured the proportion of county residents less than 18 years of age living in poverty as 26.1%, slightly higher than the California statewide average of 22.8%. Riverside County has a similar profile, as the 11th-most populous county in the United States.

Riverside County encompasses a total of 7,303 square miles in Southern California. The estimated population of Riverside County is over 2.3 million people, including over 1.7 million people served by the Western Riverside Council of Governments. In multiple census tracts in WRCOG's service area, 70% of residents are identified as low-income. The region is marked by its diverse population, with varied income levels, access issues, transit-dependency, and levels of vulnerability.

Please see attached CalEnviroScreen 4.0 maps.

San Bernardino and Riverside Counties remain two of the fastest growing areas in California and the United States. As fires rage and floods inundate areas of California, causing fatality numbers to rise, we are reminded of the extreme impacts climate change can have on our residents. Low-income and vulnerable populations can suffer the worst in these disasters, experiencing the longest paths to recovery. The proposed project aims to level the playing field among all jurisdictions, and provide the best, easy-to-use, quality information to help achieve resilience in our member agencies.

Project Stakeholders

As with the Resilient IE project, SBCTA/WRCOG will continue on-going collaboration and partnerships between sectors and jurisdictions, across levels of government at a regional scale. Multiple stakeholders will be involved in the Study planning effort, providing input through quarterly Technical Advisory Committee (TAC) meetings during the 30-month planning process. In addition to Caltrans and the SBCTA/WRCOG local member cities, project stakeholders will include the following:

- **Southern California Association of Governments (SCAG);**
- **San Bernardino County Fire Chiefs' Association (SBCFCA).** A consortium of fire departments that collaborate together regularly to discuss local issues and strategies;

- **Riverside County Emergency Management Healthcare Coalition (REMHCC).** A network of government and emergency management agencies, healthcare organizations and other providers to strengthen emergency preparedness, response, and recovery;
- **Three transit operators.** Omnitrans, Riverside Transit Authority (RTA), and Victorville Transportation Authority (VVTa);
- **Riverside University Health System (RUHS);**
- **San Bernardino County Department of Public Health (DPH);**
- **Inland Southern California Climate Collaborative (ISC3).** A diverse, cross-sectoral network of agencies, organizations, companies, and institutions working together to advance equitable solutions to create a resilient and thriving Inland Southern California in the face of climate change (SBCTA reviewed the planning project with ISC3 on February 24, 2023 and confirmed their support verbally); and
- **California Highway Patrol (CHP) – Inland Empire.**

The quarterly meetings will be held for the member cities within the San Bernardino and Riverside Counties as well as the TAC and other interested stakeholders. Virtual breakout rooms will be used to engage stakeholders at a more personal level. Project updates will also be posted on the SBCTA and WRCOG websites and social media to encourage additional input. Community engagement advertising materials will be bi-lingual in English and Spanish, which will help to engage hard-to-reach populations. However, not everyone has access to these platforms, so SBCTA/WRCOG will also consider in-person meetings at selected jurisdictions to ensure that a better representation of disadvantaged community input is obtained.

As mentioned previously, an experienced consultant will be hired to guide the comprehensive planning process. The consultant will be involved with the following activities:

- **Task 1 – Technical Advisory Committee/Stakeholder and Public Outreach.** Confirm advisory groups; Schedule and host meetings; Host webinars with cities, stakeholders, and public; Provide project updates on SBCTA/WRCOG websites and social media.
- **Task 2 - Network Resiliency Assessment.** Review and assess conditions affecting the 41 jurisdictions on a sub-regional level (e.g., transportation facilities in several jurisdictions might be affected by similar climate change affects). The consultant will focus on Network Identification, Preliminary Design and Cost Estimates, and Funding Strategies.
- **Task 3 – Additional Infrastructure Resiliency Assessment.** Create a roadmap for other resiliency/climate adaptation factors that should be considered moving forward such as electrification network resiliency, transit shelter evaluation, and vehicle redundancy assessment.
- **Task 4 - Draft and Final Plan Review and Adoption.** Present draft plan to the advisory groups and other stakeholders; Incorporate edits and present second version to the two advisory groups and stakeholders; Post to websites for feedback; Incorporate final edits into Plan.

- **Task 5 - Board Review/Approval.** The consultant will present the Draft Plan to the advisory groups, stakeholders, and the public for feedback. Upon approval, the consultant will present to the SBCTA and WRCOG Boards for final adoption.

More detail is provided in the Summary of Project Task section below.

Overall Project Objectives

Identification of transportation system vulnerabilities and climate-related risks to existing transportation infrastructure is paramount to SBCTA/WRCOG. The overarching goal of this Study is to provide planning actions at local and sub-regional levels to advance climate change adaptation efforts on the transportation system, especially in vulnerable communities.

A variety of events can require an evacuation within areas of the San Bernardino and Riverside Counties. These events could be caused by nature, including wildfires, floods, geological or seismic events; while others can be caused by human initiated events such as utility failures, infrastructure failures or other factors (such as riots, and airplane or vehicular crashes). With climate change increasing drought conditions and weather events throughout the state, it is prudent to review the capacity of the evacuation system (e.g., capacity of the evacuation roadways) to assist with planning for these events. Additionally, recent events like the Camp Fire in Paradise, California, reinforce the notion to better prepare for rapid evacuations during these types of events.

This proposed Study will:

- Help local agencies to identify the most vulnerable communities where evacuations would occur (e.g., those with the least amount of redundant access and those areas furthest from evacuation centers);
- Determine the amount of time needed to facilitate an evacuation; and
- Develop strategies to improve emergency egress during these events, helping to promote sustainability and resilience for even the most vulnerable residents.

This Study provides a detailed look at the evacuation system and focuses on estimating the time needed to evacuate. The results are intended to provide information to help inform jurisdictions (especially related to network redundancy and connectivity) in addition to meeting the requirements associated with two recent legislative bills:

- **Senate Bill 99 (2019) - Residential Developments and Evacuation Routes.** SB 99



requires city or county governments to identify in their safety element residential developments that do not have at least two emergency evacuation routes. This requirement applies when jurisdictions next update their housing element.¹ The 2018 wildfire season eclipsed 2017 as the most destructive and deadliest year for wildfires in California. The Mendocino Complex Fire alone burned 459,123 acres to become the

largest fire in California history. Even more devastating, the Camp Fire in November 2018 became California's most destructive and deadliest wildfire, which decimated the Town of Paradise, killing 86 people and destroying nearly 19,000 structures. One reason the Camp Fire was so deadly was that the Town of Paradise lacked adequate evacuation routes to simultaneously allow residents to leave and public safety personnel to enter. Modern development practices require adequate ingress and egress to new developments, but existing developments that weren't built to those standards occur throughout the state. SB 99 ensures that cities and counties identify residential developments in any hazard area, including fire hazard severity zones, that lack this basic safety precaution in their general plans.

- **Assembly Bill 747 (2019) - Evacuation Route Capacity and Safety.** AB 747 requires jurisdictions to identify evacuation routes and their capacity, safety, and viability under various emergency scenarios in the jurisdiction's safety element. The bill states that this must occur with the next update to a jurisdiction's Local Hazard Mitigation Plan (LHMP) (or safety element if the jurisdiction does not have an LHMP) beginning January 1, 2022. The jurisdiction may use its LHMP or emergency operations plan to comply with this law by incorporating descriptions of the evacuation routes' capacity, safety, and viability into those documents, provided that the jurisdiction's safety element references the document.²

Again, the Town of Paradise provides a tragic example of the importance of evacuation route capacity. In 2015, Skyway Boulevard, one of the main outbound roads, underwent lane reduction from a four to two lane road. During the Camp Fire, residents were forced to evacuate southbound via Skyway Boulevard. By 10am that day, evacuees were forced to abandon their vehicles and proceed on foot. The 2018 Camp Fire resulted in 86 civilian casualties; the deadliest in California history. AB 747 will help save lives by requiring local governments to preemptively plan their



¹ Full text of SB 99 (2019): http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB99

² Full text of AB 747 (2019): https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB747

evacuation route capacity needs under a range of emergency scenarios.

There are two areas that SBCTA/WRCOG would like to explore as part of this effort: 1) identify areas in the two Counties where the transportation network needs redundancy improvements to improve resilience; and 2) examine how to make the transportation system more resilient by adding infrastructure to adapt to climate change in the future.

The key considerations for SBCTA/WRCOG when reviewing network redundancy improvements to enhance resiliency are:

- Redundancy in the network in case of primary network failure;
- Improved emergency access during evacuations; and
- Identification of existing facilities that may be used for bikeways or flood control channels that could be upgraded to assist during evacuation events.

The key considerations related to adapting the transportation infrastructure to be more resilient are:

- Resiliency in the electrification of the network (remote solar facilities, decentralized/microgrid charging, etc.);
- Evaluation of transit shelters (e.g., shade) for transit stops;
- Other improvements at key stations and major bus stops including misters, additional water stations, restrooms, shade, permeable pavement, air conditioning, and other treatments to assist with adaptation towards climate change;
- Vehicle redundancy assessment – e.g., can programs be set up to provide bikes to populations that do not have access to vehicles or could benefit from additional access to vehicle speeds? and
- Landscaping/tree planting programs to improve air quality, cooling, and other factors.

This Study is consistent with multiple state and regional plans including:

- **Caltrans 2020-2024 Strategic Plan** as the Study aims to “Strengthen our capability to withstand and recover from the impacts from climate change” by engaging the most vulnerable communities to inform development and implementation of Climate Action activities.
- **California Transportation Plan (CTP) 2050**, Goal 2 “Preserve the Multimodal Transportation System,” and Policy 3 “Adapt the transportation system to reduce impacts from climate change.”
- **2021 California State Adaptation Strategy** as this project will help improve resilience, which is a state of readiness to face climate risks, within disadvantaged and vulnerable communities.
- **Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)**, especially as it pertains to climate adaptation and resilience of the transportation network.

Summary of Project Tasks

Task 01: Project Administration

Upon project award, SBCTA, along with our partner, WRCOG, will coordinate a project kick-off meeting with Caltrans to discuss grant procedures and project expectations including invoicing, quarterly reporting and all other relevant project information including scope, consultant type, and stakeholders. SBCTA will highlight and determine scope refinements.

As the project progresses, SBCTA will prepare and submit invoice packages, quarterly reports, and a final close-out report in accordance with Caltrans' requirements. Invoice packages and reports will be based upon completion of project phases as identified in the grant contract and include project expenditures to-date.

Task Deliverables
Project kick-off meeting at the start of the program with Caltrans and SBCTA; Invoicing and quarterly reporting to Caltrans

Task 02: Consultant Procurement

SBCTA will procure an experienced consultant, consistent with state and federal requirements, Local Assistance Procedures Manual for procuring non-Architectural and Engineering Consultants, the Grant Application Guide, Regional Planning Handbook, and the executed grant contract between Caltrans and SBCTA.

SBCTA/WRCOG will develop a preliminary scope of work and initial Request for Proposal (RFP) for Caltrans' Review. SBCTA will then refine RFP and gain approval from SBCTA and WRCOG Board of Directors and Caltrans.

SBCTA, WRCOG and Caltrans will review and determine most qualified consultant, with SBCTA awarding contract to selected consultant.

A project kick-off meeting will be scheduled with consultant and stakeholders to discuss proposed plan, and establish tasks and timeline in accordance with Caltrans grant requirements. Consultant will finalize outline of action plan for SBCTA staff approval.

Task Deliverables

- Meeting agenda, participant list, meeting notes, list of action items;
- Draft Scope of Work and Request for Proposal (RFP);
- Final RFP;
- Review and ranking of qualifications by SBCTA staff/Caltrans;
- Executed consultant contract;
- Meeting agenda, participant list, meeting notes, list of action items and action plan.

Task 1: Technical Advisory Committee, Stakeholder and Public Outreach

SBCTA, WRCOG and the consultant will confirm advisory group participation from stakeholders, plus any planning staff and other community-based organizations (CBOs) from vulnerable communities. Two groups will be confirmed: 1) a Core Technical Working Group; and 2) a larger Stakeholder Group that may include targeted under-served cities, the County, Emergency Responders, and other high-level stakeholders. This Stakeholder Group will be involved in the decision-making process from the start - ensuring that the process used to develop the plan and resulting priorities/projects are created and implemented in such a way that give legitimate decision-making power to the most impacted, under-served communities. SBCTA/WRCOG/Consultant will then schedule and host **8-10 quarterly advisory group meetings**. Separately, SBCTA/WRCOG/Consultant will advertise and host **six interactive (or in-person) workshops with jurisdictions, stakeholders and interested public** to provide informational updates and solicit input. SBCTA/WRCOG/Consultant will also provide regular project updates on the SBCTA website and social media. SBCTA will also solicit commentary from viewers on various elements of the project.

Engagement of **disadvantaged communities** will be a key part of the outreach. The consultant will specifically reach out to key stakeholders to determine if certain under-served communities would benefit from this planning effort. The consultant can then provide a summary of existing community feedback to the Stakeholder Group to ground-truth and ensure community priorities are fully captured.

SBCTA is committed to engaging with tribal communities within San Bernardino and Western Riverside counties and will also be a key part of the outreach. SBCTA will leverage existing contacts with tribal communities to solicit input on the project and obtain feedback.

Moving forward, quarterly meetings will be held for all 45 member agencies within the San Bernardino and Riverside Counties as well as the Technical Advisory Committee and other interested stakeholders. Virtual breakout rooms will be used to engage stakeholders at a more personal level. Project updates will also be posted on the SBCTA and WRCOG websites and social media to encourage additional input. Community engagement materials will be in English and Spanish, which will help to engage hard-

to-reach populations. The engagement strategy will be discussed at the very outset of the project, documented in an Outreach Plan, and integrated with the technical work.

Task Deliverables

- Confirmed list of core technical group and larger stakeholder group members;
- Outreach plan;
- Meeting agendas, participant lists, comments, summaries;
- Webinar meeting schedule, agendas, participant lists (including DAC participation), and follow-up comments from stakeholders and public;
- Examples of advertising materials; printouts of website and social media posting and any commentary; and meeting recordings.

Task 2: Network Resiliency Assessment

The consultant will review and assess conditions affecting the 41 jurisdictions on a sub-regional level (e.g., transportation facilities in several jurisdictions might be affected by similar climate change affects). The consultant will focus on the following key areas:

Network Identification. This activity will focus on efforts to assist in identifying locations where the network may be vulnerable. The consultant will conduct the following activities:

- **Outreach to Emergency Responders.** This effort will include up to four meetings with the CHP, CalFire, Caltrans, and/or local emergency responders to identify key congestion areas that have occurred during an emergency event. This could include collisions on the network, closure of the network due to infrastructure failure, or due to emergency evacuation events. Notes will be taken during the meeting and the specific locations and specifics of the event will be mapped.
- **Congestion Identification.** Areas where congestion occur may be an indication of areas where redundant network may not be available. As such, SBCTA's ClearGuide speed monitoring will be reviewed to identify areas of the network that are currently congested. These will be mapped accordingly.
- **Network Analysis.** As part of this effort, the consultant will review the evacuation network developed as part of the Resilient IE process and will complete a network analysis to identify the density of the transportation network. The network density assessment will measure intersection density, which will assist in identifying areas that may lack redundancy (e.g., areas with less network density likely will have limited accessibility in the case of an evacuation). Additionally, the consultant will complete a network assessment for each of SBCTA's and WRCOG's agencies to look at the distance each neighborhood would have to travel during an evacuation event (note, neighborhoods could generally be tied to traffic analysis zones (TAZs) within SBTAM and RIVCOM). This could be completed by looking at the distance from TAZ centroid to the externalities of the jurisdiction, which will identify areas where network redundancy is limited and the distance to exit the

City would be greater. The consultant will work with SBCTA/WRCOG to review any other potential network analyst assessments that may review redundancies in the network.

- **Emergency Response Time Assessment.** The consultant will work with SBCTA/WRCOG and emergency responders to identify emergency dispatch locations and determine how long it will take to access neighborhoods. For this effort, neighborhoods can generally be represented by TAZs, and the centroid can be the geography for representing the center of the neighborhood. The goal would be to identify distance to access these neighborhoods. Additionally, time estimates should be developed using peak period congested speeds from SBTAM and RIVCOM on the major networks and combined with posted speeds on the local system to estimate response times to the neighborhoods. The consultant will identify key neighborhoods in each agency that have longer than average response times and identify potential measures to improve that accessibility.
- **AB 747/AB 1409 Assessment.** The consultant will develop a tool to evaluate AB 747/AB 1409 for member agencies. Specifically, the tool will estimate trip tables for emergency evacuation and utilize emergency evacuation departure distribution estimates from other national studies to estimate evacuation behavior. Once these estimates are created, the consultant will combine the SBCTA and WRCOG regions together and complete a Dynamic Traffic Assignment (DTA) to estimate evacuation time estimates (ETEs). The consultant shall estimate ETE's for ten total regions as part of this effort and will evaluate up-to three emergency events per region.
- **Firesafe Accessibility Assessment.** The consultant will review consistency with the State's firesafe requirements. These will include any available mapping showing roadway widths and identification of roadways serving low density parcels that exceed the maximum allowable lengths based on the CalFire standards.

The final locations will be mapped and presented to the local agencies and SBCTA/WRCOG during a workshop (likely at a TAC meeting). Once input is received on the identified locations, the list will be finalized for improvement/access enhancements.

Improvement Identification. The consultant will identify key improvements that address the redundancy/resiliency constraints identified earlier in this task. Since the number of locations identified is not yet known, this task will assume that up to 40 distinct improvement projects will be identified to address the noted constraints. Improvements should address the key constraints identified (e.g., network redundancy, improved access, better emergency access, etc.).

Project List Prioritization. The consultant will work with SBCTA/WRCOG to identify preliminary ranking criteria that can be applied to each identified project to assist in project prioritization. The ranking criteria will be discussed in a working group session with

SBCTA/WRCOG staff and appropriate stakeholders. After the ranking criteria is identified, each project will be evaluated, and an initial priority list will be identified.

The consultant will meet again with SBCTA/WRCOG during a workshop setting (likely a committee meeting) to present the project ranking results and refine the priority based on that input.

Cost Estimates/Project Constraint Refinement. The consultant will complete a review of the 20 top-ranked projects derived from the earlier subtasks. This review will include conceptual project designs that would be sufficient enough to identify any key project constraints (e.g., agency coordination requirements, potential geometric constraints, right of way concerns, and/or potential environmental constraints) and would be sufficient to complete a planning-level cost estimate for those projects. The cost estimates will be sufficient enough to support grant applications for the implementation of those projects.

Funding Strategies and Documentation. The consultant will work with SBCTA/WRCOG and their grant writing experts to discuss potential funding strategies for these projects. Additionally, the consultant shall summarize the results of the previous activities into a project deliverable for SBCTA/WRCOG. Consultant shall work with SBCTA/WRCOG on the format for the deliverable, as it may take the form of a storymap or a traditional report deliverable. However, each of the top ranked projects will have a cut-sheet associated with it that summarizes the key aspects of the project that SBCTA can use in their pursuit of grant funding.

Task Deliverables
<ul style="list-style-type: none"> Report (or storymap) summarizing network locations, recommended improvements, priority projects, cost estimates, conceptual project designs, and funding strategies. Cuts sheets of top-ranked projects

Task 3: Additional Infrastructure Resiliency Assessment

The consultant will work with SBCTA/WRCOG to create a roadmap for other resiliency/climate adaptation factors that should be considered moving forward.

Network Electrification Resiliency. The main focus of this task will be forward looking – recognizing the demands on the electrical network will increase with electrification of the passenger car and transit fleet and planning for redundancy in the charging network to improve resiliency of that network (especially in the case of a natural disaster when the electrical network could be compromised). Since this task will require significant coordination between SBCTA/WRCOG and multiple utility providers, a detailed review of this scale is outside the scope of this specific project. However, as part of this effort, the consultant will identify a framework of factors that SBCTA/WRCOG should consider in coordinating with these agencies (and potentially address those concerns as part of a subsequent effort). Key considerations should include identification of high demand

areas that are critical to the success of the transportation network (such as future charging locations for the Redlands Passenger Rail Service if/when that network becomes electrified and/or coordination related to where buses and/or Metrolink trains could be charged in the future). Additionally, the consultant will identify high-demand electrical vehicle charging areas where redundancy should be considered. Finally, there may be efficiencies in coordinating with the WRCOG/SBCTA/ Inland Regional Energy Network (I-REN) effort to assist with utility coordination and maximize efficiencies. Strategies that the consultant may identify to improve resiliency could include remote solar facilities, decentralized/microgrid charging, etc. Ultimately, the goal of this task is to develop a framework for future consideration/coordination with the utility providers and identify areas of focus for SBCTA/WRCOG.

Transit Shelter Evaluation. This activity includes working with SBCTA/WRCOG, Omnitrans, VVAT, RTA, and other transit providers to inventory their existing bus stops and identify areas where shelter improvements would better serve their users. Specifically, as climate change continues to increase temperatures and make weather patterns less predictable, enhancing transit shelter to address these concerns will be critical to serve transit users. The consultant will map out all transit stops and obtain stop amenity information. Key considerations moving forward will be developed by the consultant, including identification of locations where shelter improvements would be helpful. Additionally, the consultant will develop recommendations related to levels of infrastructure improvements that should be considered (e.g., shelters, benches, misters, water stations, additional shade, potential air conditioning, etc.). The consultant will summarize the recommendations and provide them to the stakeholders for consideration. Additionally, unit cost estimates for each treatment will be developed to assist in quantifying the level of improvements recommended at each location.

Vehicle Redundancy Assessment. The consultant will identify areas of the County where vehicle access is problematic and where emergency accessibility is challenging. Overlaying this information can identify populations where improved access to vehicles can be helpful from an evacuation/mobility perspective. Once these areas are identified, the consultant will outline a program framework where SBCTA/WRCOG can solicit funding for an eBike program that could be considered in the future, including estimates of total funding for the program. In this instance, access to an eBike can achieve similar evacuation and mobility speeds as an automobile but are more consistent with state environmental goals.

Task Deliverables
<ul style="list-style-type: none"> • Framework of network electrification resiliency factors; • Inventory of existing transit shelters and recommendations for climate adaptation improvement; • Area assessment of vehicle redundancy and recommendations.

Task 4: Draft and Final Studies

Data and learning from the above Network Resiliency Assessment and that of additional Infrastructure Resiliency will be compiled into draft and final Studies.

The Studies may be drafted in an “eStudy” format. For SBCTA/WRCOG, an eStudy is similar to a standalone website, where the contents of the Plan can be viewed using an array of digital devices and follows design standards so that Studies’ content is visually appealing, interactive, and meets web accessibility requirements (WCAG 2.0).

However, it is also expected that the Final Studies will also be available in PDF format.

Task Deliverables
<ul style="list-style-type: none"> Draft Studies; Technical Appendices

Task 5: Board Review/Approval

The consultant will present the Draft Studies to the advisory groups, stakeholders, and the public. Upon feedback, the consultant will incorporate edits and present a second version to the advisory groups and stakeholders. Once edits are incorporated, SBCTA/WRCOG/consultant will post the Studies to the SBCTA and WRCOG websites for 30-60 days for feedback. Upon receipt of all commentary, consultant will incorporate final edits and present to SBCTA/WRCOG Boards for final adoption.

Next Steps

Once the Studies are complete and adopted, SBCTA and WRCOG will notify lead agencies regarding next steps for prioritized projects. In some cases, the lead will be SBCTA or WRCOG. Transit agencies will be responsible for others, and local jurisdictions still others. Some of the progress will be dependent upon competitive funding from the state, and potential funding sources will be identified. The goal will be to start implementing evacuation strategies that help protect the lives of residents in the most disadvantaged neighborhoods as well as for all residents.

Task Deliverables
<ul style="list-style-type: none"> Draft Studies/e-Studies; Public Review – list of comments; Final Studies (published) that include a summary of next steps towards implementation, credits Caltrans on the cover or title page, submitted to Caltrans in an ADA accessible electronic copy; Board Agendas, presentation materials, meeting minutes with Board acceptance/approval.



EXHIBIT B Price Proposal for Time and Materials

RFP No. 24-1003088

Jacobs Engineering Group Inc.

Key Personnel

Name	Classification/Title	Job Function	Hourly Rate	Hours	Total
Loren Bloomberg	Project Manager	Project Management	\$ 327.22	226	\$ 73,951.72
Hany Haroun	Principal	Oversight	\$ 406.26	10	\$ 4,062.60
John Khoury	Senior Transportation Engineer	QC and Project Delivery	\$ 252.31	107	\$ 26,997.17
Seth Torma	Principal Planner	Transportation Planning	\$ 336.85	78	\$ 26,274.30
Marionne Lapitan	Engineer	Project Delivery Support	\$ 126.99	349	\$ 44,319.51
Aimee Flannery	Senior Planner	Community Resilience	\$ 269.85	104	\$ 28,064.40
Alvin Marquess	Senior Planner	Evacuation Planning	\$ 200.94	60	\$ 12,056.40
John Kerenyi	Senior ITS Engineer	Policy & Procedures	\$ 247.24	110	\$ 27,196.40
Brian Peck	Planner	GIS Modeling	\$ 116.90	179	\$ 20,925.10
Tapash Das	Global Resilience Lead	Natural Disaster Risk	\$ 236.47	29	\$ 6,857.63
Armin Munevar	Principal Engineer	Natural Disaster Risk	\$ 281.43	19	\$ 5,347.17
Sajeev Keecheril	Senior Traffic Engineer	Design Ops & Safety	\$ 213.99	64	\$ 13,695.36
Julie Froelich	Senior Planner	Environmental Planning	\$ 225.64	49	\$ 11,056.36
Emily Duchon	Senior Planner	Vehicle Redundancy	\$ 260.34	37	\$ 9,632.58
Charu Kukreja	Senior Planner	Vehicle Redundancy	\$ 209.91	37	\$ 7,766.67
Brian Burkhard	Global Mobility Systems Engineer	Network Electrification	\$ 319.79	36	\$ 11,512.44
Natasha Walia	Senior ITS Engineer	Network Electrification	\$ 207.20	40	\$ 8,288.00
Dave Schumacher	Senior Planner	Transit Shelter Evacuation	\$ 252.44	49	\$ 12,369.56
Ryan Zatlin	Planner	Transit Shelter Evacuation	\$ 146.24	161	\$ 23,544.64
Reina Sawyer	Project Controls	Project Controls	\$ 127.57	23	\$ 2,934.11
TOTAL					\$ 376,852.12

Other Direct Cost Schedule (ODC)

All ODC's are to be proposed at cost-without mark-ups.

Type of ODC	Unit Cost	Estimated Budget Amount
The Greenway Group	\$ 51,330.00	\$ 51,330.00
VRPA	\$ 36,450.00	\$ 36,450.00
Cambridge Systematics	\$201,390.00	\$ 201,390.00
TOTAL		\$ 289,170.00

Option Year 1 (Separate page with breakdown should be attached if needed)

Year	Amount
FY 25/26	\$ 542,888.77
TOTAL	\$ 542,888.77

GRAND TOTAL	\$ 1,208,910.89
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EXHIBIT B Price Proposal for Time and Materials

RFP No. 24-1003088

Jacobs Engineering Group Inc.

Key Personnel*

Name	Classification/Title	Job Function	Hourly Rate	Hours	Total
Loren Bloomberg	Project Manager	Project Management	\$ 329.35	188	\$ 61,917.80
Hany Haroun	Principal	Oversight	\$ 406.26	10	\$ 4,062.60
John Khoury	Senior Transportation Engineer	QC and Project Delivery	\$ 252.95	100	\$ 25,295.00
Seth Torma	Principal Planner	Transportation Planning	\$ 337.68	73	\$ 24,650.64
Marionne Lapitan	Engineer	Project Delivery Support	\$ 127.37	322	\$ 41,013.14
Aimee Flannery	Senior Planner	Community Resilience	\$ 270.25	100	\$ 27,025.00
Alvin Marquess	Senior Planner	Evacuation Planning	\$ 200.94	60	\$ 12,056.40
John Kerenyi	Senior ITS Engineer	Policy & Procedures	\$ 247.85	103	\$ 25,528.55
Brian Peck	Planner	GIS Modeling	\$ 117.15	169	\$ 19,798.35
Tapash Das	Global Resilience Lead	Natural Disaster Risk	\$ 236.78	28	\$ 6,629.84
Armin Munevar	Principal Engineer	Natural Disaster Risk	\$ 282.00	18	\$ 5,076.00
Sajeev Keecheril	Senior Traffic Engineer	Design Ops & Safety	\$ 213.99	64	\$ 13,695.36
Julie Froelich	Senior Planner	Environmental Planning	\$ 226.17	46	\$ 10,403.82
Emily Duchon	Senior Planner	Vehicle Redundancy	\$ 260.61	36	\$ 9,381.96
Charu Kukreja	Senior Planner	Vehicle Redundancy	\$ 210.13	36	\$ 7,564.68
Brian Burkhard	Global Mobility Systems Engineer	Network Electrification	\$ 319.79	36	\$ 11,512.44
Natasha Walia	Senior ITS Engineer	Network Electrification	\$ 207.20	40	\$ 8,288.00
Dave Schumacher	Senior Planner	Transit Shelter Evacuation	\$ 252.84	47	\$ 11,883.48
Ryan Zatlin	Planner	Transit Shelter Evacuation	\$ 146.59	151	\$ 22,135.09
Reina Sawyer	Project Controls	Project Controls	\$ 128.86	17	\$ 2,190.62
TOTAL					\$ 350,108.77

Other Direct Cost Schedule (ODC)

All ODC's are to be proposed at cost-without mark-ups.

Type of ODC	Unit Cost	Estimated Budget Amount
The Greenway Group	\$ 34,220.00	\$ 34,220.00
VRPA	\$ 24,300.00	\$ 24,300.00
Cambridge Systematics	\$ 134,260.00	\$ 134,260.00
TOTAL		\$ 192,780.00

TOTAL	\$ 542,888.77
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Exhibit C
SBCOG AND WRCOG List of Entities

San Bernardino Council of Governments (SBCOG) List of Entities

City of Adelanto
Town of Apple Valley
City of Barstow
City of Big Bear Lake
City of Chino
City of Chino Hills
City of Colton
City of Fontana
City of Grand Terrace
City of Hesperia
City of Highland
City of Loma Linda
City of Montclair
City of Needles
City of Ontario
City of Rancho Cucamonga
City of Redlands
City of Rialto
City of San Bernardino
County of San Bernardino
City of Twentynine Palms
City of Upland
City of Victorville
City of Yucaipa
Town of Yucca Valley

Western Riverside Council of Governments (WRCOG) List of Entities

City of Banning
City of Beaumont
City of Calimesa
City of Canyon Lake
City of Corona
City of Eastvale
City of Hemet
City of Jurupa Valley
City of Lake Elsinore
City of Menifee
City of Moreno Valley
City of Murrieta
City of Norco
City of Perris
City of Riverside
City of San Jacinto
City of Temecula
City of Wildomar
County of Riverside
Eastern Municipal Water District
Western Water
Riverside County Superintendent of Schools

Minute Action

AGENDA ITEM: 9

Date: *October 9, 2024*

Subject:

Housing Trust Update and Ad Hoc Extension

Recommendation:

That the General Policy Committee recommend the Board, acting as the San Bernardino Council of Governments:

Extend the expiration date for the existing Housing Trust Ad Hoc Committee to December 31, 2025.

Background:

On March 1, 2023, the San Bernardino Council of Governments (SBCOG) Board of Directors took action to initiate the process of establishing a San Bernardino Regional Housing Trust, including the process of establishing a new Joint Powers Authority, upon receipt of award of Regional Early Action Planning (REAP) 2.0 funds from Southern California Association of Governments (SCAG). SBCOG was awarded \$5 million in REAP funds to be devoted to funding for the Housing Trust, with \$1.3 million specifically to go through the process of establishing the new Housing Trust that will be composed of participating local jurisdictions. However, SBCOG cannot access those funds until a Memorandum of Understanding is executed between SCAG and SBCOG.

Given the uncertainty of the REAP funding being lost with the state's budget deficit, SCAG did not begin to issue draft MOUs until the REAP funds were certain, and the process of drafting the MOU and providing it to SBCOG is still pending. Staff did not anticipate this length of a delay, and the Housing Trust Ad Hoc Committee, which was set up to provide staff direction on the establishment of the San Bernardino Regional Housing Trust, is set to expire December 31, 2024. Staff is now requesting an extension of the Housing Trust Ad Hoc Committee to December 31, 2025.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025.

Reviewed By:

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

Responsible Staff:

Monique Reza-Arellano, Chief of COG and Equity Programs

Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:

Entity: San Bernardino Council of Governments

Minute Action

AGENDA ITEM: 10

Date: October 9, 2024

Subject:

San Bernardino County Transportation Authority / San Bernardino Council of Governments
Equity Framework Update

Recommendation:

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

- A. Receive a report on the kick-off of the SBCTA/SBCOG Equity Framework.
- B. Direct staff to work under the SBCOG Board Ad Hoc Committee for direction.

Background:

In 2020, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) established an Equity Ad Hoc Committee to identify and address equity needs and opportunities for SBCTA/ San Bernardino Council of Governments (SBCOG) through the agency's processes and structures. In 2021, the Board adopted a Regional Equity Resolution which provides the platform upon which the Equity Framework can be and ought to be approached. The Board resolved to:

1. Examine the practices that SBCTA uses in planning, evaluating, procuring and building transportation projects.
2. Create tools that can be used by all of our members to better understand how issues of equity impact the built environment.
3. Provide the regional forum where efforts that work toward: promoting a fair and just region; eliminating barriers that reduce opportunities for residents; and meaningfully advancing justice, equity, diversity, and inclusion can be discussed.

With this resolution as the guiding principle, the Board directed staff to undertake projects and studies. Since 2020, they include:

- Regional Equity Study, completed in 2023, provides an understanding of inequities identified throughout the region within the built environment.
- SB 1000 Environmental Justice Toolkit, completed in 2023, identifies “priority equity communities” and environmental justice goals, policies, and programs for member agencies to use in their respective General Plan updates.
- Small Business and Member Agency Procurement Study, completed in 2023.

This Equity Framework builds off of the work highlighted above. The Equity Framework kicked off in July 2024 with the goal of identifying and guiding the agency toward its equity goals when doing its business including implementing projects, designing programs, and performing public outreach. Additionally, as a part of the Equity Framework Scope, which derives from direction of the Equity Ad Hoc discussion and ultimately direction of the Board, SBCTA/SBCOG has a goal of strengthening relationships with Community Based Organizations and other local partners.

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

General Policy Committee Agenda Item

October 9, 2024

Page 2

Another key aspect to this process is to put SBCTA/SBCOG in a place to be competitive for funds. As the goals of funding agencies evolve to include questions on how applicants address equity, it has become clear that SBCTA/SBCOG needs to define equity clearly and identify practices that support its definition.

The process for completing this framework will include outreach and direction from policy makers through the SBCOG Ad Hoc and the General Policy Committee as well as working groups of staff and community stakeholders. In-depth research and analysis of sister agencies, comparable planning agencies, and funding agencies at the state/federal level will be conducted for comparison, best practices, and lessons learned.

The Equity Framework kicked off in July 2024, and the project will be complete in August 2025. Staff will provide updates to the General Policy Committee and the Board as the project progresses.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025.

Reviewed By:

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

Responsible Staff:

Monique Reza-Arellano, Chief of COG and Equity Programs

Approved
General Policy Committee
Date: October 9, 2024

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority



1

Purpose of the SBCTA/SBCOG Equity Framework

- Guide the agency towards its equity goals
 - Project Implementation
 - Program Design
 - Public Outreach
- Support current + future funding
- CBO/NGO Relationships

Building on previous work:



2020 – SBCOG forms the **Equity Ad Hoc Committee**

2021 – SBCTA/SBCOG adopts **Regional Equity Resolution**

2022 – **Equity Focus Groups** conducted

2021-2023 – **Regional Equity Study**

2021-2023 – **SB 1000 Toolkit** developed (identifies "priority equity communities" and environmental justice goals, policies, and programs for jurisdictions to use in their General Plans)


2


2

Project Timeframe



3



3

Shaping the Equity Framework

Staff Working Group

- Develop shared understanding of equity issues (which will help you champion implementing the framework once it is adopted)
- Share their perspectives on and experience with operationalizing equity
- Shape the content and organization of the SBCTA/SBCOG Equity Framework and Toolkit

Policymakers:

Ad Hoc Committee

- Provide input throughout, especially related to defining equity for SBCTA/SBCOG
- Recommend framework to full board for final approval

Community Working Group

- Share expertise about underrepresented communities to inform SBCTA/SBCOG's definition of equity and goals/strategies/policies
- Identify additional community/non-governmental organizations that should be included in a database of possible SBCTA/SBCOG partners
- Share information about SBCTA/SBCOG's work and partnership opportunities with their colleagues and community members



4



4

UNDERSTANDING EQUITY



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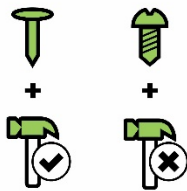


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Assumptions about Equity

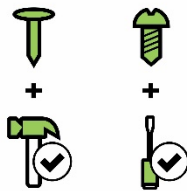
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EQUALITY:
Everyone gets the same thing.



If you have a nail, a hammer is helpful—but what if you have a screw?

EQUITY:
People get what they need.



Different situations require different tools to be successful!

2

Data is critical to identify + reduce inequities

3



6



6

EXAMPLE TYPES OF EQUITY

Procedural

- Transparent, fair and inclusive process
- Ensure all are treated openly and fairly
- Increase civic engagement opportunities

Distributional

- Fairly distribute resources, benefits, and burdens
- Prioritize resources for communities that experience greatest inequities and unmet needs

Structural

- Make a commitment to correct past harms and prevent future unintended consequences
- Address underlying structural and institutional systems that are the root causes of social and racial inequities

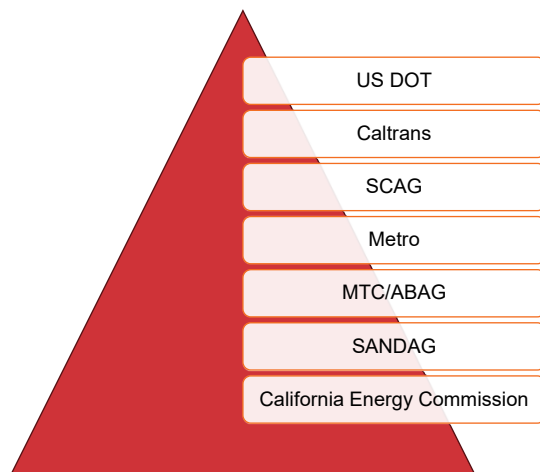


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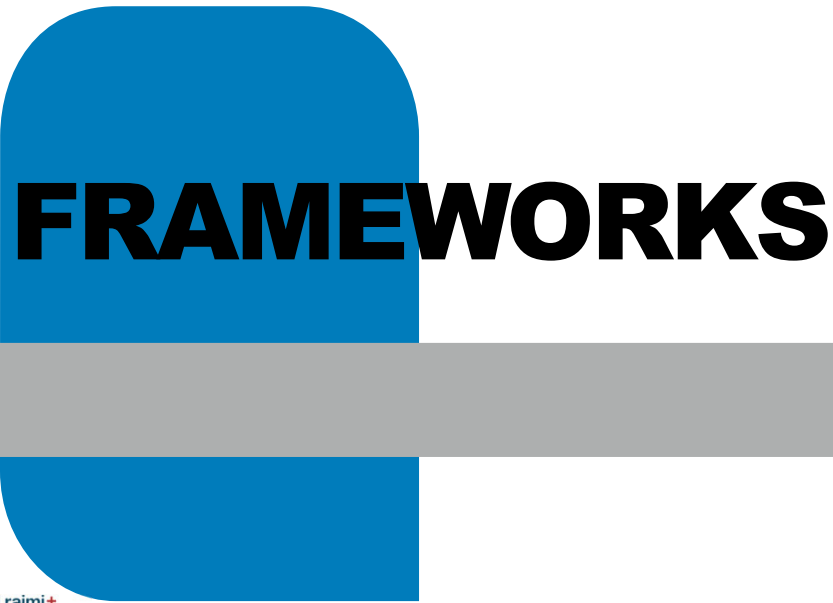
Equity Definition Examples





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8



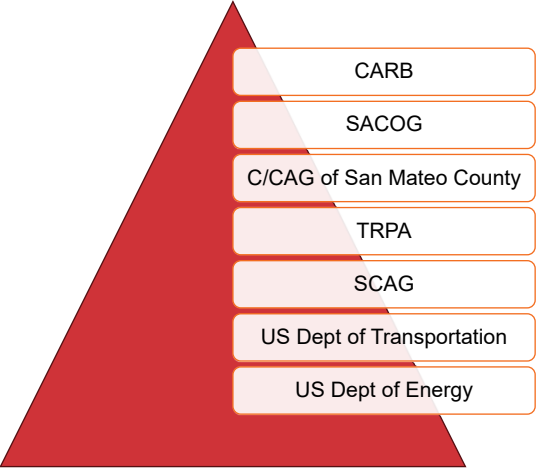
FRAMEWORKS





9

9

Framework Examples



- CARB
- SACOG
- C/CAG of San Mateo County
- TRPA
- SCAG
- US Dept of Transportation
- US Dept of Energy



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SBCTA/SBCOG EQUITY PROJECTS INVENTORY



11



11

Building on Previous Work

1. Transportation and Transit

- Equity analysis of the budget
- Long-range multi-modal plan
 - Metrolink launch Low-Income Fare is Easy (LIFE)
 - Clean Truck Program
 - Toll Lane Equity Program in Development
 - Carpool/Vanpool Services

2. Workforce Development through SB County Programming

- Small business study with recommendations
- Business Capacity Enhancement
- Job Training/Apprenticeships

3. Data and Mapping

- Regional Equity Study Dashboard
- SB 1000 Toolkit Dashboards for Environmental Justice/Equity Communities



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Immediate Next Steps

Wed, Oct 9, 2024	Update to the General Policy Committee
Thurs, Nov 14, 2024	SBCOG Ad Hoc Committee
Nov 2024 (week of Nov 18)	Community Working Group
Dec 2024	Core team drafts SBCTA/SBCOG equity definition and goals
Jan 2025 (not yet scheduled)	Next Staff Working Group
	→ SWG to give feedback on draft definition and goals, begin identifying strategies and policies/actions



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Questions/Comments



14



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Additional Information

GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2024

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Dawn Rowe Board of Supervisors				X		X		X				
Curt Hagman Board of Supervisors		X	X	X	X	X						
Joe Baca, Jr. Board of Supervisors			X	X	X	X		X	X			
Paul Cook Board of Supervisors		X	X	X		X						
Jesse Armendarez Board of Supervisors								X	X			
Art Bishop Town of Apple Valley		X	X	X	X	X		X	X			
Ray Marquez City of Chino Hills		X	X	X	X	X		X	X			
Frank Navarro City of Colton		X	X	X	X	X		X	X			
Acquanetta Warren City of Fontana			X	X	X							
Larry McCallon City of Highland		X	X	X		X		X	X			
John Dutrey City of Montclair									X			
Alan Wapner City of Ontario					X			X	X			
Helen Tran, Mayor City of San Bernardino								X	X			
Debra Jones City of Victorville			X	X								
Rick Denison Town of Yucca Valley		X	X	X	X	X		X	X			

Communication: Attendance (Additional Information)

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

* = Alternate member attended meeting.

Empty box = Member did not attend meeting.

Crossed out box = Not a Board Member at the time.

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist Board Members and partners as they participate in deliberations at Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. Staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

Acronym List

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments



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