

Revised Agenda Item No. 24

Board of Directors Meeting

**April 2, 2025
10:00 a.m.**

Location

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

**TELECONFERENCING WILL BE AVAILABLE AT THE FOLLOWING LOCATION:
Needles City Hall, 817 Third Street, Needles, CA 92363**

DISCUSSION ITEMS

Transit

24. Fiscal Year 2024/2025 Low Carbon Transit Operations Program – Population Share

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

A. Allocate \$5,638,394 of Low Carbon Transit Operations Program (LCTOP) - Population Share funding to the following projects:

- i. Basin Transit: Free Fare Subsidy – \$33,550; Bus Stop Improvements - \$150,999
- ii. Mountain Transit: Bus Stop Revitalization - \$128,386
- iii. Victor Valley Transit Authority: Fuel Cell Electric Buses - ~~\$1,039,009~~ ~~\$1,040,042~~ ~~\$1,026,683~~; Fare Media Subsidy - \$40,000; Free Fares K-12 - \$120,000; Free Fares on Special Days - \$50,000; ~~City of Needles Transportation Reimbursement and Information Program – \$12,326~~
- iv. Omnitrans: Student Fare Subsidy Program – \$2,000,000; West Valley Connector Free Fares - \$20,000; West Valley Connector Weekend Service \$20,000
- v. SBCTA: Gold Line Extension to Montclair - \$1,134,775; Ontario International Airport Connector Project - \$901,675

B. Allocate \$1,033 of LCTOP - Operator Share funds from the City of Needles ~~to~~ **for** Victor Valley Transit Authority's **Fuel Cell Electric Buses Project.** ~~for the City of Needles Transportation Reimbursement and Information Program.~~

C. Adopt Resolution No. 25-062 authorizing the Executive Director, or his designee, to execute Certifications and Assurances for SBCTA projects for LCTOP and nomination of funding requests for listed transit projects.

The item and attached Resolution were revised after the posting of the agenda to correct funding amounts and project information.

Minute Action

REVISED AGENDA ITEM: 24

Date: April 2, 2025

Subject:

Fiscal Year 2024/2025 Low Carbon Transit Operations Program - Population Share

Recommendation:

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

A. Allocate \$5,638,394 of Low Carbon Transit Operations Program (LCTOP) - Population Share funding to the following projects:

- i. Basin Transit: Free Fare Subsidy – \$33,550; Bus Stop Improvements - \$150,999
- ii. Mountain Transit: Bus Stop Revitalization - \$128,386
- iii. Victor Valley Transit Authority: Fuel Cell Electric Buses - **\$1,039,009** ~~\$1,040,042~~ ~~\$1,026,683~~; Fare Media Subsidy - \$40,000; Free Fares K-12 - \$120,000; Free Fares on Special Days - \$50,000; ~~City of Needles Transportation Reimbursement and Information Program - \$12,326~~
- iv. Omnitrans: Student Fare Subsidy Program – \$2,000,000; West Valley Connector Free Fares - \$20,000; West Valley Connector Weekend Service \$20,000
- v. SBCTA: Gold Line Extension to Montclair - \$1,134,775; Ontario International Airport Connector Project - \$901,675

B. Allocate \$1,033 of LCTOP - Operator Share funds from the City of Needles ~~to~~ **for** Victor Valley Transit Authority's **Fuel Cell Electric Buses Project**. ~~for the City of Needles Transportation Reimbursement and Information Program.~~

C. Adopt Resolution No. 25-062 authorizing the Executive Director, or his designee, to execute Certifications and Assurances for SBCTA projects for LCTOP and nomination of funding requests for listed transit projects.

Background:

The Low Carbon Transit Operations Program (LCTOP), established by the California Legislature in 2014 by Senate Bill 862, is one of several programs that is part of the Transit, Affordable Housing, and Sustainable Communities Program. The LCTOP was created to provide transit operating and capital assistance to eligible agencies in an effort to reduce greenhouse gas emissions and improve mobility, with an emphasis on serving disadvantaged communities. Auction proceeds from the California Air Resources Board (CARB) Cap-and-Trade Program are deposited into the Greenhouse Gas Reduction Fund (GGRF), which provides funding for a variety of programs designed to provide economic, environmental, and public health co-benefits. Five percent of the proceeds deposited into the GGRF are continually appropriated to fund the LCTOP.

Eligible projects funded by the LCTOP include new or expanded bus or rail services, expanded intermodal transit facilities, and free or reduced transit fares and may include equipment acquisition, fueling, maintenance, and other costs to operate those services or facilities, with each project required to reduce greenhouse gas emissions. For agencies whose service areas include a Disadvantaged Community (DAC), at least 50% of the total monies received shall be expended
Entity: San Bernardino County Transportation Authority

on projects that will benefit the DAC. Effective this cycle, legislative changes removed the restriction that limited LCTOP for operations projects to five years from the date of implementation.

Administered by the California Department of Transportation (Caltrans), LCTOP funds are apportioned to eligible agencies utilizing the State Transit Assistance (STA) program formula. The formula apportions 50% of LCTOP funds by population and the remaining 50% by operator revenues from the prior fiscal year in accordance with Public Utilities Code (PUC) Section 99313 and PUC Section 99314, respectively. The California State Controller's Office is responsible for determining the estimated funding levels for PUC Section 99313 (Population Share) and PUC Section 99314 (Operator Share) funds. Agencies eligible to receive LCTOP funding include: San Bernardino County Transportation Authority (SBCTA), Basin Transit, Mountain Transit, Victor Valley Transit Authority (VVTA), City of Needles, Omnitrans, and Southern California Regional Rail Authority (SCRRA). The transit operators eligible to receive LCTOP - Operator Share funds work directly with Caltrans to receive the funds.

In March 2025, the SBCTA Board of Directors (Board) approved the total Fiscal Year (FY) 2024/2025 LCTOP - Population Share apportionment in the amount of \$5,638,394 based on the auction proceeds resulting from CARB's Cap-and-Trade Program. The Board also approved apportioning the funds to the Valley and Mountain/Desert areas based on California Department of Finance Population Data and further apportioning the Mountain/Desert LCTOP - Population Share apportionment to the Mountain/Desert transit operators in accordance with the population of their respective service areas. The total estimated amount of FY 2024/2025 LCTOP - Population Share funds available to the Valley and Mountain/Desert is \$4,076,450 and \$1,561,944, respectively. ~~With the intent of minimizing the administrative burden on the City of Needles, staff recommends allocating City of Needles LCTOP Operator and Population Share funds in the total amount of \$13,359 to VVTA to operate the Travel Reimbursement Program for the City of Needles.~~ **After the March 13, 2025 Transit Committee meeting, it was determined that the City of Needles Travel Reimbursement Program would not be able to obtain the appropriate carbon reduction levels needed to use LCTOP funding. After a discussion with VVTA, they have agreed to continue the implementation of the Travel Reimbursement Program for the City of Needles with their Transportation Development Act funding in exchange for the \$13,359, which will be used towards their Fuel Cell Electric Buses.** The total FY 2024/2025 LCTOP allocation for the Valley totals \$4,076,450, and for the Mountain/Desert, including the City of Needles operator share totals \$1,562,977 for a total FY 2024/2025 allocation of \$5,639,427. The Board approved the final apportionments in March 2025 (shown in Table 1 below and on the following page).

Table 1 – FY 2024/2025 LCTOP-Population Share Apportionment¹

Apportionment Area	Population ²	Percentage	Total FY 2024/2025 Population Share ³	City of Needles allocation to VVTA ⁴	Total FY 2024/2025 Allocation ³
Valley	1,577,134	72.30%	\$4,076,450		\$4,076,450
Mountain/Desert	604,299	27.70%	\$1,561,944		\$1,562,977

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<i>Basin Transit</i>	71,400	11.82%	\$ 184,549		\$ 184,549
<i>Mountain Transit</i>	49,671	8.22%	\$ 128,386		\$ 128,386
<i>VVTA</i>	478,459	79.18%	\$1,236,683	\$13,359	\$1,250,042
<i>City of Needles</i>	4,769	0.79%	\$ 12,326	(\$ 12,326)	\$ 0

¹Due to rounding, some totals may not correspond with the sum of the figures displayed.

²Population Source: California Department of Finance and County Demographic Research Unit July 2024.

³Total population share amount is determined by the State Controller's Office.

⁴Allocation to VVTA includes City of Needles Operator share of \$1,033

To guide staff with project selection, the LCTOP Allocation Principles approved by the Board in July 2015 recommend that staff take a balanced approach in recommending LCTOP fund allocations to capital projects and operating programs. Since each transit operator in the Mountain/Desert is guaranteed an LCTOP - Population Share allocation due to the use of a population formula to apportion funds, SBCTA staff recommends allowing the Mountain/Desert transit operators to determine their funding needs and project and program priorities. The Valley LCTOP - Population Share apportionment is available to SBCTA, Omnitrans, and SCRRA. Using the LCTOP Allocation Principles as guidance, staff recommends LCTOP fund allocations based on an annual determination of the San Bernardino Valley region's priorities and the critical needs of SBCTA, Omnitrans, and SCRRA. Based on staff review and operator discussions, staff is recommending \$5,639,427 be allocated to the following projects:

Free Fare Subsidy – \$33,550

Basin Transit will provide free fares on fixed-route services throughout Morongo Basin.

Bus Stop Improvements – \$150,999

Basin Transit will enhance bus stops for Americans with Disabilities Act (ADA) accessibility.

San Bernardino Mountains Bus Stop Revitalization – \$ 128,386

Mountain Transit will improve existing bus stops that leave patrons exposed to inclement weather and fatigue, and bring the facilities up to current codes and standards, including lighting and ADA compliance.

Fuel Cell Electric Buses - ~~\$1,040,042~~ \$1,026,683

VVTA will purchase one new 40', Class H zero-emission fuel cell electric bus. **This total includes the \$1,033 that was identified in Recommendation B.**

Fare Media Subsidy - \$40,000

VVTA will collaborate with non-profit human and social service agencies to provide subsidized transportation services to seniors, individuals with disabilities, and low-income populations.

Free Fares for K-12 - \$120,000

VVTA will offer free transit to students in grades K-12. This program authorizes students enrolled in K-12 the opportunity to ride Victor Valley Transit Fixed and County Routes fare-free by simply presenting their current student ID to the bus operator upon boarding.

Free Fare on Special Days - \$50,000

VVTA will offer free fare days on Cinco de Mayo, National Bike to Work Day, Juneteenth, a future free fare day, and for the months of October and December.

City of Needles Transportation Reimbursement and Information Program (TRIP) – \$13,359

~~VVTA's TRIP provides an incentive for volunteer drivers to assist eligible individuals who are unable to drive or access public transportation by providing necessary escorted transportation. This project will be specifically for the City of Needles residents.~~

Student Fare Subsidy Program – \$2,000,000

Omnitrans will provide free fares to students in grades K-12 in their service area.

West Valley Connector Free Fares – \$20,000

Omnitrans will provide free fares for the new Bus Rapid Transit – West Valley Connector. LCTOP Funds for FY 2023/2024 and FY 2024/2025 will be accrued with FY 2025/2026 (three-year allocation) and will be used at the start of service implementation in FY 2026/2027.

West Valley Connector Weekend Service – \$20,000

Omnitrans will provide weekend service for the Bus Rapid Transit – West Valley Connector. LCTOP Funds for FY 2023/2024 and FY 2024/2025 will be accrued with FY 2025/2026 (three-year allocation) and will be used at the start of service implementation in FY 2026/2027.

Gold Line Extension to Montclair – \$1,134,775

Also known as Metro Gold Line Foothill Extension Project Phase 2B, this project includes the extension of the Gold Line from Azusa to the Montclair Metrolink Station in the City of Montclair. This will be an LCTOP Rollover Project and funds for FY 2024/2025 will be accrued to FY 2027/2028 (four-year allocation) and will be used in FY 2028/2029.

Ontario International Airport (ONT) Connector – \$901,675

This proposed ONT Connector project will create an underground transit connection between the Cucamonga Metrolink Station and ONT terminals. This will be an LCTOP Rollover Project and funds for FY 2024/2025 will be accrued with FY 2025/2026 (two-year allocation) and will be used in FY 2025/2026.

Caltrans requires that SBCTA submit an authorizing resolution from its governing board that approves the submission of the Certifications and Assurances, authorizes SBCTA to accept the LCTOP funds allocated to SBCTA, and authorizes SBCTA's Executive Director, or his designee, to execute the Certifications and Assurances and other relevant documents necessary for funding and completing the LCTOP funded projects. Additionally, SBCTA is required to submit nominations of funding requests for listed operators' transit projects and does so as part of the resolution. Each agency that receives LCTOP funding is also required to submit an authorizing resolution from its governing board that approves the submission of the Certifications and Assurances, which authorizes their agency to accept the LCTOP funds.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year (FY) 2024/2025. Any funds allocated to San Bernardino County Transportation Authority and approved by the California Department of Transportation will be received in FY 2025/2026.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Transit Committee on March 13, 2025. SBCTA General Counsel has reviewed this item and draft resolution.

Changes were made to this item after the March Transit Committee meeting, which are reflected in the recommended action and background sections of this item.

Responsible Staff:

Nicole Soto, Multimodal Mobility Programs Administrator

Approved
Board of Directors
Date: April 2, 2025

Witnessed By:

RESOLUTION NO. 25-062

RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM AND FOR THE PROJECTS FUNDED BY LOW CARBON TRANSIT OPERATIONS PROGRAM FUNDS

WHEREAS, the San Bernardino County Transportation Authority (SBCTA) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

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

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

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

WHEREAS, the Department's LCTOP guidelines require SBCTA to execute certain documents, including Certifications and Assurances and Authorized Agent documents for SBCTA projects; and

WHEREAS, SBCTA wishes to delegate authorization to execute these documents and any amendments thereto to the SBCTA Executive Director, or their designee; and

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

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

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

Section 2. The SBCTA Executive Director, or their designee, is authorized to execute all required documents of the LCTOP program, and any Amendments thereto with the Department.

Section 3. The submittal of the following project nominations and allocation requests to the Department in Fiscal Year (FY) 2024/2025 for LCTOP funds is hereby authorized:

Project Name: Free Fare Subsidy

Amount of LCTOP Funds Requested: \$33,550

Project Description: Basin Transit will provide free fares on fixed-route services throughout Morongo Basin.

Contributing Sponsor: SBCTA

Project Lead: Basin Transit

Low Income Community Benefit: This project will benefit a low income community.

Project Name: Bus Stop Improvements

Amount of LCTOP Funds Requested: \$150,999

Project Description: Basin Transit will enhance bus stops for Americans with Disabilities Act (ADA) accessibility.

Contributing Sponsor: SBCTA

Project Lead: Basin Transit

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: San Bernardino Mountains Bus Stop Revitalization

Amount of LCTOP Funds Requested: \$128,386

Project Description: Mountain Transit will improve existing bus stops that leave patrons exposed to inclement weather and fatigue and bring the facilities up to current codes and standards including lighting and ADA compliance.

Contributing Sponsor: SBCTA

Project Lead: Mountain Transit

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: Fuel Cell Electric Buses

Amount of LCTOP Funds Requested: \$1,040,042

Project Description: Victor Valley Transit Authority will purchase one new 40', Class H zero-emission fuel cell electric bus.

Contributing Sponsor: **City of Needles and SBCTA**

Project Lead: Victor Valley Transit Authority

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: Fare Media Subsidy

Amount of LCTOP Funds Requested: \$40,000

Project Description: Victor Valley Transit Authority will collaborate with non-profit human and social service agencies to provide subsidized transportation services to seniors, individuals with disabilities, and low-income populations.

Contributing Sponsor: SBCTA

Project Lead: Victor Valley Transit Authority

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: Free Fares for K-12

Amount of LCTOP Funds Requested: \$120,000

Project Description: Victor Valley Transit Authority will offer free transit to students K-12. This program authorizes students enrolled in K-12 the opportunity to ride Victor Valley Transit Fixed and County Routes fare-free by simply presenting their current student ID to the bus operator upon boarding.

Contributing Sponsor: SBCTA

Project Lead: Victor Valley Transit Authority

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: Free Fare on Special Days

Amount of LCTOP Funds Requested: \$50,000

Project Description: Victor Valley Transit Authority will offer free fare days on Cinco de Mayo, National Bike to Work day, Juneteenth, a future free fare day, and for the months of October and December.

Contributing Sponsor: SBCTA

Project Lead: Victor Valley Transit Authority

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: Student Fare Subsidy Program

Amount of LCTOP Funds Requested: \$2,000,000

Project Description: Omnitrans will provide free fares to students K-12 in their service area.

Contributing Sponsor: SBCTA

Project Lead: Omnitrans

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: West Valley Connector Free Fares

Amount of LCTOP Funds Requested: \$20,000

Project Description: Omnitrans will provide free fares for the new Bus Rapid Transit – West Valley Connector. LCTOP Funds for FY 2023/2024 and FY 2024/2025 will be accrued with FY 2025/2026 (three-year allocation) and will be used at the start of service implementation in FY 2026/2027.

Contributing Sponsor: SBCTA

Project Lead: Omnitrans

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: West Valley Connector Weekend Service

Amount of LCTOP Funds Requested: \$20,000

Project Description: Omnitrans will provide weekend service for the Bus Rapid Transit – West Valley Connector. LCTOP Funds for FY 2023/2024 and FY 2024/2025 will be accrued with FY 2025/2026 (three-year allocation) and will be used at the start of service implementation in FY 2026/2027.

Contributing Sponsor: SBCTA

Project Lead: Omnitrans

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: Gold Line Extension to Montclair

Amount of LCTOP Funds Requested: \$1,134,775

Project Description: Also known as Metro Gold Line Foothill Extension Project Phase 2B, this project includes the extension of the Gold Line from Azusa to the Montclair Metrolink station in the City of Montclair. This will be an LCTOP Rollover Project and funds for FY 2024/2025 will be accrued to FY 2027/2028 (four-year allocation) and will be used in FY 2028/2029.

Contributing Sponsor: SBCTA

Project Lead: SBCTA

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low-Income Community Benefit: This project will benefit a low-income community.

Project Name: Ontario International Airport Connector

Amount of LCTOP Funds Requested: \$901,675

Project Description: This proposed Ontario International Airport (ONT) Connector project will create an underground transit connection between the Cucamonga Metrolink Station and ONT terminals. This will be an LCTOP Rollover Project and funds for FY 2024/2025 will be accrued with FY 2025/2026 (two-year allocation) and will be used in FY 2025/2026.

Contributing Sponsor: SBCTA

Project Lead: SBCTA

Low-Income Community Benefit: This project will benefit a low-income community.

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

APPROVED AND ADOPTED at a meeting of the San Bernardino County Transportation Authority held on April 2, 2025.

Ray Marquez, President
San Bernardino County Transportation Authority

ATTEST:

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



FY 2024-2025 LCTOP Certifications and Assurances

Lead Agency: Lead Agency

Project Title: Project Title

Prepared by: _____

The California Department of Transportation (Caltrans) has adopted the following Certifications and Assurances for the Low Carbon Transit Operations Program (LCTOP). As a condition of the receipt of LCTOP funds, Lead Agency must comply with these terms and conditions.

A. General

1. The Lead Agency agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
2. The Lead Agency must submit to Caltrans a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

B. Project Administration

1. The Lead Agency certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The Lead Agency assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
2. The Lead Agency certifies that a dedicated bank account for LCTOP funds only will be established within 30 days of receipt of LCTOP funds.
3. The Lead Agency certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
4. The Lead Agency certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
5. The Lead Agency certifies that they will notify Caltrans of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
6. The Lead Agency must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
7. Any interest the Lead Agency earns on LCTOP funds must be used only on approved LCTOP projects.
8. The Lead Agency must notify Caltrans of any changes to the approved project with a Corrective Action Plan (CAP).



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9. Under extraordinary circumstances, a Lead Agency may terminate a project prior to completion. In the event the Lead Agency terminates a project prior to completion, the Lead Agency must (1) contact Caltrans in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.

C. Reporting

1. The Lead Agency must submit the following LCTOP reports:

- a. **Annual Project Activity Reports October 27th each year.**
 - b. **A Close Out Report within six months of project completion.**
 - c. **The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to Caltrans within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.**
 - d. **Project Outcome Reporting as defined by CARB Funding Guidelines.**
 - e. **Jobs Reporting as defined by CARB Funding Guidelines.**
2. Other Reporting Requirements: CARB develops and revises Funding Guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with CARB's Funding Guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

D. Cost Principles

1. The Lead Agency agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
2. The Lead Agency agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
 - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and
 - b. Those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with



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

3. Any project cost for which the Lead Agency has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 2 CFR, Part 200, are subject to repayment by the Lead Agency to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the Lead Agency to the State. Should the Lead Agency fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the Lead Agency from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

A. Record Retention

1. The Lead Agency agrees and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the Lead Agency, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP) and enable the determination of incurred costs at interim points of completion. All accounting records and other supporting papers of the Lead Agency, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years after the "Project Closeout" report or final Phase 2 report is submitted (per ARB Funding Guidelines, Vol. 3, page 3.A-16), and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the Lead Agency, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Lead Agency pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the Lead Agency's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
2. For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the Lead Agency's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times



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during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the Lead Agency shall furnish copies thereof if requested.

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

F. Special Situations

Caltrans may perform an audit and/or request detailed project information of the project sponsor's LCTOP funded projects at Caltrans' discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

Print Authorized Agents Name.

(Print Authorized Agent)

(Title)

(Signature)

(Date)



**FY 2021-2022 LCTOP
Authorized Agent**

AS THE Executive Director

(Chief Executive Officer/Director/President/Secretary)

OF THE San Bernardino County Transportation Authority

(Name of County/City/Transit Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named Regional Entity/Transit Operator, any actions necessary for the purpose of obtaining Low Carbon Transit Operations Program (LCTOP) funds provided by the California Department of Transportation, Division of Rail and Mass Transportation. I understand that if there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself. I understand the Board must provide a resolution approving the Authorized Agent. The Board Resolution appointing the Authorized Agent is attached.

Victor Lopez, Director of Transit and Rail Programs

OR

(Name and Title of Authorized Agent)

Carrie Schindler, Deputy Executive Director

OR

(Name and Title of Authorized Agent)

Andrea Zureick, Director of Fund Administration

OR

(Name and Title of Authorized Agent)

Dr. Raymond W. Wolfe

Executive Director

(Print Name)

(Title)



(Signature)

Approved this

14th

day of

June

, 2022