

## **AGENDA**

### **Transit Committee Meeting**

**June 12, 2025**

**9:00 AM**

**Location**

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

### ***Transit Committee Membership***

**Chair**

John Dutrey, Mayor  
*City of Montclair*

Acquanetta Warren, Mayor  
*City of Fontana*

**Vice Chair**

Joe Baca, Jr., Supervisor  
*County of San Bernardino*

Bill Hussey, Mayor  
*City of Grand Terrace*

Art Bishop, Mayor Pro Tem  
*Town of Apple Valley*

Larry McCallon, Mayor Pro Tem  
*City of Highland*

Eunice Ulloa, Mayor  
*City of Chino*

Alan Wapner, Mayor Pro Tem  
*City of Ontario*

Ray Marquez, Council Member  
*City of Chino Hills*

L. Dennis Michael, Mayor  
*City of Rancho Cucamonga*

Frank Navarro, Mayor  
*City of Colton*

Rick Denison, Council Member  
*Town of Yucca Valley*

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

**AGENDA**

**Transit Committee Meeting**

**June 12, 2025**

**9:00 AM**

**Location**

**SBCTA Office**

**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 John Dutrey)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications - Ashley Izard

**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. 13

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. Transit and Rail Programs Contract Change Orders to On-Going Contracts**

Pg. 16

Receive and file Change Order Report.

**Presenter: Victor Lopez**

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

## **DISCUSSION ITEMS**

### **Discussion - Administrative Matters**

#### **3. Election of Committee Chair and Vice Chair**

Pg. 18

Conduct elections for members to serve as Chair and Vice Chair of the San Bernardino County Transportation Authority Transit Committee for terms to end June 30, 2026.

**Presenter: Victor Lopez**

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

### **Discussion - Transit**

#### **4. Fiscal Year 2025/2026 Transit Operator Allocations**

Pg. 24

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

A. Approve the Fiscal Year 2025/2026 Transit Operator Funding Allocations to the City of Needles, Morongo Basin Transit Authority, Mountain Area Regional Transit Authority, Omnitrans, and Victor Valley Transit Authority.

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

C. Approve the revised Congestion Mitigation and Air Quality Allocation Plan through Fiscal Year 2034/2035.

Agenda Item 4 (cont.)

D. Authorize the Executive Director, or his designee, to release Local Transportation Fund reserves to transit operators immediately, if needed, to help with unforeseen cashflow issues resulting from delay by the Federal Transit Administration and the California Department of Transportation.

**Presenter: Nancy Strickert**

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

**5. Fiscal Year 2025/2026 State of Good Repair Program Allocations**

Pg. 33

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

A. Allocate \$5,064,183 of State of Good Repair Program – Population Share and Operator Share funding to the following projects:

- i. Engine Overhauls – Morongo Basin Transit Authority - \$50,000
- ii. Shop Equipment – Morongo Basin Transit Authority - \$20,000
- iii. Service Vehicles – Morongo Basin Transit Authority - \$81,547
- iv. Maintenance Equipment and Major Vehicle Components – Mountain Area Regional Transit Authority - \$103,607
- v. Preventative Maintenance – City of Needles - \$9,996
- vi. Preventative Maintenance – Omnitrans - \$415,076
- vii. Enterprise Resource Planning Software – Omnitrans \$3,072,580
- viii. Service Vehicles – Victor Valley Transit Authority (VVTa) - \$150,000
- ix. Hesperia Transfer Hub – VVTa - \$500,000
- x. Regional Bus Replacements – VVTa – \$336,991
- xi. Metrolink Rehabilitation Program – Southern California Regional Rail Authority - \$324,386

B. Adopt Resolution No. 25-075, authorizing the Executive Director, or his designee, to submit project nominations to the California Department of Transportation for Fiscal Year 2025/2026 State of Good Repair Program funds for the projects listed above.

**Presenter: Nancy Strickert**

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

**6. Amendment No. 1 to Contract No. 23-1002920 for On-Call Railroad Maintenance of Way Services**

Pg. 43

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

A. Approve Amendment No. 1 to Contract No. 23-1002920 with Joshua Grading & Excavating, Inc., for On-Call Railroad Maintenance of Way Services, to allow reimbursement of equipment rental rates above the published California Department of Transportation Labor Surcharge and Equipment Rental Rate and equipment transportation costs incurred on behalf of SBCTA in the course of performing emergency work, and to increase the contract by \$215,000, from \$5,500,000 to a new not-to-exceed amount of \$5,715,000, to be funded with Local Transportation Funds - Rail for cost incurred performing emergency work and statutory compliance.

Agenda Item 6 (cont.)

B. Authorize the reimbursement of emergency costs incurred on February 14-15, 2025, under Amendment No. 1 of Contract No. 23-1002920, upon approval and execution of the amendment.

**Presenter: Ryan Aschenbrenner**

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

**7. Surplus and Sale of a Portion of Fontana Station to the City of Fontana**

Pg. 49

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

A. Adopt Resolution No. 25-063, finding and declaring property described in Exhibit A of said resolution to be exempt surplus property.

B. Delegate authority to the Executive Director, or his designee, to approve and execute a Purchase and Sale Agreement with the City of Fontana, upon approval as to form by SBCTA General Counsel, or her designee, for the purchase of the exempt surplus property at fair market value as determined by an appraisal.

**Presenter: Ryan Aschenbrenner**

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

**8. West Valley Connector - Program Budget Update and Contract Amendments**

Pg. 56

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

A. Approve an increase of \$33,600,122 to the total budget authorized for the West Valley Connector Project to be funded with Measure I Valley Express Bus/Rapid Transit Program funds, for a new not-to-exceed budget of \$353,934,817.

B. Approve an increase of \$9,000,000 to the right-of-way acquisition budget authority to fund remaining right-of-way capital acquisitions for the West Valley Connector Project, in accordance with SBCTA policies, including but not limited to relocation assistance, demolition of existing structures, and goodwill, for a new not-to-exceed amount of \$73,000,000 to be funded with Measure I Valley Express Bus/Rapid Transit Program funds.

C. Approve Amendment No. 4 to Contract No. 19-1002002 with Richards, Watson & Gershon, A Professional Corporation, increasing the contract amount by \$2,165,000 for a new not-to-exceed amount of \$16,665,000, and extending the contract termination date to December 31, 2027.

D. Authorize the Executive Director, or his designee, to execute Contract Task Orders greater than \$500,000 for the Transit and Rail On-Call Right-of-Way Legal Services contracts as required for West Valley Connector Project acquisitions, for a combined not-to-exceed amount of \$16,665,000.

E. Approve Amendment No. 4 to Contract No. 18-1001924 with Epic Land Solutions, Inc., for On-Call Right-of-Way Services, to support current and future Transit and Rail projects and programs, increasing the contract amount in accordance with Recommendation I.

Agenda Item 8 (cont.)

F. Approve Amendment No. 4 to Contract No. 19-1002007 with Bender Rosenthal, Inc., for On-Call Right-of-Way Services, to support current and future Transit and Rail projects and programs, for an amount described in Recommendation I.

G. Approve Amendment No. 4 to Contract No. 19-1002008 with Overland, Pacific & Cutler, LLC for On-Call Right-of-Way Services, to support current and future Transit and Rail projects and programs, for an amount described in Recommendation I.

H. Approve Amendment No. 4 to Contract No. 19-1002009 with Paragon Partners Consultants, Inc., for On-Call Right-of-Way Services, to support current and future Transit and Rail projects and programs, for an amount described in Recommendation I.

I. Approve a total not-to-exceed amount of \$1,500,000 for Epic Land Solutions, Inc. (No. 18-1001924), Bender Rosenthal, Inc. (No. 19-1002007), Overland, Pacific & Cutler, LLC (No. 19-1002008), and Paragon Partners Consultants, Inc. (No. 19-1002009), increasing the total contract authority to be shared among these contracts from \$9,500,000 to \$11,000,000, to ensure the completion of ongoing right-of-way services including, but not limited to, demolition efforts, building modification efforts, and project closeout. This increase is to be funded with Measure I Valley Express Bus/Rapid Transit Program funds.

J. Authorize the Executive Director, or his designee, to execute Contract Task Orders greater than \$500,000, to the Transit and Rail On-Call Right-of-Way Services consulting firms, as required for West Valley Connector Project acquisitions, for a combined not-to-exceed amount of \$11,000,000, previously authorized by the SBCTA Board of Directors for Contract Nos. 18-1001924, 19-1002007, 19-1002008, and 19-1002009.

**Presenter: Joy Buenaflor**

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

**9. Amendment No. 6 to Contract No. 18-1001870 with Parsons Transportation Group, Inc., for the West Valley Connector Project** Pg. 77

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

A. Approve Amendment No. 6 to Contract No. 18-1001870 with Parsons Transportation Group, Inc., for the West Valley Connector Project to increase the contract amount by \$261,947, for a total not-to-exceed amount of \$17,714,799.11, for design services during construction and related project management support through project completion, to be funded with Measure I Valley Express Bus/Bus Rapid Transit funds.

B. Approve an increase to the contingency in the amount of \$450,000 for a not-to-exceed amount of \$576,700 for Contract No. 18-1001870 and authorize the Executive Director, or his designee, to release contingency as necessary for the project.

**Presenter: Joy Buenaflor**

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

## **10. Ontario International Airport Connector Project Update**

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Receive and file an update on the Ontario International Airport Connector Project.

**Presenter: Victor Lopez**

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

## **11. Metrolink San Bernardino Line Frequency**

Pg. 90

Receive an update on Metrolink frequency on the San Bernardino Line.

**Presenter: Nicole Soto**

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

## **12. Gold Line to Montclair Project Update**

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

A. Receive an update on the Gold Line to Montclair Project.

B. Consider reallocating \$37,199,643 of SBCTA funds currently allocated to the Gold Line to Montclair Project to other SBCTA-funded operations and project needs and discontinuing a fund reserve for future operations.

**Presenter: Victor Lopez**

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

## **Discussion - Transportation Programming and Fund Administration**

### **13. Senate Bill 125 Transit Funding**

Pg. 116

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

A. Approve the apportionment of Fiscal Year 2024/2025 Senate Bill 125 Transit Funding to the Valley and the Mountain/Desert area operators as shown in Table 1.

B. Authorize the Executive Director, or his designee, to submit the Revised Allocation Package to the California State Transportation Agency on behalf of SBCTA subsequent to approvals of allocations by the SBCTA Board of Directors.

**Presenter: Brianna Martinez**

**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

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Mission Statement

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**The Transit Committee meeting will go dark in July.**

**The next Transit Committee meeting is scheduled for August 14, 2025.**



## **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](mailto:clerkoftheboard@gosbcta.com) and the office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> 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](mailto:clerkoftheboard@gosbcta.com). La oficina se encuentra en 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> 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/](http://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. 3<sup>rd</sup> 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](mailto:clerkoftheboard@gosbcta.com), no later than 2:00 pm the day before the meeting in order to allow sufficient time to distribute the information. Written information received after the 2:00 pm deadline will not be distributed. 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:*** June 12, 2025

***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 \$500 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
6	23-1002920-01	Joshua Grading & Excavating Inc. Muriel Craft	None
8	19-1002002-04	Richards, Watson & Gershon, A Professional Corporation Craig A. Steele CEO Kayser O Sume Partner	None
	18-1001924-04	Epic Land Solutions, Inc. Karen Starr	Colliers International David Evans & Associates Psomas Santolucito Dore Group Donna Desmond Associates Desmond, Marcello & Amster Partner Engineering and Science, Inc. J&G Industries
	19-1002007-04	Bender Rosenthal, Inc. David Wraa	Nv5-Butsko Utility Design Commonwealth Land Title Company David Evans & Associates Donna Desmond Associates Hendrickson Appraisal Company Rincon Consultants Santolucito Dore Group Hjelmstrom and Associates

## Transit Committee Agenda Item

June 12, 2025

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8 (cont.)	19-1002008-04	Overland, Pacific & Cutler, LLC Brian Everett	Santolucito Dore Group Hennessey & Hennessey LLC Integra Realty Resource R.P. Laurain & Associates Desmond, Marcello & Amster, LLC Donna Desmond Associates Hodges Lacey & Associates Coast Surveying, Inc Psomas Commonwealth Land Company Interior Demolition Inc. Converse Consultants JM Diaz, Inc. JMD
	19-1002009-04	Paragon Partners Consultants, Inc. Neilia LaValle	BRI Appraisal Commonwealth Land Title Company Del Richardson & Associates, Inc.
9	18-1001870-06	Parsons Transportation Group, Inc Chris A. Johnson	Arellano Associates Butsko Cambridge Systematics David Evan and associates Elwood & Associates Earth Mechanics Group Delta Gruen Associates HR&A IEG Iteris Paleo Solutions MIG Overland, Pacific and Cutler Psomas Terry Hayes and Associates Wreco

**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:**

Victor Lopez, Director of Transit &amp; Rail Programs

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Approved  
Transit Committee  
Date: June 12, 2025  
Witnessed By:

## ***Minute Action***

### AGENDA ITEM: 2

***Date:*** June 12, 2025

***Subject:***

Transit and Rail Programs Contract Change Orders to On-Going Contracts

***Recommendation:***

Receive and file Change Order Report.

***Background:***

The San Bernardino County Transportation Authority (SBCTA) Department of Transit and Rail Programs has two ongoing construction contracts, one procurement of major equipment contract, and one vehicle procurement contract, of which one had four Construction Change Orders (CCO) approved since the last reporting to the Transit Committee on May 15, 2025. The CCOs are listed below:

A. Contract No. 23-1002891 with Griffith Company for the West Valley Connector Project Mainline Construction:

- 1) CCO 26: Stage 3 Demolition Limits Survey. (\$10,492.93)
- 2) CCO 27: Storm Drain Removal Stage 2D. (\$86,709.28)
- 3) CCO 32: Removal of Luminaries Credit. (-\$12,668.15)
- 4) CCO 39: Water Services Repair. (\$2,022.43)

B. Contract No. 23-1002922 with Metro Builders & Engineers Group, Ltd. for the Arrow Maintenance Facility (AMF) Hydrogen Fuel Upgrade Project: AMF Retrofit Construction: There are no newly executed CCOs since the last report.

C. Contract No. 23-1002961 with Proterra Builders, Inc. for the AMF Hydrogen Fuel Upgrade Project: Procurement of Major Equipment: There are no newly executed CCOs since the last report.

D. Contract No. 20-1002310 with Stadler US, Inc. for Zero Emission Multiple Unit Rail Vehicle Procurement: There are no newly executed CCOs since the last report.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2025/2026.

***Reviewed By:***

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

***Responsible Staff:***

Victor Lopez, Director of Transit & Rail Programs

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

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*Entity: San Bernardino County Transportation Authority*



**Transit and Rail Programs Contracts  
Executed Change Orders**

Number	Description	Amount
West Valley Connector Mainline Construction, Griffith Company (23-1002891)		
	Description	Amount
26	Stage 3 Demolition Limits Survey	\$10,492.93
27	Storm Drain Removal Stage 2D	\$86,709.28
32	Removal of Luminaries Credit	(\$12,668.15)
39	Water Services Repair	\$2,022.43
	CCO Total	\$166,174.18
	Approved Contingency	\$11,995,991.00
	Remaining Contingency	\$11,829,816.82
ZEMU - Arrow Maintenance Facility (AMF) Construction Upgrade Project, Metro Builders & Engineers Group, Ltd. (23-1002922)		
	Description	Amount
	CCO Total	(\$13,521.45)
	Approved Contingency	\$962,657.10
	Remaining Contingency	\$976,178.55
ZEMU - Arrow Maintenance Facility (AMF) Procurement Upgrade Project, Proterra Builders, Inc. (23-1002961)		
	Description	Amount
	CCO Total	\$22,964.98
	Approved Contingency	\$56,280.21
	Remaining Contingency	\$33,315.23
ZEMU - Vehicle Procurement Stadler (20-1002310)		
	Description	Amount
	CCO Total	\$2,592,169.12
	Approved Contingency	\$3,487,482.12
	Remaining Contingency	\$895,313.00

## ***Minute Action***

AGENDA ITEM: 3

***Date:*** June 12, 2025

***Subject:***

Election of Committee Chair and Vice Chair

***Recommendation:***

Conduct elections for members to serve as Chair and Vice Chair of the San Bernardino County Transportation Authority Transit Committee for terms to end June 30, 2026.

***Background:***

Terms for the Chair and Vice Chair of each of the San Bernardino County Transportation Authority (SBCTA) policy committees and Metro Valley Study Session expire on June 30, 2025. Election of Chair and Vice Chair for each of the policy committees and Metro Valley Study Session is scheduled to immediately follow the annual election of SBCTA Officers, which occurred at the June Board of Directors meeting.

This item provides for an election to be conducted, which will identify the Chair and Vice Chair of the Transit Committee to serve until June 30, 2026. A complete listing of SBCTA policy committees, memberships, and chairs is attached to this item for reference.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2025/2026.

***Reviewed By:***

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

***Responsible Staff:***

Victor Lopez, Director of Transit & Rail Programs

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

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



## San Bernardino County Transportation Authority (SBCTA) Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<b>Mountain/Desert Committee</b> Membership consists of 11 SBCTA Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First, and Third Districts.	Provides ongoing policy level oversight related to the full array of SBCTA responsibilities as they pertain specifically to the Mountain/Desert subregion.  The Committee also meets as the Mountain/Desert Measure I Committee as it carries out responsibilities for Measure I Mountain/Desert Expenditure Plan.  (Brown Act)	Debra Jones, Victorville (Chair) Art Bishop, Apple Valley (Vice Chair) Daniel Ramos, Adelanto Timothy Silva, Barstow Rick Herrick, Big Bear Lake Josh Pullen, Hesperia Janet Jernigan, Needles Daniel Mintz, Sr., Twentynine Palms Rick Denison, Yucca Valley Paul Cook, Supervisor Dawn Rowe, Supervisor	Indeterminate (6/30/2025) Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate
<b>Legislative Policy Committee</b> Membership consists of the following: President, Vice-President, Immediate Past President and four Board members appointed by the Board President. - 1 East Valley member - 1 West Valley member - 1 Mountain/Desert member - 1 County member  Members shall serve for the duration of the State and Federal two-year legislative session in which they were appointed, with terms expiring December 31 of even-numbered years. The SBCTA Board President shall serve as Chair of the Legislative Policy Committee.	Provide guidance and recommendations to the Board of Directors regarding issues and actions relating to the executive, legislative or judicial branches of the State and Federal government, or any other local governing body.  Review and provide input on drafting of State and Federal legislative platform, which will serve as guiding principles to support or oppose State and Federal legislation and regulations.  (Brown Act)	Ray Marquez, Chino Hills (President) Rick Denison, Yucca Valley (Vice President) Dawn Rowe, Supervisor (Past President) Art Bishop, Apple Valley Larry McCallon, Highland Alan Wapner, Ontario Paul Cook, Supervisor	Indeterminate Indeterminate Indeterminate 12/31/2026 12/31/2026 12/31/2026 12/31/2026

### Policy Committee Meeting Times

General Policy Committee	Second Wednesday, 9:00 a.m., SBCTA Office
Legislative Policy Committee	Second Wednesday, 9:30 a.m., SBCTA Office
Transit Committee	Second Thursday, 9:00 a.m., SBCTA Office
Mountain/Desert Committee	Third Friday, 9:30 a.m., Victorville, CA

### Board of Directors Study Sessions for Metro Valley Issues

STUDY SESSION	PURPOSE	MEMBERSHIP	TERMS
Board of Directors Study Sessions for Metro Valley Issues Refer to SBCTA Policy 10007.	To review, discuss, and make recommendations for actions to be taken at regular meetings of the Board on issues relating to Measure I Projects in the Valley.  (Brown Act)	Board of Directors Helen Tran, San Bernardino (Chair) Jesse Armendarez, Supervisor (Vice Chair)	6/30/2025 6/30/2025

### Public and Specialized Transportation Advisory and Coordinating Council (PASTACC)

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Public and Specialized Transportation Advisory and Coordinating Council (PASTACC)</p> <p>Membership consists of 11 members appointed by the SBCTA Executive Director.</p> <p>5 representing Public Transit Providers</p> <p>1 representing County Dept. of Public Works</p> <p>2 representing the Consolidated Transportation Services Agency - Omnitrans and VVTA also represent CTSA for the Valley and High Desert respectively.</p> <p>5 At Large Members representing Social Service Providers</p>	<p>Subject to the Transportation Development Act (TDA) Section 99238 – establishes PASTACC’s statutory responsibilities;</p> <p>(1) Review and make recommendations on annual Unmet Transit Needs hearing findings</p> <p>(2) Score and make recommendations for Federal Transit Administration Section 5310 Capital Grant Program applications</p> <p>(3) Assist SBCTA in developing public outreach approach on updating the Coordinated Public Transit/Human Services Transportation Plan</p> <p>(4) Review call for projects for Federal Transit Administration Section 5310 grant applications</p> <p>(5) Monitor and make recommendations on Federal regulatory processes as they relate to transit and specialized transit</p> <p>(6) Monitor and disseminate information in reference to State level law and recommendations as they relate to transit and specialized transit</p> <p>(7) Receive annual reports on funded specialized programs funded through FTA Section 5310 and Measure I</p> <p>(8) Identify regional or county level areas of unmet needs</p> <p>(9) Address special grant or funding opportunities</p> <p>(10) Address any special issues of PASTACC voting and non-voting members</p> <p>(Brown Act)</p>	<p>Standing Membership –</p> <p>Morongo Basin Transit Authority</p> <p>Mountain Transit</p> <p>City of Needles Transit Services</p> <p>Omnitrans</p> <p>Victor Valley Transit Authority</p> <p>County of San Bernardino Dept. of Public Works</p> <p>At Large Membership –</p> <p>San Bernardino Dept. of Aging and Adult Services</p> <p>Foothill Aids</p> <p>Anthesis</p> <p>Reach Out Morongo Basin</p> <p>Loma Linda University Health</p>	<p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>5/31/2027</p> <p>9/30/2026</p> <p>9/30/2026</p> <p>4/30/2028</p> <p>8/31/2027</p>

**Meeting Dates and Time:** Bi monthly, beginning in January, 2<sup>nd</sup> Tuesday of the month, 10:00 a.m., (Location rotates: SBCTA Office, VVTA, MBTA)

### Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan</p> <p>The ITOC shall provide citizen review to ensure that all Measure I funds are spent by the San Bernardino County Transportation Authority (hereby referred to as the Authority) in accordance with provision of the Expenditure Plan and Ordinance No. 04-01. The ordinance specifies that each member of the ITOC have certain credentials or experience as follows:</p> <p>A. One member who is a professional in the field of municipal audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.</p> <p>B. One member who is a licensed civil engineer or trained transportation planner with at least five years of demonstrated experience in the fields of transportation and/or urban design in government and/or the private sector. No member shall be a recipient or sub-recipient of Measure “I” funding.</p> <p>C. One member who is a current or retired manager of a major publicly financed development or construction project, who by training and experience would understand the complexity, costs and implementation issues in building large scale transportation improvements.</p> <p>D. One member who is current or retired manager of a major privately financed development or construction project, who by training and experience would understand the complexity, costs and implementation issues in building large scale transportation improvements.</p> <p>E. One public member, who possesses the knowledge and skills which will be helpful to the work of the ITOC.</p> <p>In addition to the appointed members, the SBCTA President and Executive Director will serve as ex-officio members.</p>	<p>The ITOC shall review the annual audits of the Authority; report findings based on the audits to the Authority; and recommend any additional audits for consideration which the ITOC believes may improve the financial operation and integrity of program implementation.</p> <p>The Authority shall hold a publicly noticed meeting, which may or may not be included on the agenda of a regularly scheduled Board meeting, with the participation of the ITOC to consider the findings and recommendations of the audits.</p> <p>(Brown Act)</p>	<p>Cole Jackson (A)</p> <p><i>Vacant</i> (B)</p> <p>Alex Artiaga (C)</p> <p>Chad Logan (D)</p> <p>Patrick Morris (E)</p> <p>Ray Marquez, Ex-Officio</p> <p>Ray Wolfe, Ex-Officio</p>	<p>10/31/2028</p> <p>06/30/2028</p> <p>06/30/2028</p> <p>03/01/2029</p>

### SBCTA Ad Hoc Committees

The Brown Act does not apply to ad hoc or temporary advisory committees composed of less than a majority of the Board or a standing policy committee. The President of the Board of Directors may designate ad hoc committees to study specific projects or matters for a set time frame subject to the concurrence of the Board of Directors, and shall make appointments to the ad hoc committees. When the subject matter of the ad hoc committee is of relevance to the geographical region of the County as a whole, geographical representation should be considered and if there is lack of interested members to ensure geographical balance the Board President may seek out participation from specific members.

COMMITTEE	PURPOSE	MEMBERSHIP
<p><b>Council of Governments Ad Hoc Committee</b></p> <p>On May 1, 2024, the Board approved the establishment of this ad hoc committee composed of Board members appointed by the Board President.</p>	<p>To provide guidance on the reviewing and updating the Bylaws and policies relating to SBCOG. At the November 6, 2024 Board meeting, staff was directed to work with the SBCOG Ad Hoc to complete the equity framework. This ad hoc has a term ending June 30, 2025.</p>	<p>Daniel Ramos, Adelanto</p> <p>Rick Herrick, Big Bear Lake</p> <p>Larry McCallon, Highland</p> <p>John Dutrey, Montclair</p> <p>L. Dennis Michael, Rancho Cucamonga</p> <p>Helen Tran, San Bernardino</p> <p>Rick Denison, Yucca Valley</p> <p>Joe Baca Jr., Supervisor</p>

<b>Housing Trust Ad Hoc Committee</b> On January 4, 2023, the Board approved the establishment of this ad hoc committee composed of Board members appointed by the Board President, for a term ending December 31, 2023. On December 6, 2023, the Board approved a 6-month extension, for a new term ending June 30, 2024. On February 7, 2024, the Board approved a 6-month extension, for a new term ending December 31, 2024. On November 6, 2024, the Board approved an extension for a new term ending December 31, 2025.	To take a broad look into the housing trust and how it interacts with the Council of Governments. This ad hoc has a term ending December 31, 2025.	Daniel Ramos, Adelanto Eunice Ulloa, Chino John Dutrey, Montclair Alan Wapner, Ontario L. Dennis Michael, Rancho Cucamonga Rick Denison, Yucca Valley Curt Hagman, Supervisor
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### SBCTA Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
<b>Transportation Technical Advisory Committee (TTAC)</b> Committee membership consists of a primary staff representative of each SBCTA member agency designated by the City Manager or County Administrative Officer.	SBCTA's Transportation Technical Advisory Committee was formed by SBCTA management to provide input to SBCTA staff on technical transportation-related matters and formulation of transportation-related policy recommendations to the SBCTA Board of Directors.  The TTAC is not a Brown Act committee.	Generally meets on the first Monday of each month at 1:30 PM, at SBCTA.
<b>City/County Manager's Technical Advisory Committee (CCM TAC)</b> The committee is composed of up to two representatives of the County Administrator's Office and the city manager or administrator from each city and town in the County.	SBCTA's City/County Manager's Technical Advisory Committee was established in the Joint Powers Authority that established San Bernardino Associated Governments (SANBAG). The primary role of the committee is to provide a forum for the chief executives of SANBAG's member agencies to become informed about and discuss issues facing SANBAG/SBCTA. It also provides a forum for the discussion of items of mutual concern and a way to cooperate regionally in addressing those concerns.  The CCM TAC is a Brown Act Committee.	Meets bimonthly on the first Thursday of the month at 10:00 AM, at SBCTA.
<b>Planning and Development Technical Forum (PDTF)</b> Committee membership consists of a primary staff representative of each SBCTA member agency designated by the City Manager or County Chief Executive Officer.	The SBCTA Planning and Development Technical Forum was formed by SBCTA management to provide an opportunity for interaction among planning and development representatives of member agencies on planning issues of multijurisdictional importance.  The PDTF is not a Brown Act Committee.	Meets the 4th Wednesday of each month at 2:00 p.m. at the Santa Fe Depot (in the SCAG Office).
<b>Project Development Teams</b>	Project Development Teams (PDTs) are assembled for all major project development activities by SBCTA staff. Teams are generally composed of technical representatives from SBCTA, member jurisdictions appropriate to the project, Caltrans, and other major stakeholder entities that have significant involvement in the project. PDTs make recommendations related to approaches to project development, evaluation of alternatives, and technical solutions. PDTs meet on a regular basis throughout the project phase to review progress and to provide technical input required for project development.  The PDTs are not Brown Act Committees.	Varies with the PDT.



## ***Minute Action***

### AGENDA ITEM: 4

***Date:*** June 12, 2025

***Subject:***

Fiscal Year 2025/2026 Transit Operator Allocations

***Recommendation:***

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

A. Approve the Fiscal Year 2025/2026 Transit Operator Funding Allocations to the City of Needles, Morongo Basin Transit Authority, Mountain Area Regional Transit Authority, Omnitrans, and Victor Valley Transit Authority.

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

C. Approve the revised Congestion Mitigation and Air Quality Allocation Plan through Fiscal Year 2034/2035.

D. Authorize the Executive Director, or his designee, to release Local Transportation Fund reserves to transit operators immediately, if needed, to help with unforeseen cashflow issues resulting from delay by the Federal Transit Administration and the California Department of Transportation.

***Background:***

San Bernardino County Transportation Authority (SBCTA) staff has worked with each of the transit operators to determine their funding needs for Fiscal Year (FY) 2025/2026. Attachment 1 outlines the proposed FY 2025/2026 transit funding allocations for the individual transit operators. Attachment 2 contains the recommended revisions to the operator Short Range Transit Plan (S RTP) revenue assumptions to reflect consistency with the proposed FY 2025/2026 allocations. Attachment 3 is the proposed revised Congestion Mitigation and Air Quality Allocation Plan through FY 2034/2035 that has been developed in coordination with the transit operators. Allocations to SBCTA and Southern California Regional Rail Authority (SCRRA) are addressed in separate SBCTA Board of Directors (Board) actions.

**Fund Source Detail**

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

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

*Entity: San Bernardino County Transportation Authority*



of at least 20 percent in urban areas and 10 percent in rural areas, unless an alternate ratio has been adopted.

The annual apportionment includes the estimated amount available, a 10 percent reserve per Board policy, and priority uses per the TDA. Set-asides for priority uses prior to apportioning based on population include: one percent for TDA administrative costs, three percent for SBCTA planning efforts, three-quarter percent for Southern California Association of Governments (SCAG) planning efforts, and two percent for pedestrian and bike facilities. In accordance with TDA, the remainder of LTF can be set aside for passenger rail service operations, capital improvements and community transit services, prior to area apportionment. However, SBCTA does not elect to use that set-aside and instead allocates to rail and community transit services after apportioning the remaining balance geographically based on population.

In the Valley Subarea, LTF is entirely used for transit purposes with the focus on maintaining a steady flow of operations funding available in the future. In the Mountain/Desert region, LTF is allocated to the individual transit operators based on population of their service areas.

State Transit Assistance (STA) – STA funding is derived from the statewide sales tax on diesel fuel, enacted as part of the TDA. Each January, the State Controller's Office (SCO) provides a STA revenue estimate for the following year. STA funds are allocated to SBCTA in accordance with California Public Utility Code (PUC) as follows: 1) 50 percent under PUC Section 99313, STA-Population Share, based on the ratio of the population of the area under its jurisdiction to the total population of the state; and 2) 50 percent under PUC Section 99314, STA-Operator Share, which is allocated to individual operators based on the ratio of the prior year transit operator passenger fare and local support revenues, including revenues from member agencies, to the total revenues of all operators in the state and member agencies. The amount of STA-Operator Share funds available to each transit operator on an annual basis is determined by the SCO, and SBCTA functions as a pass-through agency for this portion of STA for all operators except SCRRA. SCRRA is allocated STA-Operator Share funds as needed to meet their annual subsidy requirements, and if 100 percent of the funds are not needed in a given year, the funds are reserved solely for future use by SCRRA.

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

State of Good Repair (SGR) – The SGR Program is apportioned to SBCTA and the operators in the same manner as STA. SGR funds are derived from a portion of the Transportation Improvement Fee (TIF) on vehicle registrations. Since the amount is determined from the total collections, prior to allocations to other TIF-funded programs, SGR funding is anticipated to be less volatile to economic conditions. SGR provides funding to transit operators in California for eligible maintenance, rehabilitation, and capital projects with the specific goal of keeping transit systems in a state of good repair. SGR-Operator Share funds are apportioned and allocated in the same manner as STA-Operator Share funds. SGR-Population Share funds apportioned to the

Valley are allocated on a case-by-case basis as approved by the Board, and in the Mountain/Desert, allocations to operators are made by population. SGR funds do not require matching funds. These amounts are consistent with the SGR allocations in a concurrent item on this agenda.

Low Carbon Transit Operations Program (LCTOP) – LCTOP is a source of State funding and one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by California Legislature in 2014 by Senate Bill (SB) 862. The LCTOP was created to provide transit operating and capital assistance to eligible project sponsors in an effort to reduce greenhouse gas emissions and improve mobility, with priority on serving disadvantaged communities. This program is funded by auction proceeds from the California Air Resources Board (CARB) Cap-and-Trade Program, where proceeds are deposited into the Greenhouse Gas Reduction Fund (GGRF). Although five percent of future annual GGRF proceeds will continue to be appropriated to the LCTOP, staff is cautious about becoming reliant upon this funding source as the overall availability is market driven. LCTOP apportionments occur after the auctions are completed and the amounts are known; therefore, the amounts in Attachment 1 are based on auctions that have already occurred.

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

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

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

Annually, the City of Needles requests a swap of their LCTOP allocations for STA funds to reduce the administrative burden of the LCTOP funds. A swap of \$13,359 was approved by the Board in April 2025.

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

All of the MSI S&D funds available are allocated to the transit operator serving the MSI Subarea. In the Valley Subarea, Omnitrans is the only operator eligible to use these funds. The MSI S&D funds are administered as a pass-through; therefore, the operators receive only the amounts actually received by SBCTA.

Federal Transit Administration (FTA) Section 5307 Urban Area Formula Funds - Section 5307 funds are Federal urban formula funds apportioned by SCAG to SBCTA for the Riverside/San Bernardino Urbanized Area (UZA) and the Los Angeles/Long Beach/Anaheim UZA. These Valley UZAs receive apportionments for Section 5307, per an apportionment formula codified in Title 49 of the United States Code, which includes a formulaic split for buses and fixed guideway. The Victorville/Hesperia UZA funds are apportioned directly to VVTA. VVTA is the only operator in an urbanized area in San Bernardino County outside the Valley area. Eligible activities include public transportation capital, planning, job access, and reverse commute projects, as well as operating expenses under certain circumstances that do not exist in the San Bernardino Valley. This program requires a 20 percent local match. SBCTA is responsible for allocating the funds available to the Riverside/San Bernardino UZA and Los Angeles/Long Beach/Anaheim UZA. SBCTA's vanpool program, SB Loop, has continued to generate funding in Section 5307 funding. The funding generated from vanpool will be able to cover the cost of the program.

FTA Section 5339 Urban Area Formula Funds for Bus and Bus Facilities – Section 5339 funds are Federal urban formula funds apportioned by SCAG to SBCTA for the Riverside/San Bernardino UZA and the Los Angeles/Long Beach/Anaheim UZA. The Victorville/Hesperia UZA funds are apportioned directly to VVTA. The formula is based on population, vehicle revenue miles, and passenger miles. This capital program provides funding to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities. This program requires a 20 percent local match. Additionally, SB Loop has generated funding in Section 5339 funding. The funding generated from vanpool will be able to cover the cost of other projects that fall under the Section 5339 umbrella.

FTA Section 5311 Rural Area Formula Funds (Regional Apportionment) – Section 5311 funds are rural formula funds apportioned by Caltrans to the San Bernardino County region based on population. Eligible activities include: public transportation planning, capital, operating, job access and reverse commute projects, and the acquisition of public transportation services. This program requires a 20 percent local match for capital projects and a 50 percent match for

operating assistance. SBCTA is responsible for ensuring proposed projects are selected and eligible, and for preparation of the Program of Projects that is submitted to Caltrans.

FTA Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities Program - Section 5310 funds are Federal formula funds apportioned by SCAG to SBCTA for the Riverside/San Bernardino UZA, the Los Angeles/Long Beach/Anaheim UZA, and the Victorville/Hesperia UZA to support transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas. Eligible activities would improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding transportation mobility options, including both traditional capital investment and nontraditional investment beyond the Americans with Disabilities Act complementary paratransit services. Although SCAG apportions this funding to SBCTA, the Riverside/San Bernardino UZA is administered through Caltrans on SBCTA's behalf. The Los Angeles/Long Beach/Anaheim UZA funds are allocated by SBCTA to Omnitrans as part of the Annual Operators allocation. Omnitrans, in return, will add MSI CTSA funds to its MSI CTSA call-for-projects in an amount equivalent to the Section 5310 funding received. This action was done to help ease the burden of FTA oversight by Omnitrans, as non-profits had difficulty meeting some of the FTA requirements. This was approved by the Board in November 2020. The Victorville/Hesperia UZA will be administered by VVTA in conjunction with SBCTA. SBCTA will release the call for projects and award funding to the projects in this UZA. VVTA will monitor these projects since VVTA is a direct recipient of federal funding.

Congestion Mitigation and Air Quality (CMAQ) Funds – CMAQ funds are Federal formula funds apportioned by Caltrans based on population and emissions weight factors to specific air basins such as the South Coast Air Basin and Mojave Desert Air Basin. SBCTA receives annual apportionments of CMAQ funds and has historically been the agency responsible for recommending projects; however, after FY 2025/2026 SBCTA will be required to recommend projects to SCAG for final project selection. Activities typically eligible for CMAQ funding include: high occupancy vehicle and express lanes, transit improvements, travel demand management strategies, traffic flow improvements such as signal synchronization, and public fleet conversions to cleaner fuels. SBCTA is responsible for submitting a CMAQ annual report to the Federal Highway Administration and Caltrans. The annual report documents the results of emission reduction assessments for projects in San Bernardino County using CMAQ funding for each Federal FY. Each CMAQ project must be analyzed using calculation methodologies recommended and approved by Caltrans and the CARB and shown to provide emissions reductions.

The Board has identified funding gaps for transit as a high priority for allocation of CMAQ funds. Additionally, the Board approved Policy No. 40023 in February 2015 to ensure a proportional share of State and Federal funds are available for each Subarea in accordance with the MSI 2010-2040 Expenditure Plan. Typically, the Board adopts a 10-year allocation plan for CMAQ funds to transit operators with annual updates during this allocation process, and also makes updates to the allocation plan and includes the plan as part of the biennial update to the 10-Year Delivery Plan.

SB 125 – The Transit and Intercity Rail Capital Program (TIRCP) was created by SB 862 (Chapter 36, Statutes of 2014) and modified by SB 9 (Chapter 710, Statutes of 2015), to provide

## Transit Committee Agenda Item

June 12, 2025

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grants from the GGRF to fund transformative capital improvements that will modernize California's intercity commuter and urban rail systems, and bus and ferry transit systems to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. Assembly Bill (AB) 398 (Chapter 135, Statutes of 2017) extended the Cap-and-Trade Program that supports the TIRCP from 2020 through 2030. SB 1 (Chapter 5, Statutes of 2017) continues to provide a historic funding increase for transportation with funds directed to the TIRCP from the Public Transportation Account (PTA). AB 102 (Chapter 38, Statutes of 2023) and SB 125 (Chapter 54, Statutes of 2023) amended the Budget Act of 2023 to appropriate \$4 billion from the General Fund to the TIRCP over the next two FYs as well as \$910 million of GGRF funding and \$190 million of PTA funding over the next four FYs to establish the Zero-Emission Transit Capital Program (ZETCP). Further, AB 173 (Chapter 53, Statutes of 2024), SB 108 (Chapter 35, Statutes of 2024), and SB 109 (Chapter 36, Statutes of 2024) amended the Budget Act of 2024 to make adjustments to the timing of the availability of funds for both the TIRCP and the ZETCP. These funds are formula funds that are to be administered by SBCTA. The TIRCP portion is distributed to SBCTA based on a population formula and the ZETCP is distributed to SBCTA based on the STA formula, which is 50 percent based on population and 50 percent based on transit operator revenues.

In March 2024, the SBCTA Board apportioned the FY 2023/2024 TIRCP and ZETCP and FY 2024/2025 ZETCP funds to the Valley Subarea and to the Mountain/Desert operators in the same manner as they are received by SBCTA. A concurrent agenda item recommends the apportionment of the FY 2024/2025 TIRCP funds to the Valley Subarea and to the Mountain/Desert operators in the same manner as they are received by SBCTA.

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

LTF, STA, SGR, and MSI S&D funds available for allocation to the individual transit operators are included in the SBCTA FY 2025/2026 Budget.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2025/2026.

***Reviewed By:***

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

***Responsible Staff:***

Nancy Strickert, Transit Manager

Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

## Fiscal Year 2025/2026 Operator Allocations

SBCTA Allocations	Basin Transit	Mountain Transit	Needles	Omnitrans	VVTA	Total
LTF	\$ 4,908,431	\$ 3,710,387	\$ 327,847	\$ 62,651,069	\$ 32,891,922	\$ 104,489,656
LTF Carryover	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
STA - Population	\$ 202,597	\$ 135,000	\$ 150,441		\$ 5,120,000	\$ 5,608,038
Measure I - S&D	\$ 136,700	\$ 158,100	\$ 18,900	\$ 12,334,650	\$ 1,591,400	\$ 14,239,750
Measure I - CTSA	\$ -	\$ -	\$ -	\$ 4,111,550	\$ -	\$ 4,111,550
CMAQ	\$ -	\$ 102,736		\$ 6,028,000	\$ 4,400,000	\$ 10,530,736
FTA 5307	\$ -	\$ -	\$ -	\$ 24,133,230	\$ 11,970,182	\$ 36,103,412
FTA 5339				\$ 1,811,721	\$ 1,109,167	\$ 2,920,888
FTA 5311	\$ 566,145	\$ 393,851	\$ 54,918		\$ 1,005,977	\$ 2,020,891
<b>Allocations/Estimates from other SBCTA Board actions or by other entities</b>						
STA - Operator	\$ 71,759	\$ 39,429	\$ 4,063	\$ 2,393,349	\$ 316,295	\$ 2,824,895
SGR - Population	\$ 139,102	\$ 96,769	\$ 9,291	\$ 3,072,580	\$ 932,136	\$ 4,249,878
SGR - Operator	\$ 12,445	\$ 6,838	\$ 705	\$ 415,076	\$ 54,855	\$ 489,919
LCTOP - Population	\$ 184,549	\$ 128,386	Swapped for STA-Pop	\$ 2,040,000	\$ 1,250,042	\$ 3,602,977
LCTOP - Operator	\$ 18,247	\$ 10,026	Swapped for STA-Pop	\$ 608,597	\$ 80,430	\$ 717,300
FTA 5310 <sup>1</sup>	\$ -	\$ -	\$ -	\$ 425,000	\$ -	\$ 425,000
<b>Grand Total</b>	<b>\$ 6,239,975</b>	<b>\$ 4,781,522</b>	<b>\$ 566,165</b>	<b>\$ 120,024,822</b>	<b>\$ 60,722,406</b>	<b>\$ 192,334,890</b>

<sup>1</sup> Omnitrans FTA 5310 is only from Los Angeles/Long Beach Urbanized Area

## Attachment 2

Summary of Changes to SRTP Revenue Assumptions for FY 2025/2026<sup>1</sup>

Operator	FY 2025/2026 Total Revenues	LTF/ LTF Carryover	STA	SGR	LCTOP	Measure I	CMAQ	FTA Non-Stimulus (5307/5310/5311/ 5337/5339)
Basin Transit Plan <sup>2</sup>	\$ 6,239,975	4,908,431	274,356	151,547	202,796	136,700	-	566,145
<b>Amendment</b>	<b>\$ 6,239,975</b>	<b>4,908,431</b>	<b>274,356</b>	<b>151,547</b>	<b>202,796</b>	<b>136,700</b>	<b>-</b>	<b>566,145</b>
Difference	\$ -	-	-	-	-	-	-	-
Mountain Transit Plan	\$ 7,298,445	3,070,609	27,229	90,841	57,034	130,015	3,363,389	559,328
<b>Amendment<sup>3</sup></b>	<b>\$ 4,781,522</b>	<b>3,710,387</b>	<b>174,429</b>	<b>103,607</b>	<b>138,412</b>	<b>158,100</b>	<b>102,736</b>	<b>393,851</b>
Difference	\$ (2,516,923)	639,778	147,200	12,766	81,378	28,085	(3,260,653)	(165,477)
Needles Plan <sup>4</sup>	\$ 566,165	327,847	154,504	9,996	-	18,900	-	54,918
<b>Amendment<sup>5</sup></b>	<b>\$ 566,165</b>	<b>327,847</b>	<b>154,504</b>	<b>9,996</b>	<b>-</b>	<b>18,900</b>	<b>-</b>	<b>54,918</b>
Difference	\$ -	-	-	-	-	-	-	-
Omnitrans Plan	\$ 125,326,244	59,145,125	2,200,000	390,150	2,089,774	17,596,637	17,117,915	26,786,643
<b>Amendment<sup>6</sup></b>	<b>\$ 120,024,822</b>	<b>62,651,069</b>	<b>2,393,349</b>	<b>3,487,656</b>	<b>2,648,597</b>	<b>16,446,200</b>	<b>6,028,000</b>	<b>26,369,951</b>
Difference	\$ (5,301,422)	3,505,944	193,349	3,097,506	558,823	(1,150,437)	(11,089,915)	(416,692)
VVTA Plan	\$ 58,231,988	35,428,674	370,319	900,319	1,452,160	1,807,960	4,400,000	13,872,556
<b>Amendment</b>	<b>\$ 60,722,406</b>	<b>32,891,922</b>	<b>5,436,295</b>	<b>986,991</b>	<b>1,330,472</b>	<b>1,591,400</b>	<b>4,400,000</b>	<b>14,085,326</b>
Difference	\$ 2,490,418	(2,536,752)	5,065,976	86,672	(121,688)	(216,560)	-	212,770
Total Original Plan	\$ 197,662,817	102,880,686	3,026,408	1,542,853	3,801,764	19,690,212	24,881,304	41,839,590
<b>Total Amendment</b>	<b>\$ 192,334,890</b>	<b>104,489,656</b>	<b>8,432,933</b>	<b>4,739,797</b>	<b>4,320,277</b>	<b>18,351,300</b>	<b>10,530,736</b>	<b>41,470,191</b>
<b>TOTAL INCREASE/(DECREASE)</b>	<b>\$ (5,327,927)</b>	<b>1,608,970</b>	<b>5,406,525</b>	<b>3,196,944</b>	<b>518,513</b>	<b>(1,338,912)</b>	<b>(14,350,568)</b>	<b>(369,399)</b>

<sup>1</sup> Does not include all SRTP revenues (i.e., passenger fares, advertising, directly received federal & other revenues).

<sup>2</sup> Basin Transit has tentatively completed new SRTP and numbers reflect current apportionment.

<sup>3</sup> Mountain Transit received CMAQ dollars in prior allocation and the revised number reflects current need.

<sup>4</sup> Needles swapped \$13,359 of LCTOP for STA. An additional \$141,145 is being allocated per their SRTP which outlines their funding needs for FY25/26.

<sup>5</sup> Needles has tentatively completed new SRTP and financial reflect current apportionment.

<sup>6</sup> Omnitrans received CMAQ dollars in prior allocation and the revised number reflects current need.

## Attachment 3

CMAQ Allocation Plan for Transit Operators<sup>1</sup>

	FY 2025/2026	FY 2026/2027	FY 2027/2028	FY 2028/2029	FY 2029/2030	FY 2030/2031	FY 2031/2032	FY 2032/2033	FY 2033/2034	FY 2034/2035	Total
MBTA	\$0	\$876,513	\$595,579	\$1,040,485	\$3,053,006	\$1,500,000	\$1,079,971	\$0	\$775,000	\$775,000	\$9,695,554
OMNITRANS	\$6,028,000	\$26,369,560	\$27,142,452	\$28,672,131	\$24,867,689	\$42,072,196	\$19,723,484	\$19,723,484	\$3,189,674	\$3,285,365	\$201,074,035
VVTA	\$3,100,000	\$2,500,000	\$3,465,983	\$6,311,981	\$5,658,869	\$6,696,381	\$6,003,494	\$6,003,494	\$3,100,000	\$3,100,000	\$45,940,202
VVTA Barstow	\$1,300,000	\$0	\$650,000	\$0	\$650,000	\$0	\$0	\$0	\$0	\$0	\$2,600,000
MARTA	\$102,736	\$2,750,322	\$821,931	\$0	\$1,851,448	\$2,289,384	\$0	\$0	\$1,861,740	\$130,143	\$9,807,704
<b>Total</b>	<b>\$10,530,736</b>	<b>\$32,496,395</b>	<b>\$32,675,945</b>	<b>\$36,024,597</b>	<b>\$36,081,012</b>	<b>\$52,557,961</b>	<b>\$26,806,949</b>	<b>\$25,726,978</b>	<b>\$8,926,414</b>	<b>\$7,290,508</b>	<b>\$269,117,495</b>

<sup>1</sup> Funding after FY2025/2026 will go through a competitive process and approved by SCAG



## ***Minute Action***

### AGENDA ITEM: 5

***Date:*** June 12, 2025

***Subject:***

Fiscal Year 2025/2026 State of Good Repair Program Allocations

***Recommendation:***

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

A. Allocate \$5,064,183 of State of Good Repair Program – Population Share and Operator Share funding to the following projects:

- i. Engine Overhauls – Morongo Basin Transit Authority - \$50,000
- ii. Shop Equipment – Morongo Basin Transit Authority - \$20,000
- iii. Service Vehicles – Morongo Basin Transit Authority - \$81,547
- iv. Maintenance Equipment and Major Vehicle Components – Mountain Area Regional Transit Authority - \$103,607
- v. Preventative Maintenance – City of Needles - \$9,996
- vi. Preventative Maintenance – Omnitrans - \$415,076
- vii. Enterprise Resource Planning Software – Omnitrans \$3,072,580
- viii. Service Vehicles – Victor Valley Transit Authority (VVTA) - \$150,000
- ix. Hesperia Transfer Hub – VVTA - \$500,000
- x. Regional Bus Replacements – VVTA – \$336,991
- xi. Metrolink Rehabilitation Program – Southern California Regional Rail Authority - \$324,386

B. Adopt Resolution No. 25-075, authorizing the Executive Director, or his designee, to submit project nominations to the California Department of Transportation for Fiscal Year 2025/2026 State of Good Repair Program funds for the projects listed above.

***Background:***

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

Administered by the California Department of Transportation (Caltrans), SGR Program funds are apportioned to eligible agencies using the State Transit Assistance Program formula. The formula apportions 50% of the available SGR funds by population and the remaining 50% by operator revenues from the prior Fiscal Year (FY), in accordance with Public Utilities Code (PUC) Section 99313 and PUC Section 99314, respectively. The State Controller's Office (SCO) is responsible for determining the estimated funding levels for PUC Section 99313 (Population Share) and PUC Section 99314 (Operator Share) funds. San Bernardino County Transportation Entity: San Bernardino County Transportation Authority

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

In March 2025, the SBCTA Board of Directors (Board) approved a total FY 2025/2026 SGR-Population Share apportionment of \$4,249,878. This amount includes the SCO estimated apportionment of \$3,845,507 for FY 2025/2026, an additional \$131,263 from excess FY 2023/2024 Population Share revenue, and \$273,108 of interest earned on existing SGR fund balance. The Board also approved apportioning the funds to the Valley and Mountain/Desert areas based on California Department of Finance Population Data and further apportioning the Mountain/Desert SGR-Population Share apportionment to the Mountain/Desert transit operators in accordance with the population of their respective service areas. The total amount of FY 2025/2026 SGR-Population Share funds available to the Valley and Mountain/Desert is \$3,072,580 and \$1,177,298, respectively. As required, SGR-Operator Share funds are allocated to the transit operators in the San Bernardino region based on the amounts determined by the SCO. Since SBCTA has no discretion in the apportionment of the SGR-Operator Share, and Caltrans does not require revised allocation documents, the Board authorized SBCTA staff to release SGR-Operator Share funds as they are received. The SBCTA Board-approved SGR-Population Share apportionments and the estimated SGR-Operator Share funds to be disbursed are included below in Table 1.

**Table 1 – Fiscal Year 2025/2026 SGR-Population Share and Operator Share Apportionments**

Agency	Population Share <sup>1</sup>	Operator Share	Total SGR Apportionment
Omnitrans	\$3,072,580	\$415,076	\$3,487,656
SCRRA	-	\$324,386	\$324,386
Basin Transit	\$139,102	\$12,445	\$151,547
Mountain Transit	\$96,769	\$6,838	\$103,607
City of Needles	\$9,291	\$705	\$9,996
VVTA	\$932,136	\$54,855	\$986,991
<b>Total</b>	<b>\$4,249,878</b>	<b>\$814,305</b>	<b>\$5,064,183</b>

<sup>1</sup> Apportionment includes revenue over the FY 2023/2024 estimate + interest.

SBCTA staff contacted all transit operators requesting the submission of a proposed list of projects to be funded with SGR funds. Based on project list submittals and discussions with the operators concerning the availability of funds, SBCTA staff is recommending the following projects for FY 2025/2026 SGR allocations:

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### Basin Transit Engine Overhauls - \$50,000

Basin Transit will be using a portion of its SGR funding on engine overhauls. This will extend the useful life of their buses.

### Basin Transit Shop Equipment - \$20,000

Basin Transit will be using a portion of its SGR funding for shop equipment. They will purchase or replace aging shop equipment, such as mechanical lifts, as needed.

### Basin Transit Service Vehicles - \$81,547

Basin Transit will be replacing two non-revenue service vehicles. This will decrease downtime and increase reliability to ensure that the drivers have the support vehicles needed to provide service.

### Mountain Transit Maintenance Equipment and Major Vehicle Components - \$103,607

Mountain Transit will be using SGR funding to purchase normal replacement of aging maintenance shop equipment. Additionally, a portion of this funding will be used to purchase major vehicle components to help extend the life of Mountain Transit's service vehicles.

### City of Needles Preventative Maintenance - \$9,996

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

### Omnitrans Preventative Maintenance - \$415,076

Omnitrans will use the SGR funding for preventative maintenance. Preventative maintenance will help prevent any future failures on their service vehicles.

### Omnitrans Enterprise Resource Planning Software - \$3,072,580

Omnitrans will utilize the SGR funding for improvements to the Enterprise Resource Planning (ERP) system in the areas of Finance, Human Resources, Procurement, Maintenance, and Payroll. The current system requires multiple platforms to perform the functions necessary for reporting and operations. Omnitrans will upgrade its system to a fully integrated, state-of-the-art ERP Software as a Service (SaaS) system with this funding. This is the first year of a three-year accrual.

### VVTA Service Vehicles - \$150,000

VVTA will add three service vehicles to their fleet. This will decrease downtime and increase reliability to ensure that the drivers have the support vehicles needed to make service.

### VVTA Hesperia Transfer Hub - \$500,000

This project will add additional funding to VVTA's ongoing Hesperia Transfer Hub project to construct a bus transfer hub that will consist of a shelter for 12 bus bays, sidewalk installation, landscaping, and a 2,500 square-foot building that will house six restrooms and a security control room.

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VVTA Regional Bus Replacement - \$336,991

VVTA will use SGR funds to purchase four Class H Zero Emission Buses as replacement vehicles for their regional routes. This purchase is outlined in the Transit Asset Manager plan and will help meet the state-mandated requirement to have all vehicles zero-emission by 2040.

Metrolink Rehabilitation Program- \$324,386

SCRRA will use SGR funds to rehabilitate and replace the critical priorities of aging track, railroad structures, vehicles, and facilities currently in use by Metrolink's daily commuter rail service within San Bernardino County.

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

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal 2025/2026.

***Reviewed By:***

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

***Responsible Staff:***

Nancy Strickert, Transit Manager

Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

## RESOLUTION NO. 25-075

### RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AUTHORIZING THE PROJECTS FUNDED BY CALIFORNIA STATE OF GOOD REPAIR PROGRAM FUNDS

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

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

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

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

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

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

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

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

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

Section 3. The submittal of the following project nominations to the Department for Fiscal Year 2025/2026 SGR funds is hereby authorized:

- Morongo Basin Transit Authority Engine Overhauls
- Morongo Basin Transit Authority Shop Equipment
- Morongo Basin Transit Authority Service Vehicles
- Mountain Area Regional Transit Authority Maintenance Equipment and Major Vehicle Components
- City of Needles Preventative Maintenance
- Omnitrans Preventative Maintenance
- Omnitrans Replacement of Enterprise Resource Planning Software (Accrual)
- Victor Valley Transit Authority Service Vehicles

- Victor Valley Transit Authority Hesperia Transfer Hub
- Victor Valley Transit Authority Regional Bus Replacements
- Southern California Regional Rail Authority Metrolink Rehabilitation Program

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

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

By: \_\_\_\_\_  
 Ray Marquez, Board President  
 San Bernardino County Transportation Authority

ATTEST:

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

## State Transit Assistance State of Good Repair Program

### Recipient Certifications and Assurances

**Recipient:** Name\_\_\_\_\_.

**Effective Date:** Date Month, 20xx\_\_\_\_\_.

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

#### A. General

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

#### B. Project Administration

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

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

### **C. Reporting**

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

### **D. Cost Principles**

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



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

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

#### **E. Record Retention**

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

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

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

#### **F. Special Situations**

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

I certify all of these conditions will be met.

**AGENCY NAME**

**BY:**

\_\_\_\_\_  
 AUTHORIZING OFFICER, Title  
 Unit/Department

## ***Minute Action***

### AGENDA ITEM: 6

***Date:*** June 12, 2025

***Subject:***

Amendment No. 1 to Contract No. 23-1002920 for On-Call Railroad Maintenance of Way Services

***Recommendation:***

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

A. Approve Amendment No. 1 to Contract No. 23-1002920 with Joshua Grading & Excavating, Inc., for On-Call Railroad Maintenance of Way Services, to allow reimbursement of equipment rental rates above the published California Department of Transportation Labor Surcharge and Equipment Rental Rate and equipment transportation costs incurred on behalf of SBCTA in the course of performing emergency work, and to increase the contract by \$215,000, from \$5,500,000 to a new not-to-exceed amount of \$5,715,000, to be funded with Local Transportation Funds - Rail for cost incurred performing emergency work and statutory compliance.

B. Authorize the reimbursement of emergency costs incurred on February 14-15, 2025, under Amendment No. 1 of Contract No. 23-1002920, upon approval and execution of the amendment.

***Background:***

During and in advance of rain events, the San Bernardino County Transportation Authority's (SBCTA) on-call maintenance of way contractor, Joshua Grading & Excavating, Inc. (JGE), inspects drainage facilities on the SBCTA property to verify the facility is clear of debris. On February 14, 2025, JGE identified and notified SBCTA and the Southern California Regional Rail Authority (SCRRA) of significant erosion on the San Gabriel Subdivision right-of-way and requested permission to import backfill and rip rap to repair the damage and reduce incidences of future damage. The emergency restoration of the right-of-way was coordinated with SCRRA and completed by the following morning.

JGE submitted a request for full reimbursement to SBCTA for this emergency work, which included receipt costs for the restoration work, including the rental and delivery of heavy earth-moving equipment; however, SBCTA's maintenance of way contract with JGE explicitly caps equipment rental costs to the published California Department of Transportation (Caltrans) Labor Surcharge and Equipment Rental rates and does not allow for the reimbursement of equipment transport costs regardless of whether or not the costs are incurred in the course of emergency work. The contract requires that JGE maintain a 24-hour readiness for emergency "on-call" communication with SBCTA and a response time of four hours in cases of emergencies or a one-hour response time where train operations are halted, which does not permit JGE reasonable time to shop around for rental equipment that will charge less than or equal to the published Caltrans rates. The proposed amendment removes the cap on rental costs otherwise used for general maintenance and permits the actual reasonable cost to rent the equipment, inclusive of transportation costs, for emergency work to be performed on less than 24 hours' notice. It is important to recognize that emergency work is often performed on short notice and that SBCTA's contractor is assured it will be reimbursed the full cost to get the necessary equipment and materials onsite.

*Entity: San Bernardino County Transportation Authority*

## Transit Committee Agenda Item

June 12, 2025

Page 2

The amendment also increases the contract not-to-exceed amount by \$215,000 to cover the costs of special work performed above and beyond general maintenance. The department has sufficient budget to cover the cost of the special work and general maintenance; the increase to the contract authority is to ensure that the incurred cost of special works does not impact the contract capacity to fulfil the general maintenance work through the initial term of the contract.

Additionally, the amendment adds clarifying language that the station grounds within San Bernardino County are within the scope of work for the agreement with respect to special work, to ensure that SBCTA can swiftly resolve statutory or regulatory deficiencies impacting non-operating facilities at the Metrolink stations located within the County.

The change in the ninth paragraph of the scope of work is a minor one, correcting a typo in the listing of entities that can impose requirements on the maintenance of the appearance of the property, facilities, and structures located on SBCTA property.

Finally, Recommendation B requests approval to apply the revised emergency work compensation criteria to the emergency work performed from February 14, 2025, through the morning of February 15, 2025.

***Financial Impact:***

The contract is included in the adopted Budget for Fiscal Year 2025/2026 and funded with Local Transportation Funds - Rail (1040) in Program 30, Transit.

***Reviewed By:***

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

***Responsible Staff:***

Ryan Aschenbrenner, Right of Way Manager

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

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San Bernardino County Transportation Authority

## General Contract Information

Contract No: 23-1002920 Amendment No.: 1

Contract Class: Payable Department: Transit

Vendor No.: 01121 Vendor Name: JOSHUA GRADING & EXCAVATING, INC.

Description: ON-CALL RAILROAD MAINTENANCE OF WAY SERVICES

Dollar Amount							
Original Contract		\$	5,500,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Prior Contingency Released		\$	-	Prior Contingency Released (-)		\$	-
Current Amendment		\$	215,000.00	Current Amendment		\$	-
Total/Revised Contract Value		\$	5,715,000.00	Total Contingency Value		\$	-
		Total Dollar Authority (Contract Value and Contingency)				\$	5,715,000.00

## Contract Authorization

Board of Directors \_\_\_\_\_ Date: 07/02/2025 \_\_\_\_\_ Committee \_\_\_\_\_ Item # \_\_\_\_\_

## Contract Management (Internal Purposes Only)

Other Contracts \_\_\_\_\_ Sole Source? No \_\_\_\_\_ No Budget Adjustment \_\_\_\_\_

Local \_\_\_\_\_ Professional Services (Non-A&E) \_\_\_\_\_ N/A \_\_\_\_\_

## Accounts Payable

Estimated Start Date: 07/05/2023 Expiration Date: 06/30/2028 Revised Expiration Date: \_\_\_\_\_

NHS: N/A QMP/QAP: N/A Prevailing Wage: N/A

						Total Contract Funding:	Total Contingency:				
Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	5,715,000.00	\$	-
GL	1040	30	0313	0361	53470	43022000	Sales Tax - LTF	\$	5,715,000.00	\$	-
GL									-		-
GL									-		-

Ryan Aschenbrenner

Project Manager (Print Name)

Victor Lopez

Task Manager (Print Name)

Additional Notes: Five-year initial term ends June 30, 2028. The initial \$5.5M contract authority is projected to only be sufficient for the initial five-year term. Contract has two (1) year options.

Attachment: CSS - 23-1002920\_01 [Revision 1] (11614 : Amendment No. 1 to Contract No. 23-1002920 for Railroad Maintenance of Way

**AMENDMENT NO. 1 TO CONTRACT NO. 23-1002920**

**FOR**

**ON-CALL RAILROAD PROPERTY MAINTENANCE OF WAY SERVICES**

**(JOSHUA GRADING & EXCAVATING, INC.)**

This Amendment No. 1 to Contract No. 23-1002920 (this “Amendment”) is made by and between the San Bernardino County Transportation Authority (“SBCTA”) and Joshua Grading & Excavating, Inc. (“CONSULTANT”). SBCTA and CONSULTANT are each a “Party” and collectively “Parties” herein.

**RECITALS:**

- A. SBCTA, under Contract No. 23-1002920, engaged CONSULTANT to provide on-call railroad property maintenance of way services for SBCTA-owned railroad property (“Contract”); and
- B. SBCTA and CONSULTANT desire to amend the Contract to add \$215,000 of contract authority to the existing \$5,500,000 of contract authority, clarify that Metrolink station grounds are within the scope of work for the purposes of specific work projects, and to allow for the reimbursement of certain costs incurred in the performance of emergency work.

**NOW THEREFORE**, the Parties mutually agree to amend the Contract as follows:

1. DELETE Section 3.2 and REPLACE it as follows:

“The total Contract Not-To-Exceed Amount is Five Million Seven Hundred Fifteen Thousand Dollars (\$5,715,000.00). 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, except as to when prevailing wage must be paid, in which case the current applicable prevailing wage shall be paid, and include CONSULTANT’s direct labor costs, indirect costs, and profit. All expenses shall be reimbursed for the amounts identified in Exhibit B. 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.”

2. DELETE the eighth paragraph of Exhibit A, SCOPE OF WORK, and REPLACE it as follows:

“Specific work projects may be authorized by the SBCTA Project Manager, who shall have the discretion to determine which projects will require a written Contract Task Order and which may be authorized in the normal course of business by verbal or telephonic approval, email, or other means of communication. The Metrolink Station grounds located within San Bernardino County are not a part of the scope of regular day to day work; however, they shall be considered to be railroad right-of-way owned by SBCTA and within this scope of work, as determined by the SBCTA Project Manager on a case by case basis where specific work projects are concerned.”

3. DELETE the ninth paragraph of Exhibit A, SCOPE OF WORK, and REPLACE it as follows:

“The CONSULTANT shall maintain the appearance of the property, facilities and structures (bridges, retaining walls and signs) in compliance with Federal Railroad Administration regulations, California Public Utilities Code, and the various municipal code requirements of the local agencies within San Bernardino County.”

4. DELETE the tenth paragraph of Exhibit A, SCOPE OF WORK, and REPLACE it as follows:

“Services shall consist of weed abatement & vegetation control (fire hazard prevention); herbicide & pesticide applications; removal of debris & trash; abatement of encampments, illegal structures and shelters, belongings and related items, materials and substances associated with transient or homeless persons trespassing upon the ROW; fencing and barricade installation and/or repairs; drainage repairs; graffiti abatement & control; tree trimming & removals; and installation/maintenance/repair of railroad signage. Services may also include, but is not limited to, work necessary or convenient to ensure the railroad right-of-way owned by SBCTA complies with statutory and regulatory requirements. The removal of hazardous materials shall be coordinated with a licensed hazardous materials contractor.”

5. DELETE **IMPORTANT NOTICE** in Exhibit A, SCOPE OF WORK, and REPLACE it as follows:

“**IMPORTANT NOTICE:** Unless equipment rates are specifically identified in the Agreement, reimbursement for equipment rental will be either at the CALTRANS published rates within “Labor Surcharge and Equipment Rental Rates” or the actual rental rate, whichever is less. Equipment rental payment is full compensation for rental equipment costs, including covering rental equipment to and from the site using its own power. For rental equipment that cannot be transported economically using its own power, no transport cost will be paid. Notwithstanding the foregoing, in the case of emergency work requested

by SBCTA to be performed on less than 24 hours' notice, reimbursement for equipment rental will be the actual rental rate, subject to the reasonableness thereof, and may include reasonable transportation costs.”

6. Except as amended by this Amendment No. 1, all other provisions of Contract No. 23-1002920 shall remain in full force and effect and are incorporated herein by this reference.
7. The Recitals set forth above are incorporated herein by this reference.
8. This Amendment No. 1 shall be effective upon execution by SBCTA.

**IN WITNESS WHEREOF**, the Parties have duly executed this Amendment No. 1 below.

**JOSHUA GRADING & EXCAVATING,  
INC.**

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Muriel J. Craft  
CEO/President

By: \_\_\_\_\_  
Ray Marquez  
Board President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Matthew T. Craft  
Secretary

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Julianna K. Tillquist  
General Counsel

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**CONCURRENCE:**

By: \_\_\_\_\_  
Alicia J. Bullock  
Procurement Manager

Date: \_\_\_\_\_



## ***Minute Action***

### AGENDA ITEM: 7

***Date:*** June 12, 2025

***Subject:***

Surplus and Sale of a Portion of Fontana Station to the City of Fontana

***Recommendation:***

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

A. Adopt Resolution No. 25-063, finding and declaring property described in Exhibit A of said resolution to be exempt surplus property.

B. Delegate authority to the Executive Director, or his designee, to approve and execute a Purchase and Sale Agreement with the City of Fontana, upon approval as to form by SBCTA General Counsel, or her designee, for the purchase of the exempt surplus property at fair market value as determined by an appraisal.

***Background:***

In December of 2024, the City of Fontana (City) informed the San Bernardino County Transportation Authority (SBCTA) of its desire to locate a police substation at the Fontana Transit Center (Transit Center) located at 16777 Orange Way in the City of Fontana. The Fontana Metrolink Station and bus stop facilities near the train platforms, where there are 10 Omnitrans bus lines and the Victor Valley Transit Authority's Barstow – Victorville – San Bernardino link stops. The proposed police substation will be located immediately east of the existing bus loop and Orange Way.

In February of 2025, City staff expressed their preference to purchase the property from SBCTA rather than securing a license or lease agreement. Consequently, SBCTA submitted a draft of Resolution No. 25-063 to the California Department of Housing and Community Development (HCD) on March 6, 2025, and HCD provided technical advice that concurs with the surplus land exemption determination in advance of adoption. HCD will provide a formal letter of concurrence once the SBCTA Board of Directors formally adopts Resolution No. 25-063.

Resolution No. 25-063 declares the subject property to be exempt surplus property conveyed to another agency for that agency's use, in this case, for a police substation located at the Transit Center. Furthermore, the resolution finds that the property is not located within a coastal zone, located adjacent to a historical unit of the State Parks System, listed on or determined by the State Office of Historic Preservation to be eligible for the National Register of Historic Places, nor located within the Lake Tahoe region, because if any of the preceding criteria were true, then a notice of availability for open space purposes would still be required notwithstanding the disposal to another agency for that agency's use exemption.

The City also met with Omnitrans staff regarding the plan to construct a police substation at the Transit Center and Omnitrans is fully supportive of the City's plan at the Fontana Transit Center. While there may be some short-term disruption while the existing coach operator restrooms are demolished, the long-term benefit of a police substation and new restrooms for both coach operators and customers will be a significant improvement to the facility. Omnitrans staff has

*Entity: San Bernardino County Transportation Authority*

expressed appreciation for the City's proactive response to improve security and amenities at the Transit Center to advance its long-term downtown plans.

Approval of Recommendation B will authorize the Executive Director to finalize the sale details with the City and execute a Purchase and Sale Agreement, upon approval as to form by SBCTA General Counsel, or her designee. On May 15, 2025, the City of Fontana provided SBCTA staff with an appraisal with a date of valuation of April 30, 2025, that values the subject property at \$111,000, or \$18 per square foot. SBCTA staff is reviewing the appraisal and will conduct its due diligence and independent assessment.

Sale proceeds of the property will be returned to the Rail Assets Fund, Fund 1080, per SBCTA Policy No. 10400, Surplus Real Property. There is no broker, and therefore no broker fees associated with this sale, so there is sufficient budget under Fund 1080 in Program 30, Transit, in the adopted Fiscal Year 2025/2026 Budget to cover typical escrow costs associated with the sale of the property.

***Financial Impact:***

The escrow costs associated with the sale of property is included in the adopted Budget for Fiscal Year 2025/2026 and funded with Rail Asset Funds in Program 30, Transit.

***Reviewed By:***

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

***Responsible Staff:***

Ryan Aschenbrenner, Right of Way Manager

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

**RESOLUTION NO. 25-063****RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY DECLARING PROPERTY SURPLUS, AUTHORIZING ITS SALE AND FINDING SUCH SALE TO BE EXEMPT FROM THE SURPLUS LAND ACT**

**WHEREAS**, the San Bernardino County Transportation Authority (SBCTA) acquired the Fontana Station Grounds from the Atchison Topeka & Santa Fe Railway Company as described in Instrument 1992-0514405, recorded December 15, 1992, in the Official Records of San Bernardino County, State of California; and

**WHEREAS**, the SBCTA and the City of Fontana (CITY) are parties to Station Cooperative Agreement No. 93-078, dated June 1, 1993, and amended June 1, 2022; and

**WHEREAS**, the CITY has prepared a legal description and plat, attached to this resolution as Exhibit A and Exhibit B, respectively, describing a portion of SBCTA-owned property immediately East of and adjacent to the Station Cooperative Agreement premises (the "Property"); and

**WHEREAS**, the CITY has informed SBCTA that the CITY wishes to purchase the Property for use primarily as a police substation; and

**WHEREAS**, SBCTA wishes to sell the Property to the CITY for primary use as a police substation, which will benefit the public transportation options located on the Station Cooperative Agreement premises; and

**WHEREAS**, California Government Code Section (GC) 54221(f)(1)(D) defines surplus land which is transferred to another local, state, or federal agency for the transferee agency's use as exempt surplus land.

**NOW, THEREFORE BE IT RESOLVED** by the San Bernardino County Transportation Authority:

1. The Board finds the Property described in Exhibit A and depicted in Exhibit B to be surplus to SBCTA's needs.
2. The Board finds that the Property, being 6,194 square feet in area, more or less, is less than 10 acres and is neither (i) located within a coastal zone, (ii) located adjacent to a historical unit of the State Parks System, (iii) listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places, nor (iv) within the Lake Tahoe region as defined in Government Code Section 66905.5, and therefore no notice of availability of the Property for open space purposes is required pursuant to Government Code Section 54221(f)(2).
3. The Board further finds that disposal of the Property to the CITY for a police substation is exempt from the Surplus Land Act, pursuant to Government Code Section 54222.3,

fitting the description of exempt surplus land set forth in Government Code Section 54221(f)(1)(D) (“Exempt Surplus Land”).

4. The Board declares the Property to be Exempt Surplus Land and authorizes the Executive Director to negotiate and execute any and all necessary documents, including but not limited to, a Purchase and Sale Agreement with the City of Fontana to effectuate the disposition of the Property, at Fair Market Value, to the City of Fontana.

Adopted by the San Bernardino County Transportation Authority on July 2, 2025, by the following vote:

AYES: XX

NOES: XX

ABSTAINED: XX

ABSENT: XX

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Ray Marquez, Board President  
San Bernardino County Transportation Authority

ATTEST:

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

## EXHIBIT "A"

### LEGAL DESCRIPTION

Parcel A:

That portion of land lying in Block Forty-Nine (49) of Fontana Townsite, per map recorded in Book 19 of Maps, Page 53, records of San Bernardino County, California, described as follows:

**Commencing** at the northeast corner of said Block 49, said line also being the southerly Right-of-Way line of Orange Way (40-foot half-width); thence South 89°44'00" West, a distance of 179.91 feet along the northerly line of said Block 49 and said southerly Right-of-Way line, to the **Point of Beginning**; thence South 00°16'00" East, a distance of 85.86 feet; thence South 89°53'10" West, a distance of 71.54 feet; thence North 00°06'50" West, a distance of 50.82 feet; thence North 24°48'42" West, a distance of 20.04 feet; thence North 46°35'04" East, a distance of 24.30 feet to said northerly line of Block 49 and said southerly Right-of-Way line; thence North 89°44'00" East, a distance of 62.00 feet along said northerly line of Block 49 and said southerly Right-of-Way line, to the **Point of Beginning**.

The land for Parcel A described herein contains approximately 6,194 square feet.

Affecting: APN 0191-291-19

See Exhibit "B" for a plat depicting the above described property.

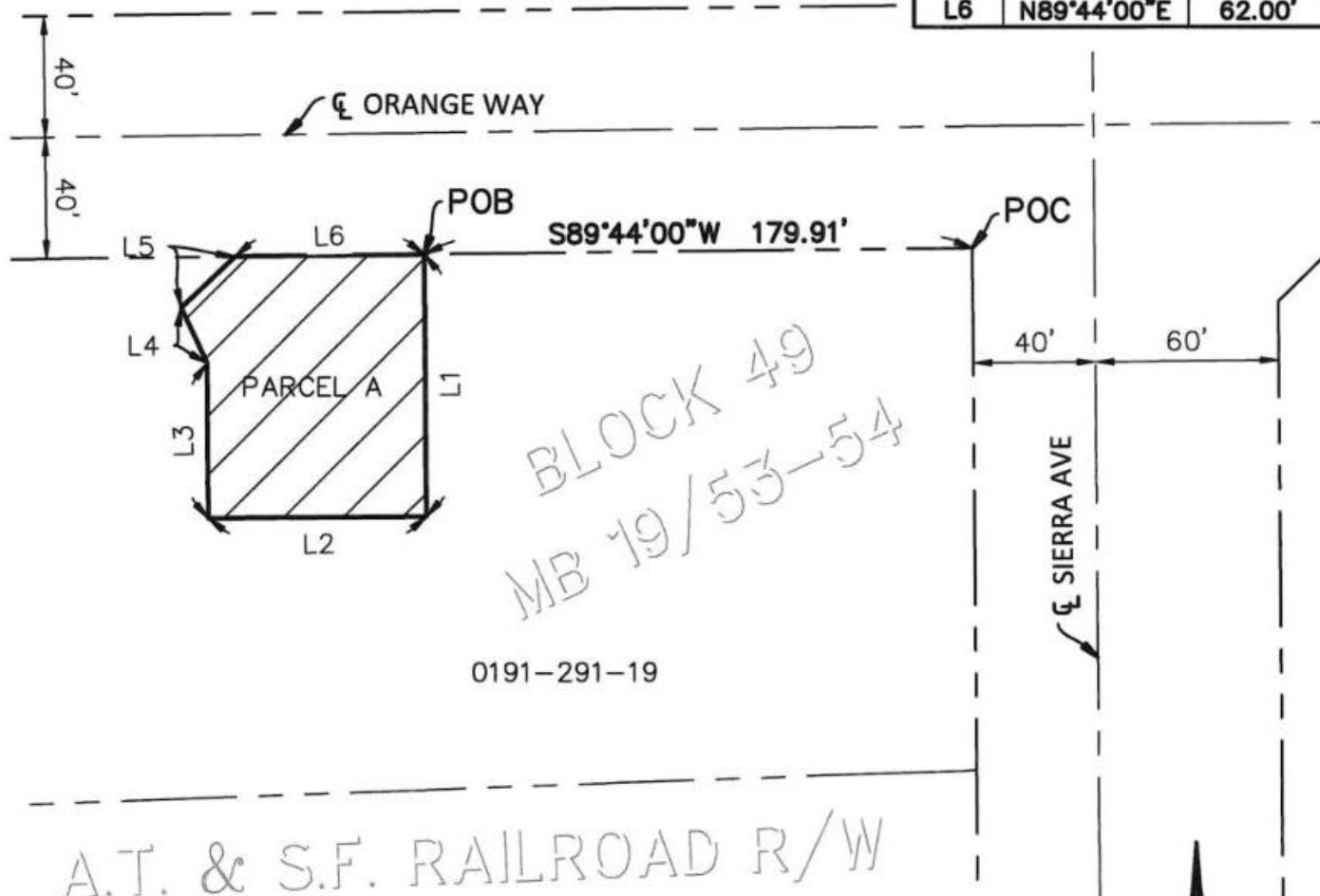
This real property has been described by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

  
Terry Renner, PLS 9762, Exp. 6-30-25

04/02/2025  
Date



LINE TABLE		
#	BEARING	LENGTH
L1	S00°16'00"E	85.86'
L2	S89°53'10"W	71.54'
L3	N00°06'50"W	50.82'
L4	N24°48'42"W	20.04'
L5	N46°35'04"E	24.30'
L6	N89°44'00"E	62.00'



### LEGEND

---	EXISTING CENTERLINE
---	EXISTING RIGHT-OF-WAY
---	EXISTING PROPERTY LINE
	PARCEL A AREA (6,194 SF)
POB	POINT OF BEGINNING
POC	POINT OF COMMENCING

SCALE: 1"=60'

J.N.: 101-125



TKE ENGINEERING, INC.  
2305 CHICAGO AVENUE  
RIVERSIDE, CA 92507  
(951) 680-0440

TERRY M. RENNER L.S. No. 9762 DATE 04/02/2025



EXHIBIT 'B'

APN 0191-291-19





# VICINITY MAP

## Fontana Metrolink Station

### Police Substation

- SBCTA Right of Way
- - - Parcel Boundaries
- Subject Property



San Bernardino County

## ***Minute Action***

### AGENDA ITEM: 8

***Date:*** June 12, 2025

***Subject:***

West Valley Connector - Program Budget Update and Contract Amendments

***Recommendation:***

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

A. Approve an increase of \$33,600,122 to the total budget authorized for the West Valley Connector Project to be funded with Measure I Valley Express Bus/Rapid Transit Program funds, for a new not-to-exceed budget of \$353,934,817.

B. Approve an increase of \$9,000,000 to the right-of-way acquisition budget authority to fund remaining right-of-way capital acquisitions for the West Valley Connector Project, in accordance with SBCTA policies, including but not limited to relocation assistance, demolition of existing structures, and goodwill, for a new not-to-exceed amount of \$73,000,000 to be funded with Measure I Valley Express Bus/Rapid Transit Program funds.

C. Approve Amendment No. 4 to Contract No. 19-1002002 with Richards, Watson & Gershon, A Professional Corporation, increasing the contract amount by \$2,165,000 for a new not-to-exceed amount of \$16,665,000, and extending the contract termination date to December 31, 2027.

D. Authorize the Executive Director, or his designee, to execute Contract Task Orders greater than \$500,000 for the Transit and Rail On-Call Right-of-Way Legal Services contracts as required for West Valley Connector Project acquisitions, for a combined not-to-exceed amount of \$16,665,000.

E. Approve Amendment No. 4 to Contract No. 18-1001924 with Epic Land Solutions, Inc., for On-Call Right-of-Way Services, to support current and future Transit and Rail projects and programs, increasing the contract amount in accordance with Recommendation I.

F. Approve Amendment No. 4 to Contract No. 19-1002007 with Bender Rosenthal, Inc., for On-Call Right-of-Way Services, to support current and future Transit and Rail projects and programs, for an amount described in Recommendation I.

G. Approve Amendment No. 4 to Contract No. 19-1002008 with Overland, Pacific & Cutler, LLC for On-Call Right-of-Way Services, to support current and future Transit and Rail projects and programs, for an amount described in Recommendation I.

H. Approve Amendment No. 4 to Contract No. 19-1002009 with Paragon Partners Consultants, Inc., for On-Call Right-of-Way Services, to support current and future Transit and Rail projects and programs, for an amount described in Recommendation I.

I. Approve a total not-to-exceed amount of \$1,500,000 for Epic Land Solutions, Inc. (No. 18-1001924), Bender Rosenthal, Inc. (No. 19-1002007), Overland, Pacific & Cutler, LLC (No. 19-1002008), and Paragon Partners Consultants, Inc. (No. 19-1002009), increasing the total contract authority to be shared among these contracts from \$9,500,000 to \$11,000,000, to ensure

*Entity: San Bernardino County Transportation Authority*



the completion of ongoing right-of-way services including, but not limited to, demolition efforts, building modification efforts, and project closeout. This increase is to be funded with Measure I Valley Express Bus/Rapid Transit Program funds.

J. Authorize the Executive Director, or his designee, to execute Contract Task Orders greater than \$500,000, to the Transit and Rail On-Call Right-of-Way Services consulting firms, as required for West Valley Connector Project acquisitions, for a combined not-to-exceed amount of \$11,000,000, previously authorized by the SBCTA Board of Directors for Contract Nos. 18-1001924, 19-1002007, 19-1002008, and 19-1002009.

***Background:***

The West Valley Connector (WVC) Project is a 100% zero-emission Bus Rapid Transit (BRT) system. The project is 19 miles and will upgrade a portion of existing Route 61, which runs along Holt Boulevard, adding approximately 3.5 miles of center-running dedicated bus-only lanes. There will be 21 stations that will provide a much-improved transit connection to Ontario International Airport (ONT) and help build transit connectivity by linking ONT, two Metrolink lines (San Bernardino and Riverside), and multiple major activity centers along the route, including Ontario Mills and Victoria Gardens.

Construction of the WVC includes widening a portion of Holt Boulevard in the City of Ontario to accommodate the dedicated bus lanes and center-running stations. Improvements in the Cities of Pomona, Montclair, and Rancho Cucamonga include side running stations, charging facilities at the West Valley yard, and charging at the Pomona Transit Center. The construction contract was awarded in September 2023 to Griffith Company. Construction work on the north side of Holt Boulevard is nearing completion while some work on the south side commenced a few months ago. The side running stations in Pomona and Montclair are progressing and the work at Pomona Transit Center is on-going.

Though the WVC Project has possession of all the properties needed to construct the improvements, there are 12 court proceedings still being actively litigated with property owners. Additionally, due to delay in the start of construction, the duration of the temporary construction easements are being extended to complete work adjacent to them.

In the last project update to the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) in November 2024, staff reported that all major contracts have been awarded and construction improvements and associated procurements for vehicles and charging systems were in place. The table on the following page reflects the current WVC Project schedule, including the delivery of the last of the 18 buses in May 2025.

## Transit Committee Agenda Item

June 12, 2025

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MAINLINE CORRIDOR	
Contract Award	September 6, 2023 (completed)
Limited NTP	October 3, 2023 (completed)
Full NTP	November 16, 2023 (completed)
Substantial Completion	June 2026
Final Acceptance	September 2026
BEB VEHICLES	
Contract Award	March 1, 2023 (completed)
NTP	August 17, 2023 (completed)
Prototype (2)	June 24, 2024 (delivered)
Production (16)	May 15, 2025 (delivered)
Vehicle Testing/Acceptance	March 2026
CHARGING INFRASTRUCTURE	
Contract Award	April 3, 2024 (completed)
NTP	May 13, 2024 (completed)
Substantial Completion	March 2026
Final Acceptance	April 2026
TESTING AND COMMISSIONING	
System Integrated Testing	March 2026
Commissioning	May 2026

The WVC Project has experienced higher-than-expected costs in several areas. The WVC Project has experienced significant increases in real estate acquisition costs, combined with associated right-of-way (ROW) support and legal services, and utility relocations. The awarded contract for electrical vehicle charging infrastructure, at the existing Omnitrans West Valley Maintenance Facility, came in at \$12.863 million, which is much higher than the estimate of \$3.443 million. Further, due to the extended timeline of the Project, the management services costs have also increased. The table on the following page details what was previously approved and the proposed budget amendment.

## Transit Committee Agenda Item

June 12, 2025

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DESCRIPTION	APPROVED FFGA BUDGET	PROPOSED FFGA BUDGET	COMMITMENTS	EXPENDITURES	CURRENT FORECAST	PROPOSED BUDGET AMENDMENT
<b>PROFESSIONAL SERVICES</b>						
DESIGN	13,678,356	14,949,767	14,237,820	12,923,133	14,949,767	1,271,411
PROJECT MANAGEMENT	10,600,215	15,322,185	13,577,718	9,434,347	15,322,185	4,721,970
CONSTRUCTION MANAGEMENT	10,831,270	14,940,597	13,582,361	6,669,805	14,940,597	4,109,327
OTHER SERVICES	541,563	541,563	541,563	56,193	541,563	0
<b>SUBTOTAL</b>	<b>35,651,404</b>	<b>45,754,113</b>	<b>41,939,462</b>	<b>29,083,478</b>	<b>45,754,113</b>	<b>10,102,709</b>
<b>RIGHT-OF-WAY (ROW) &amp; UTILITIES</b>						
ROW CAPITAL	62,412,625	81,282,708	61,832,708	53,527,772	81,282,708	18,870,083
ACQUISITIONS			<del>56,532,708</del>	<del>48,991,772</del>	<del>72,982,708</del>	
UTILITIES			<del>5,300,000</del>	<del>4,536,000</del>	<del>8,300,000</del>	
ROW SUPPORT	12,089,606	26,277,728	23,054,272	20,392,320	26,277,728	14,188,122
ROW ACQUISITION SERVICES			<del>8,567,772</del>	<del>7,869,133</del>	<del>9,626,238</del>	
ROW LEGAL SERVICE			<del>14,486,500</del>	<del>12,523,187</del>	<del>16,651,500</del>	
<b>SUBTOTAL</b>	<b>74,502,231</b>	<b>107,560,436</b>	<b>84,886,980</b>	<b>73,920,092</b>	<b>107,560,436</b>	<b>33,058,205</b>
<b>CONSTRUCTION</b>						
MAINLINE CONSTRUCTION	128,823,766	131,955,902	119,959,911	30,913,554	131,955,902	3,132,136
WV CHARGING STATIONS	3,443,110	14,649,834	12,863,485	0	14,649,834	11,206,724
OTHER CONSTRUCTION	12,615,319	12,615,319	12,615,319	0	12,615,319	0
<b>SUBTOTAL</b>	<b>144,882,195</b>	<b>159,221,055</b>	<b>145,438,715</b>	<b>30,913,554</b>	<b>159,221,055</b>	<b>14,338,859</b>
<b>VEHICLES &amp; START UP</b>						
VEHICLES	29,179,103	23,979,742	21,799,765	2,368,117	23,979,742	-5,199,362
START UP	1,044,193	1,544,371	1,079,210	0	1,544,371	500,178
<b>SUBTOTAL</b>	<b>30,223,296</b>	<b>25,524,113</b>	<b>22,878,975</b>	<b>2,368,117</b>	<b>25,524,113</b>	<b>-4,699,184</b>
<b>SUBTOTAL FTA PARTICIPATING COST</b>	<b>285,259,127</b>	<b>338,059,716</b>	<b>295,144,133</b>	<b>136,285,240</b>	<b>338,059,716</b>	<b>52,800,589</b>
UNALLOCATED CONTINGENCY	25,253,702	6,053,234			6,053,234	-19,200,468
<b>TOTAL FTA PARTICIPATING COST</b>	<b>310,512,829</b>	<b>344,112,950</b>	<b>295,144,133</b>	<b>136,285,240</b>	<b>344,112,950</b>	<b>33,600,122</b>
FTA NON-PARTICIPATING COST	9,821,867	9,821,867			9,821,867	
<b>TOTAL PROJECT BUDGET</b>	<b>320,334,696</b>	<b>353,934,817</b>	<b>295,144,133</b>	<b>136,285,240</b>	<b>353,934,817</b>	<b>33,600,122</b>

In March 2023, SBCTA received a Capital Investment Grant from the Federal Transit Administration (FTA) totaling \$86.75 million. While the total WVC Project budget was \$320.335 million, \$9.822 million was deemed FTA non-participating. As the main contracts were awarded and property acquisitions were settled, staff redistributed the allotted contingency accordingly. However, with the anticipated increase in ROW settlements and forecasted capital and support services costs, staff recommend that the Board approve an additional \$33.6 million in Measure I Valley Express Bus/Rapid Transit Program funds, needed to fully fund the WVC Project. This increase brings the total project budget to \$353.935 million. In addition, staff is recommending an increase of \$9 million to the ROW acquisition budget authority to fund the efforts, as well as efforts to manage demolition of certain properties, relocation assistance, and goodwill, for a new not-to-exceed amount of \$73 million.

With the anticipated settlements of remaining cases and ROW closeout, the ROW support services and ROW legal services contracts need to be amended. There has been a significant increase in required effort to manage and acquire temporary construction easements (TCEs), specifically extensions to easement terms, which has mandated continued support from Richards, Watson, & Gershon (RWG) related to negotiations with owners of properties to be acquired, communication with the FTA, and preparation of legal agreements to authorize work within the TCEs. As such, staff seeks approval to increase Contract No. 19-1002002 with RWG by \$2.165 million, for a new not-to-exceed amount of \$16.665 million, including adding a provision in the contract to allow escalation of attorney hourly rates. RWG's rates remained unchanged since the execution of Contract No. 19-1002002 in June 2019.

Also, staff recommends approval to increase ROW support services Contract No. 19-1002007 with Bender Rosenthal, Inc., Contract No. 19-1002008 with Overland, Pacific & Cutler, LLC, San Bernardino County Transportation Authority

## Transit Committee Agenda Item

June 12, 2025

Page 5

Contract No. 19-1002009 with Paragon Partners Limited, and Contract No. 18-1001924 with Epic Land Solutions, Inc., by a combined amount of \$1.5 million for a combined not-to-exceed amount of \$11 million. Though the ROW support services contract bench is mostly used on the WVC, other Contract Task Orders to support the Transit and Rail programs are mostly for appraisals and Phase I and II Environmental Assessments, which are typically completed in short durations and within the contract term.

***Financial Impact:***

The Project is included in the adopted Budget for Fiscal Year 2025/2026 and funded with Local Project Funds (6010), Federal Transportation Assistance - 5309 (FTA 2130), Local Transportation Funds (LTF 1040), State Transportation Assistance (STA 1050), Measure I BRT/Express (4160), Transit and Intercity Rail Capital Program (TIRCP 2565), Solutions for Congested Corridors (SCCP 2705), Affordable Housing Sustainability Communities Program (AHSC 2645), and Federal Transportation Assistance Congestion and Mitigation Air Quality - 5307 (FTA CMAQ 2122) funds in Program 30, Transit.

***Reviewed By:***

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

***Responsible Staff:***

Joy Buenaflor, Deputy Director of Transit & Rail Programs

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

Contract No:	<u>19-1002002</u>	Amendment No.:	<u>4</u>
Contract Class:	<u>Payable</u>	Department:	<u>Transit</u>
Vendor No.:	<u>03413</u>	Vendor Name:	<u>Richards, Watson &amp; Gershon, A Professional Corporation</u>
Description:	<u>On-Call Right-of-Way Legal Services</u>		

Dollar Amount							
Original Contract		\$	3,750,000.00	Original Contingency		\$	-
Prior Amendments		\$	10,750,000.00	Prior Amendments		\$	-
Prior Contingency Released		\$	-	Prior Contingency Released (-)		\$	-
Current Amendment		\$	2,165,000.00	Current Amendment		\$	-
Total/Revised Contract Value		\$	16,665,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	16,665,000.00

Board of Directors	Date:	07/02/2025	Committee	Item #
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Other Contracts		Sole Source?	No	No Budget Adjustment
Federal/Local	Professional Services (Non-A&E)			N/A

Estimated Start Date:	05/01/2019	Expiration Date:	06/30/2026	Revised Expiration Date:	12/31/2027
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NHS: N/A                      QMP/QAP: N/A                      Prevailing Wage: N/A

[illegible]

Joy Buenaflor

Victor Lopez

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes: Contract #18-1001925 with Meyers Nave expired on 05/01/2023 and is closed. Unused funds @\$486,500.00 is reallocated to Contract #19-1002002.

**AMENDMENT NO. 4 TO CONTRACT NO. 19-1002002****FOR****ON-CALL LEGAL SERVICES FOR RIGHT-OF-WAY****RICHARDS, WATSON & GERSHON, A PROFESSIONAL CORPORATION**

This AMENDMENT NO. 4 to Contract No. 19-1002002 ("Contract") is made and entered into by and between San Bernardino County Transportation Authority ("SBCTA"), whose address is 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, California 92410-1715, and Richards, Watson & Gershon, A Professional Corporation ("ATTORNEY"), whose address is 355 South Grand Avenue, 40<sup>th</sup> Floor, Los Angeles, California 90071-3101. SBCTA and ATTORNEY are each a "Party" and collectively "Parties".

**RECITALS:**

- A. On June 6, 2019, SBCTA and ATTORNEY entered into Contract No. 19-1002002 for On-Call Legal Services Right-of-Way services; and
- B. On April 27, 2022, the Parties amended the Contract (Amendment No. 1) to exercise SBCTA's first option to extend the Contract term for one year, through May 1, 2023; and
- C. On March 23, 2023, the Parties amended the Contract (Amendment No. 2) to exercise SBCTA's second option to extend the Contract term for one year, through May 1, 2024; and
- D. On February 21, 2024, the Parties amended the Contract (Amendment No. 3) to increase the contract amount to a not-to-exceed amount of \$14,500,000 and extend the Contract term through June 30, 2026; and
- E. The Parties desire to amend the Contract to add additional funding in the amount of \$2,165,000, increasing the total contract amount to a not-to-exceed amount of \$16,665,000, to include escalation, and to further extend the contract term through December 31, 2027.

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

1. **ARTICLE 2. PERIOD OF PERFORMANCE** is deleted and replaced in its entirety to read as follows;
  - "2.1 The Period of Performance by ATTORNEY under this Contract shall commence upon issuance of a written Notice To Proceed issued by SBCTA, unless agreed otherwise, and shall continue in full force and effect through December 31, 2027, or 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. ATTORNEY shall not be compensated for any work performed or cost incurred prior to issuance of the NTP.”

2. **ARTICLE 3.2 COMPENSATION** is deleted and replaced in its entirety to read as follows;

“3.2 The total Not-To-Exceed Amount for all CTOs issued to ATTORNEY is Sixteen Million, Six Hundred Sixty-Five Thousand Dollars (\$16,665,000). All services shall be reimbursed pursuant to the hourly labor rates identified in Attachment B “Attorney’s Fees and Charges” and the executed CTO. The hourly labor rates identified in Attachment B may be escalated as detailed in Article 3.2.1 of this Contract and shall include ATTORNEY’s direct labor costs, indirect costs, and profit. All expenses shall be reimbursed for the amount identified in Attachment B. SBCTA will not reimburse for any expenses not shown in Attachment B.”

3. Under **ARTICLE 3.2 COMPENSATION** add the following provision;

“3.2.1 Upon ATTORNEY’s request, and in SBCTA’s discretion, escalation may be allowed and shall be at a specific rate as shown on the Bureau of Labor Statistics Employment Cost Index for Total Compensation for private industry workers, Table 5, Private Industry Workers, Occupational Group “Management, professional, and related” or its successor. The Employment Cost Index will be annually adjusted, apply to total benefits for the private industry economic sector, not be seasonally adjusted, but will include a 12-month percent change. Escalation shall commence as of the execution of Amendment 4 to this Contract, based on the March 2025 employment cost index, and, when applied, shall be applied each July 1<sup>st</sup> for the term of the Contract based on the prior March employment cost index.”

4. The Recitals set forth above are incorporated herein by this reference.

5. Except as amended by this Amendment No. 4, all other provisions of the Contract, as previously amended, shall remain in full force and effect and are incorporated herein by this reference

6. This Amendment No. 4 is effective upon execution by SBCTA.

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

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 4 below.

**RICHARDS, WATSON & GERSHON  
A PROFESSIONAL CORPORATION**

By: \_\_\_\_\_  
Kayser O. Sume  
Partner

Date: \_\_\_\_\_

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Ray Marquez  
President, Board of Directors

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Craig A. Steele  
Chief Executive Officer

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Julianna K. Tillquist  
General Counsel

**CONCURRENCE:**

By: \_\_\_\_\_  
Alicia J. Bullock  
Procurement Manager



## Contract Summary Sheet

8.c

## General Contract Information

Contract No: 18-1001924 Amendment No.: 4

Contract Class: Payable Department: Transit

Vendor No.: 02727 Vendor Name: Epic Land Solutions, Inc.

Description: 19-1002007 Bender Rosenthal, 19-1002008 Overland Pacific & Cutler & 19-0002009 Paragon Partners Consultants

## Dollar Amount

Original Contract	\$	1,375,000.00	Original Contingency	\$	-
Prior Amendments	\$	2,316,400.00	Prior Amendments	\$	-
Current Amendment	\$	375,000.00	Current Amendment	\$	-
<b>Total/Revised Contract Value</b>	<b>\$</b>	<b>4,066,400.00</b>	<b>Total Contingency Value</b>	<b>\$</b>	<b>-</b>
<b>Total Dollar Authority (Contract Value and Contingency)</b>				<b>\$</b>	<b>4,066,400.00</b>

## Contract Authorization

Board of Directors Date: 07/02/2025 Committee Item # \_\_\_\_\_

## Contract Management (Internal Purposes Only)

Other Contracts \_\_\_\_\_ Sole Source? No No Budget Adjustment \_\_\_\_\_

Federal/Local \_\_\_\_\_ Professional Services (Non-A&E) \_\_\_\_\_ N/A \_\_\_\_\_

## Accounts Payable

Estimated Start Date: 05/01/2019 Expiration Date: 06/30/2026 Revised Expiration Date: \_\_\_\_\_

NHS: N/A QMP/QAP: N/A Prevailing Wage: N/A

							Total Contract Funding:		Total Contingency:	
	Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	
GL	6010	30	0315	0334	52001	42909014		Federal Land Sales	1,676,881.64	-
GL	6010	30	0315	0334	52001	42909015		Local Land Sales	419,220.41	-
GL	2130	30	0315	0334	52001	42107027		FTA ARP Stimulus	740,000.00	-
GL	2130	30	0315	0334	52001	42107026		FTA Small Starts	811,174.07	-
GL	1040	30	0313	0360	52001	41200000		LTF Rail	40,000.00	-
GL	MULT	30	MULT	MULT	52001	MULTIPLE		MULTIPLE	379,123.88	-
GL									-	-
GL									-	-
GL									-	-

Joy Buenaflor

Victor Lopez

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: 18-1001924 Amendment No. 4 Revised CSS (11494 : West Valley Connector - Program Budget Update and Contract Amendments)

**AMENDMENT NO. 4 TO CONTRACT NO. 18-1001924****FOR****ON-CALL RIGHT-OF-WAY****EPIC LAND SOLUTIONS, INC.**

This AMENDMENT No. 4 to Contract No. 18-1001924 ("Contract") is made and entered into by and between San Bernardino County Transportation Authority ("SBCTA"), whose address is 1170 W. 3<sup>rd</sup> Street,, 2<sup>nd</sup> Floor, San Bernardino, California 92410-1715, and Epic Land Solutions, Inc., ("CONSULTANT"), whose address is 1971 W 190<sup>th</sup> Street, Suite 200, Torrance, California 90504. SBCTA and CONSULTANT are each a "Party" and collectively "Parties".

**RECITALS:**

- A. On August 22, 2019, SBCTA and CONSULTANT entered into Contract No. 18-1001924 for On-Call Right-of-Way services; and
- B. On April 21, 2022, the Parties amended the Contract (Amendment No. 1) to exercise SBCTA's option to extend the Contract for the first one-year option term through May 1, 2023; and
- C. On January 26, 2023, the Parties amended the Contract (Amendment No. 2) to add additional funding in the amount of \$2,000,000.00, increasing the total contract amount to a not-to-exceed amount of Seven Million Five Hundred Thousand (\$7,500,000.00), and to extend the Contract period of performance through June 30, 2026, with two optional one-year extensions; and
- D. On July 3, 2024, the Parties amended the Contract (Amendment No. 3) to add additional funding in the amount of \$2,000,000 to this and other identified On-Call Right-Of-Way Services contracts collectively, increasing the total contract amount to a not-to-exceed amount of Nine Million Five Hundred Thousand (\$9,500,000.00); and
- E. The Parties desire to amend the Contract to add additional funding in the amount of \$1,500,000 to this and the other identified On-Call Right-of-Way Services contracts collectively, increasing the total contract amount to a not-to-exceed amount of Eleven Million (\$11,000,000).

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

1. ARTICLE 4.16 COMPENSATION is deleted and replaced in its entirety to read as follows:

"The total amount payable by SBCTA for all Contract Task Orders resulting from the following Contracts--Epic Land Solutions, LLC (18-1001924), Bender, Rosenthal Inc. (19-1002007), Overland, Pacific & Cutler, LLC (19-1002008), and Paragon Partners Consultants, Inc. (19-1002009)--shall not exceed \$11,000,000. It is understood and

agreed that there is no guarantee, either expressed or implied, that this dollar amount will be authorized under this Contract through Contract Task Orders.”

2. The Recitals set forth above are incorporated herein by this reference.
3. Except as amended by this Amendment No. 4, all other provisions of the Contract, and amendments thereto, shall remain in full force and effect and are incorporated herein by this reference.
4. This Amendment No. 4 is effective upon execution by SBCTA.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 4 below.

**EPIC LAND SOLUTIONS, INC.**

By: \_\_\_\_\_  
Darin Hittle  
President

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Kevin Romito  
Secretary

Date: \_\_\_\_\_

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Ray Marquez  
Board President

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Julianna K. Tillquist  
General Counsel

**CONCURRENCE:**

By: \_\_\_\_\_  
Alicia J. Bullock  
Procurement Manager

## Contract Summary Sheet

8.e

## General Contract Information

Contract No: 19-1002007 Amendment No.: 4

Contract Class: Payable Department: Transit

Vendor No.: 03228 Vendor Name: Bender Rosenthal, Inc.

Description: 18-1001924 Epic Land Solutions, 19-1002008 Overland Pacific & Cutler & 19-0002009 Paragon Partners Consultants

## Dollar Amount

Original Contract	\$	1,375,000.00	Original Contingency	\$	-
Prior Amendments	\$	(620,900.00)	Prior Amendments	\$	-
Current Amendment	\$	375,000.00	Current Amendment	\$	-
<b>Total/Revised Contract Value</b>	<b>\$</b>	<b>1,129,100.00</b>	<b>Total Contingency Value</b>	<b>\$</b>	<b>-</b>
<b>Total Dollar Authority (Contract Value and Contingency)</b>				<b>\$</b>	<b>1,129,100.00</b>

## Contract Authorization

Board of Directors Date: 07/02/2025 Committee Item # \_\_\_\_\_

## Contract Management (Internal Purposes Only)

Other Contracts \_\_\_\_\_ Sole Source? No Administrative Budget Adjustment \_\_\_\_\_

Federal/Local \_\_\_\_\_ Professional Services (Non-A&E) \_\_\_\_\_

## Accounts Payable

Estimated Start Date: 05/01/2019 Expiration Date: 06/30/2026 Revised Expiration Date: \_\_\_\_\_

NHS: N/A QMP/QAP: N/A Prevailing Wage: N/A

							Total Contract Funding:		Total Contingency:		
Sub-											
Fund	Prog	Task	Task	Object	Revenue	PA Level	Revenue Code Name	\$	1,129,100.00	\$	-
GL:	6010	30	0315	0334	52001	42909014	Federal Land Sales	599,993.27	-		
GL:	6010	30	0315	0334	52001	42909015	Local Land Sales	149,998.32	-		
GL:	MULT	30	MULT	MULT	52001	MULTIPLE	MULTIPLE	379,108.41	-		
GL:									-		
GL:									-		
GL:									-		
GL:									-		
GL:									-		
GL:									-		
GL:									-		

Joy Buenaflor

Victor Lopez

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract 19-1002007 Amendment No. 4 Revised CSS (11494 : West Valley Connector - Program Budget Update and Contract

**AMENDMENT NO. 4 TO CONTRACT NO. 19-1002007****FOR****ON-CALL RIGHT-OF-WAY****BENDER ROSENTHAL, INC.**

This AMENDMENT No. 4 to Contract No.19-1002007 ("Contract") is made and entered into by and between San Bernardino County Transportation Authority ("SBCTA"), whose address is 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, California 92410-1715, and Bender Rosenthal, Inc., ("CONSULTANT"), whose address is 11801 Pierce Street, Suite 200, Riverside, California 92505. SBCTA and CONSULTANT are each a "Party" and collectively "Parties".

**RECITALS:**

- A. On May 30, 2019, SBCTA and CONSULTANT entered into Contract No. 19-1002007 for On-Call Right-of-Way Services; and
- B. On May 6, 2022, the Parties amended the Contract (Amendment No. 1) to exercise SBCTA's option to extend the Contract for the first one-year option term through May 11, 2023; and
- C. On January 26, 2023, the Parties amended the Contract (Amendment No. 2) to add additional funding in the amount of \$2,000,000.00 to this and the other identified On-Call Right-of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Seven Million Five Hundred Thousand (\$7,500,000.00), and to extend the Contract period of performance through June 30, 2026, with two optional one-year extensions; and,
- D. On June 13, 2024 the Parties amended the Contract (Amendment No. 3) to add additional funding in the amount of \$2,000,000.00 to this and the other identified On-Call Right-Of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Nine Million Five Hundred Thousand (\$9,500,000.00); and
- E. The Parties desire to amend the Contract to add additional funding in the amount of \$1,500,000 to this and the other identified On-Call Right-of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Eleven Million (\$11,000,000).

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

1. ARTICLE 4.16 COMPENSATION is deleted and replaced in its entirety to read as follows:

"The total amount payable by SBCTA for all Contract Task Orders resulting from the following Contracts--Epic Land Solutions, LLC (18-1001924), Bender, Rosenthal Inc. (19-1002007), Overland, Pacific & Cutler, LLC (19-1002008), and Paragon Partners Consultants, Inc. (19-1002009)--shall not exceed \$11,000,000. It is understood and agreed

that there is no guarantee, either expressed or implied, that this dollar amount will be authorized under this Contract through Contract Task Orders.”

2. The Recitals set forth above are incorporated herein by this reference.
3. Except as amended by this Amendment No. 4, all other provisions of the Contract, and Amendments thereto, shall remain in full force and effect and are incorporated herein by this reference.
4. This Amendment No. 4 is effective upon execution by SBCTA.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 4 below.

**BENDER ROSENTHAL, INC.**

By: \_\_\_\_\_  
David Wraa  
Chief Executive Officer

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Renee Buar  
Executive Vice President

Date: \_\_\_\_\_

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Ray Marquez  
Board President

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Julianna K. Tillquist  
General Counsel

**CONCURRENCE:**

By: \_\_\_\_\_  
Alicia J. Bullock  
Procurement Manager

## Contract Summary Sheet

8.g

## General Contract Information

Contract No: 19-1002008 Amendment No.: 4

Contract Class: Payable Department: Transit

Vendor No.: 02556 Vendor Name: Overland, Pacific & Cutler, LLC

Description: 18-1001924 Epic Land Solutions, 19-1002007 Bender Rosenthal & 19-0002009 Paragon Partners Consultants

## Dollar Amount

Original Contract	\$	1,375,000.00	Original Contingency	\$	-
Prior Amendments	\$	(624,300.00)	Prior Amendments	\$	-
Current Amendment	\$	375,000.00	Current Amendment	\$	-
<b>Total/Revised Contract Value</b>	<b>\$</b>	<b>1,125,700.00</b>	<b>Total Contingency Value</b>	<b>\$</b>	<b>-</b>
<b>Total Dollar Authority (Contract Value and Contingency)</b>				<b>\$</b>	<b>1,125,700.00</b>

## Contract Authorization

Board of Directors Date: 07/02/2025 Committee Item # \_\_\_\_\_

## Contract Management (Internal Purposes Only)

Other Contracts \_\_\_\_\_ Sole Source? No No Budget Adjustment \_\_\_\_\_

Federal/Local \_\_\_\_\_ Professional Services (Non-A&E) \_\_\_\_\_

## Accounts Payable

Estimated Start Date: 05/01/2019 Expiration Date: 06/30/2026 Revised Expiration Date: \_\_\_\_\_

NHS: N/A QMP/QAP: N/A Prevailing Wage: N/A

							Total Contract Funding:		Total Contingency:	
	Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	
GL	6010	30	0315	0334	52001	42909014		Federal Land Sales	566,829.01	-
GL	6010	30	0315	0334	52001	42909015		Local Land Sales	141,707.00	-
GL	1040	30	0313	0360	52001	41200000		LTF - Rail	38,000.00	-
GL	MULT	30	MULT	MULT	52001	MULTIPLE		MULTIPLE	379,163.99	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-

Joy Buenaflor

Project Manager (Print Name)

Victor Lopez

Task Manager (Print Name)

Additional Notes:

Attachment: Contract 19-1002008 Amendment No. 4 Revised CSS (11494 : West Valley Connector - Program Budget Update and Contract

**AMENDMENT NO. 4 TO CONTRACT NO. 19-1002008**  
**FOR**  
**ON-CALL RIGHT-OF-WAY**  
**(OVERLAND, PACIFIC & CUTLER, LLC)**

This AMENDMENT No. 4 to Contract No 19-1002008 ("Contract") is made and entered into by and between San Bernardino County Transportation Authority ("SBCTA"), whose address is 1170 W. 3d Street, 2<sup>nd</sup> Floor, San Bernardino, California 92410-1715, and Overland, Pacific & Cutler, LLC ("CONSULTANT"), whose address is 2280 Market Street, Suite 340, Riverside, California 92501. SBCTA and CONSULTANT are each a "Party" and collectively "Parties."

**RECITALS:**

- A. SBCTA, under Contract No 19-1002008, engaged CONSULTANT to provide certain services related to On-Call-Right-of-Way Services ("Contract"); and
- B. On April 22, 2022, the Parties amended the Contract (Amendment No. 1) to exercise SBCTA's option to extend the Contract for the first one-year option through May 1, 2023; and
- C. On February 27, 2023, the Parties amended the Contract (Amendment No. 2) to add additional funding in the amount of \$2,000,000.00 to this and the other identified On-Call Right-Of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Seven Million Five Hundred Thousand (\$7,500,000.00), and to extend the Contract period of performance through June 30, 2026, with two optional one-year extensions; and
- D. On June 11, 2024, the Parties amended the Contract (Amendment No. 3) to add additional funding in the amount of \$2,000,000.00 to this and the other identified On-Call Right-Of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Nine Million Five Hundred Thousand (\$9,500,000.00); and
- E. The Parties desire to amend the Contract to add additional funding in the amount of \$1,500,000 to this and the other identified On-Call Right-of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Eleven Million (\$11,000,000).

**NOW, THEREFORE**, in consideration of the terms and conditions set forth herein, the Parties agree as follows.

1. ARTICLE 4.16 COMPENSATION is deleted and replaced in its entirety to read as follows:  

"The total amount payable by SBCTA for all Contract Task Orders resulting from the following Contracts--Epic Land Solutions, LLC (18-1001924), Bender, Rosenthal Inc. (19-1002007), Overland, Pacific & Cutler, LLC (19-1002008), and Paragon Partners Consultants, Inc. (19-1002009)--shall not exceed \$11,000,000. It is understood and agreed



that there is no guarantee, either expressed or implied, that this dollar amount will be authorized under this Contract through Contract Task Orders.”

2. The Recitals set forth above are incorporated herein by this reference.
3. Except as amended by this Amendment No. 4, all other provisions of the Contract, and Amendments thereto, shall remain in full force and effect and are incorporated herein by this reference.
4. This Amendment No. 4 is effective upon execution by SBCTA.

IN WITNESS WHEREOF, the Parties have duly executed this Amendment No. 4 below.

**OVERLAND, PACIFIC & CUTLER, LLC**

By: \_\_\_\_\_  
Brian Everett  
Manager

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Mark LaBonte  
Manager

Date: \_\_\_\_\_

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Ray Marquez  
Board President

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Julianna K. Tillquist  
General Counsel

Date: \_\_\_\_\_

**CONCURRENCE:**

By: \_\_\_\_\_  
Alicia J. Bullock  
Procurement Manager

Date: \_\_\_\_\_

## General Contract Information

Contract No: 19-1002009 Amendment No.: 4

Contract Class: Payable Department: Transit

Vendor No.: 02624 Vendor Name: Paragon Partners Consultants, Inc.

Description: 18-1001924 Epic Land Solutions, 19-1002007 Bender Rosenthal & 19-0002008 Overland Pacific & Cutler

## Dollar Amount

Original Contract	\$	1,375,000.00	Original Contingency	\$	-
Prior Amendments	\$	2,928,800.00	Prior Amendments	\$	-
Current Amendment	\$	375,000.00	Current Amendment	\$	-
<b>Total/Revised Contract Value</b>	<b>\$</b>	<b>4,678,800.00</b>	<b>Total Contingency Value</b>	<b>\$</b>	<b>-</b>
<b>Total Dollar Authority (Contract Value and Contingency)</b>				<b>\$</b>	<b>4,678,800.00</b>

## Contract Authorization

Board of Directors Date: 07/02/2025 Committee Item # \_\_\_\_\_

## Contract Management (Internal Purposes Only)

Other Contracts \_\_\_\_\_ Sole Source? No No Budget Adjustment \_\_\_\_\_

Federal/Local \_\_\_\_\_ Professional Services (Non-A&E) \_\_\_\_\_

## Accounts Payable

Estimated Start Date: 05/01/2019 Expiration Date: 06/30/2026 Revised Expiration Date: \_\_\_\_\_

NHS: N/A QMP/QAP: N/A Prevailing Wage: N/A

								Total Contract Funding:	Total Contingency:			
	Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	4,678,800.00	\$	-
GL:	6010	30	0315	0334	52001	42909014		Federal Land Sales		1,861,519.49		-
GL:	6010	30	0315	0334	52001	42909015		Local Land Sales		465,379.88		-
GL:	2130	30	0315	0334	52001	42107026		FTA SS/CIG		1,135,069.18		-
GL:	1040	30	0315	0360	52001	41200000		LTF - Rail		8,103.29		-
GL:	1040	30	0313	0360	52001	41200000		LTF - Rail		38,200.00		-
GL:	MULT	30	MULT	MULT	52001	MULTIPLE		MULTIPLE		1,170,528.16		-
GL:										-		-
GL:										-		-
GL:										-		-

Joy Buenaflor

Victor Lopez

Project Manager (Print Name)

Task Manager (Print Name)

Additional Notes:

Attachment: Contract 19-1002009 Amendment No. 4 Revised CSS (11494 : West Valley Connector - Program Budget Update and Contract

**AMENDMENT NO. 4 TO CONTRACT NO. 19-1002009****FOR****ON-CALL RIGHT-OF-WAY****PARAGON PARTNERS CONSULTANTS, INC.**

This AMENDMENT No. 4 to Contract No. 19-1002009 ("Contract") is made by and between San Bernardino County Transportation Authority ("SBCTA"), whose address is 1170 W. 3<sup>rd</sup> Street, 2nd Floor, San Bernardino, California 92410-1715, and Paragon Partners Consultants, Inc. ("CONSULTANT"), whose address is 5660 Katella Ave., Suite 100 Cypress, California 90630, SBCTA and Consultant are each a "Party" and collectively "Parties".

**RECITALS:**

- A. SBCTA, under Contract No. 19-1002009, engaged CONSULTANT to provide certain services related to On-Call Right-of-Way services ("Contract"); and
- B. On April 27, 2022, the Parties amended the Contract (Assignment and Amendment No. 1) to assign the Contract from Paragon Partners, Ltd. to Paragon Partners Consultants, Inc., pursuant to Article 40 of the Contract, and to exercise SBCTA's option to extend the Contract for the first one-year option through May 1, 2023; and
- C. On January 27, 2023, the Parties amended the Contract (Amendment No. 2) to add additional funding in the amount of \$2,000,000.00 to this and the other identified On-Call Right-Of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Seven Million Five Hundred Thousand (\$7,500,000.00), and to extend the Contract period of performance through June 30, 2026, with two optional one-year extensions; and
- D. On May 29, 2024, the Parties amended the Contract (Amendment No. 3) to add additional funding in the amount of \$2,000,000.00 to this and the other identified On-Call Right-Of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Nine Million Five Hundred Thousand (\$9,500,000.00); and
- E. The Parties desire to amend the Contract to add additional funding in the amount of \$1,500,000 to this and the other identified On-Call Right-of-Way Services contracts collectively, increasing the total amount to a not-to-exceed amount of Eleven Million (\$11,000,000).

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

- 1. ARTICLE 4.16 COMPENSATION, is deleted and replaced in its entirety to read as follows:  
 "The total amount payable by SBCTA for all Contract Task Orders resulting from the following Contracts--Epic Land Solutions, LLC (18-1001924), Bender, Rosenthal Inc. (19-1002007), Overland, Pacific & Cutler, LLC (19-1002008), and Paragon Partners Consultants, Inc. (19-1002009) shall not exceed \$11,000,000. It is understood and agreed

that there is no guarantee, either expressed or implied, that this dollar amount will be authorized under this Contract through Contract Task Orders.”

2. The Recitals set forth above are incorporated herein by this reference.
3. Except as amended by Amendment No. 4, all other provisions of the Contract, and Amendments thereto, shall remain in full force and effect and are incorporated herein by this reference.
4. This Amendment No. 4 is effective upon execution by SBCTA.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 4 below.

**PARAGON PARTNERS  
CONSULTANTS, INC.**

By: \_\_\_\_\_  
Neilia LaValle  
Chief Executive Officer

Date: \_\_\_\_\_

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Ray Marquez  
Board President

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Kevin Romito  
Chief Financial Officer

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Julianna K. Tillquist  
General Counsel

**CONCURRENCE:**

By: \_\_\_\_\_  
Alicia J. Bullock  
Procurement Manager

## ***Minute Action***

### AGENDA ITEM: 9

***Date:*** June 12, 2025

***Subject:***

Amendment No. 6 to Contract No. 18-1001870 with Parsons Transportation Group, Inc., for the West Valley Connector Project

***Recommendation:***

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

A. Approve Amendment No. 6 to Contract No. 18-1001870 with Parsons Transportation Group, Inc., for the West Valley Connector Project to increase the contract amount by \$261,947, for a total not-to-exceed amount of \$17,714,799.11, for design services during construction and related project management support through project completion, to be funded with Measure I Valley Express Bus/Bus Rapid Transit funds.

B. Approve an increase to the contingency in the amount of \$450,000 for a not-to-exceed amount of \$576,700 for Contract No. 18-1001870 and authorize the Executive Director, or his designee, to release contingency as necessary for the project.

***Background:***

In August 2017, under the Assignment, Assumption and Amendment Agreement No. 17-1001636, Omnitrans assigned to San Bernardino County Transportation Authority (SBCTA) all its rights, duties, and obligations under Omnitrans' services agreement with Parsons Transportation Group, Inc., (Parsons) for Environmental, Architectural, Engineering, and Final Design Services for the West Valley Connector (WVC) Project, except as it relates to the Active Transportation Program related services. For administrative tracking purposes, SBCTA assigned Contract No. 18-1001870 to the service agreement and through this assignment, established a contract period of November 10, 2015 through December 31, 2023.

Since the assignment of the Parsons contract to SBCTA, several amendments have been executed. On November 1, 2023, the SBCTA Board of Directors (Board) approved Amendment No. 5 to Contract No. 18-1001870, extending the contract duration through June 30, 2026, with two one-year option terms, to allow Parsons to continue to provide necessary design services during construction, and ensure those services align with the final phase and contract close-out of the WVC Project. Prior to that, on August 2, 2022, Amendment No. 4 was executed for final design services through July 2022 and continued project management and other support services for Phase I of the Project through January 2023. Additional design and support services included completion of safety and security documents, safety and security workshops, modifications for the design at Pomona Transit Center, final design plans, specifications, and estimates for the charging infrastructure at West Valley Maintenance Facility, and other support services related to Southern California Edison (SCE) work. Amendment No. 4 also increased the contract not-to-exceed amount to \$17,189,836.11. Prior to Amendment No. 4, the contract was amended three times to increase the contract price for additional support, procurement of project-specific insurance required by SBCTA, design of the West Valley Maintenance Facility, environmental mitigation and other related services, adding a total of approximately \$4.2 million to the contract price. Further, there have been 12 releases of contingency, totaling \$1,185,300.

*Entity: San Bernardino County Transportation Authority*

## Transit Committee Agenda Item

June 12, 2025

Page 2

In March 2023, Parsons submitted the final design package to SBCTA. Sequentially, the construction contract was listed for bid in May 2023, and a contract was awarded to Griffith Company on September 6, 2023. Parsons continues to provide design services during construction and coordination with SCE for utility relocation. As construction continues, staff identified conditions where additional Parsons support is needed, including right-of-way (ROW) support for the active cases in which SBCTA continues to negotiate with property owners and new utility service connections.

As a result of delay in construction start and additional support expected through project completion, staff is recommending the Board approve an amendment to increase the total contract amount by \$261,947 for a new not-to-exceed amount of \$17,714,799.11 for continued project management, utility relocation coordination services, and design services during construction. Additionally, a contract contingency of \$450,000 is recommended to address the redesign effort and continued ROW settlement support for active cases.

***Financial Impact:***

This contract is included in the adopted Budget for Fiscal Year 2025/2026 and funded with Local Projects funds, Measure I - Express Bus/BRT funds, and Federal Transit - 5309 American Rescue Plan Stimulus funds for Program 30, Transit.

***Reviewed By:***

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

***Responsible Staff:***

Joy Buenaflor, Deputy Director of Transit & Rail Programs

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

## General Contract Information

Contract No: 18-1001870 Amendment No.: 6

Contract Class: Payable Department: Transit

Vendor No.: 01600 Vendor Name: Parsons Transportation Group, Inc.

Description: Services Agreement for Architectural, Engineering, and Final Design Services for the West Valley Connector Project

List Any Related Contract Nos.: \_\_\_\_\_

Dollar Amount							
Original Contract		\$	6,495,780.54	Original Contingency		\$	-
Prior Amendments		\$	6,430,040.00	Prior Amendments		\$	1,312,000.00
Prior Contingency Released		\$	1,185,300.00	Prior Contingency Released (-)		\$	(1,185,300.00)
Current Amendment		\$	261,947.00	Current Amendment		\$	450,000.00
Total/Revised Contract Value		\$	14,373,067.54	Total Contingency Value		\$	576,700.00
	Total Dollar Authority (Contract Value and Contingency)					\$	14,949,767.54

## Contract Authorization

Board of Directors Date: 07/02/2025 Committee \_\_\_\_\_ Item # \_\_\_\_\_

## Contract Management (Internal Purposes Only)

Other Contracts \_\_\_\_\_ Sole Source? No No Budget Adjustment \_\_\_\_\_

Federal/State/Local \_\_\_\_\_ Environmental Design \_\_\_\_\_ N/A \_\_\_\_\_

## Accounts Payable

Estimated Start Date:				07/01/2021		Expiration Date:				06/30/2026		Revised Expiration Date:							
NHS:				N/A		QMP/QAP:				N/A		Prevailing Wage: Yes							
												Total Contract Funding:		Total Contingency:					
Fund		Prog		Task		Sub-Task		Object		Revenue		PA Level		Revenue Code Name		\$	14,373,067.54	\$	576,700.00
GL: 4160		30		0315		0334		52001		41100000				MSI Valley Fund Express			4,138,072.87		576,700.00
GL: 2130		30		0315		0334		52001		42107027				FTA ARP			5,003,874.96		-
GL: 6010		30		0315		0334		52001		42909007				Omnitrans_Capital			747,247.00		-
GL: 6010		30		0315		0334		52001		42909014				Omnitrans_Fed Land Sale			3,587,098.17		-
GL: 6010		30		0315		0334		52001		42909015				Omnitrans_Loc Land Sale			896,774.54		-
GL:																	-		-
GL:																	-		-
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Joy Buenaflor

Project Manager (Print Name)

Victor Lopez

Task Manager (Print Name)

Additional Notes: Original contract between Omnitrans and Vendor was \$9,837,512.11; however, SBCTA assumed only \$6,495,780.54 of original agreement as Omnitrans already expended \$3,341,731.57 with the vendor. Current contract authority is to include original contract amounts, all amendments, and all contingency releases. Therefore, full contract authority to vendor is as follows: Original contract amount (\$9,837,512.11) + Amendment 1 (\$1,275,000) + Amendment 2 (\$1,045,000) + Amendment 3 (\$1,894,812) + Amendment 4 (\$2,215,228) + Amendment 6 (\$261,947) Contingency Releases 1 thru 12 (\$1,185,300) = \$17,714,799.11

**AMENDMENT NO. 6 TO CONTRACT NO. 18-1001870, SERVICES AGREEMENT  
WITH PARSONS TRANSPORTATION GROUP, INC.,  
FOR  
ENVIRONMENTAL, ARCHITECTURAL, ENGINEERING AND FINAL DESIGN  
SERVICES FOR THE WEST VALLEY CONNECTOR CORRIDOR**

This Amendment No. 6 to the SERVICES AGREEMENT ("Amendment No. 6") is made by and between the San Bernardino County Transportation Authority ("SBCTA") and Parsons Transportation Group, Inc. ("CONSULTANT"). SBCTA and CONSULTANT are each a "Party" and are collectively the "Parties" herein.

**RECITALS:**

Omnitrans ("OMNITRANS") and CONSULTANT entered into an Agreement for Architectural, Engineering and Final Design Services ("SERVICES AGREEMENT") for the West Valley Connector Corridor ("PROJECT"), effective November 17, 2015 (OMNITRANS Ref No. MKP15-37).

- A. Under SBCTA Contract No. 17-1001636, Assignment, Assumption, and Amendment Agreement, OMNITRANS assigned, and SBCTA assumed, OMNITRANS' rights, duties and obligations under the SERVICES AGREEMENT, including five amendments (with the exception of the Active Transportation Program (ATP) (SBCTA Contract No. 18-1001870)).
- B. On December 15, 2017, the CONSULTANT and SBCTA entered into Amendment No. 1 to Contract No. 18-1001870 to increase the contract price by \$1,275,000 for additional support required and procurement of project-specific insurance, as required by SBCTA.
- C. On May 2, 2018, the CONSULTANT and SBCTA entered into Amendment No. 2 to Contract No. 18-1001870 to increase the contract price by \$1,045,000 for Federal Transit Administration (FTA) directed inclusion of the operations and maintenance facility required for the PROJECT.
- D. On May 10, 2021, the CONSULTANT and SBCTA entered into Amendment No. 3 to Contract No. 18-1001870 to increase the contract price by \$1,894,812 for additional project management services, environmental re-evaluation and mitigation, and other engineering, right of way, modeling and permitting work.
- E. Between March 3, 2019, and August 11, 2021, SBCTA approved eight (8) contingency releases to the CONSULTANT, increasing the contract price by \$922,284, to complete PROJECT requirements imposed by SBCTA and FTA.
- F. On August 2, 2022, CONSULTANT and SBCTA entered into Amendment No. 4 to Contract No. 18-1001870 to augment the Scope of Work and to increase the contract price by \$2,215,228.00 for final design of en-route charging facilities, final design of pantograph chargers at the West Valley Maintenance Facility, project management services, and other utility work.
- G. On December 5, 2023, CONSULTANT and SBCTA entered into Amendment No. 5 to Contract No. 18-1001870 to extend the contract period of performance date to June 30, 2026, and adding two optional one-year extensions, to ensure the continuation of services to align with the construction phase of the West Valley Connector Corridor.



- H. Between February 7, 2024, and May 23, 2025, SBCTA approved four (4) contingency releases to the CONSULTANT, increasing the contract price by \$263,016, to complete PROJECT requirements requested by Southern California Edison.
- I. CONSULTANT and SBCTA desire to amend Contract No. 18-1001870 to increase the contract price by \$261,947.00 to provide continued design support during construction, additional support for SCE utility coordination and relocations, and project management.

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

1. Article 3 “COMPENSATION” of the SERVICES AGREEMENT shall be deleted and replaced in its entirety with the following:

“3. COMPENSATION

For CONSULTANT’s full and complete performance of its obligations under this agreement, SBCTA shall pay CONSULTANT on a LUMP SUM basis as shown in Exhibit A.6 and subject to the maximum cumulative payment obligation.

SBCTA’s maximum payment obligation to CONSULTANT under the SERVICES AGREEMENT shall be Seventeen Million, Seven Hundred Fourteen Thousand, Seven Hundred Ninety-Nine Thousand and Eleven cents (\$17,714,799.11), excluding any amounts for such task already paid to CONSULTANT by Omnitrans prior to the Effective Date of the AGREEMENT.”

2. Except as otherwise specified herein or in Exhibit B.6, the modified and additional services set forth in Exhibit B.6 shall be compensated in the same manner and under the same procedures as provided in the SERVICES AGREEMENT and are subject to the amended maximum payment obligation figure set forth in paragraph 1 above. Exhibit A.6 to this Amendment No. 6 contains the projected budget for the cost components of the price increase negotiated by the parties for the completion of the modified and additional services set forth in Exhibit B.6.
3. The Recitals set forth above are incorporated herein by this reference.
4. Except as amended by this Amendment No. 6, all provisions of the SERVICES AGREEMENT, as previously amended, shall remain in full force and effect and are incorporated herein by this reference.
5. Exhibits A.6 and B.6 are attached to and incorporated into this Amendment No. 6.
6. This Amendment No. 6 is effective on the date executed by SBCTA.

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

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 6 below.

**PARSONS TRANSPORTATION  
GROUP, INC. AN ILLINOIS  
CORPORATION**

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_ Nicole  
DePuy, P.E.  
Vice President

By: \_\_\_\_\_  
Ray Marquez  
President, Board of Directors

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Julianna K. Tillquist  
General Counsel

**CONCURRENCE:**

By: \_\_\_\_\_  
Alicia J. Bullock  
Procurement Manager

Attachment: 18-1001870-06 (11438 : Amendment No. 6 to Contract No. 18-1001870 with Parsons Transportation Group, Inc)

**EXHIBIT A.6**  
**Contract No. 18-1001870 - AMENDMENT No. 6**  
**TASK SUMMARY**

**Parsons Professional Services Estimate - Amendment 6**

**Amendment Estimate Summary Sheet**

**Job Name: West Valley Connector Corridor Project**

**Contract Number: 18-1001870**

**Job Location: Pomona, Montclair, Ontario, & Rancho Cucamonga, CA**

TASKS	DESCRIPTION		FEE
1	PROJECT MANAGEMENT		
	PM - Feb/Mar 2023	\$	46,133
	PM - Through Project Closeout	\$	49,291
	Escalation	\$	31,168
12	DESIGN SUPPORT DURING CONSTRUCTION		
	Task 12.0 Design Support During Construction	\$	100,780
14	MISCELLANEOUS SERVICES		
	Task 14.0 Miscellaneous Services	\$	34,575
		<b>Total</b>	<b>\$ 261,947</b>

## EXHIBIT B.6

### SERVICES AGREEMENT - AMENDMENT No. 6

#### ADDITIONAL SCOPE OF WORK TO THE SERVICES AGREEMENT

#### BACKGROUND

On December 5, 2023, Amendment No 5 was approved by the San Bernardino County Transportation Authority (SBCTA) as a no-cost time extension for the West Valley Connector (WVC) Project. The Period of Performance was extended through June 30, 2026, with an option to extend the term of the Contract for two one-year option terms, up to June 30, 2028. Additional Design Support Services are required to support the project for the added contract time. The purpose of Amendment No. 6 is to add budget to support the project through to the new contract end date.

#### Task 1.20 – Project Management

The Consultant previously requested additional project management that covered up to January 2023. However, since the delay of receiving plan check review comments from various agencies, Consultant is requesting additional management budget for 2 additional months, up to March 2023 to recapture the slipped PS&E delivery schedule from Amendment No. 4. During this time, the Consultant responded to delayed & additional comments from the City of Ontario and additional comments from the CM team. The Consultant responded to these comments, producing a post-Final PS&E package, allowing the project to stay on schedule. Contract/Project Management time is included for Contract/Project Management January 1, 2025 to June 30, 2026

Escalations are prorated into Task 1.20.

This following is the basis of the escalation amounts:

The Final Design was anticipated to be completed by June 2022. A delay in the project schedule required the final design of the project to go into 2023. Previously, an escalation yearly factor, based on the federal rate was applied from the year in which tasks were projected to be completed. This scope includes escalation to the end of March 2023.

- Final Design (Tasks 9 and 10) was previously scheduled to end June 2022. This is 9-months of escalation.
- Bid Period Services (Task 11) was previously scheduled to end June 2022. This is 9-months of escalation.

*Assumption:*

Escalation will be based on federal rate and applied only on the remaining effort in each task performed in the period subject to additional escalation.

**Task 12.2 Design Services during Construction – West Valley Connector Mainline**

The Consultant will provide continued Design Services during Construction (DSDC) to the new end of construction date of June 30, 2026. Optional support to June 30, 2028, will be provided in a future Amendment as required. The following items are included to determine a basis of cost and work effort required. The timeframe below is estimated from January 1, 2025, to June 30, 2026 (18 months).

The Consultant shall:

- A. Prepare 40 Agenda/Actions and lead weekly DSDC Meetings (original scope included 25 meetings; 59 meetings completed by January 2025).
- B. Attend 12 Resident Engineer (RE) construction progress meetings.
- C. Respond to 50 requests for information (RFI's) and other technical issue resolution posed by the construction contractor(s).
- D. Attend 3 Partnering meetings.

*Deliverables:*

- Forty Agenda/Action items DSDC progress meetings
- 50 RFI's

**Task 14J Additional SCE Utility Coordination/relocation support**

The original scope included utility relocation support up to award of the construction contract. During design, Parsons identified conflicts for relocation. During construction, SCE is reviewing the conflicts and requesting Parsons to review the identified conflicts in the Conformed Plans, with the intent to protect in place or assist with additional solutions for relocations. Therefore, additional design related utility relocation support is needed for third-party utility that are being relocated during construction. Consultant will review SCE prepared relocation designs for SBCTA signature approval. Consultant will coordinate with the CM team on anticipated design needs associated with utility relocations. Effort included as part of this task is from January 1, 2025, through to June 30, 2026.

*Deliverables:*

- Coordinate and review SCE Relocation designs (up to 8 SCE designs)
- Attend SCE and CM Team utility relocation meetings (up to 24 total).

## *Minute Action*

AGENDA ITEM: 10

**Date:** June 12, 2025

**Subject:**

Ontario International Airport Connector Project Update

**Recommendation:**

Receive and file an update on the Ontario International Airport Connector Project.

**Background:**

The Ontario International Airport (ONT) Connector Project (Project) will provide new passenger service between the Rancho Cucamonga Metrolink Station (Cucamonga Station) and ONT utilizing fully autonomous, all-electric, rubber-tired transit vehicles. The proposed Project includes the construction of a 4.2-mile-long transit service tunnel, stations to serve the Cucamonga Station and ONT Terminal; a maintenance and storage facility to store and maintain vehicles; and an emergency access and ventilation shaft to provide a means of emergency passenger egress and first responder access. This new connection will increase mobility and connectivity for transit patrons, improve access to existing transportation services, provide a connection to future Brightline West service to/from ONT, and support the deployment of clean, emerging technology for transit opportunities between the Cucamonga Station and ONT.

The Project offers multifaceted benefits, positioning the Inland Empire as a key technology, transportation, and economic hub, which include:

- **Technical Innovation-Autonomous Transit:** The ONT Connector will deploy autonomous electric transit vehicles, providing on-demand service meeting all connection needs. This system ensures seamless connectivity to the ONT, reducing reliance on personal vehicles and enhancing first/ last-mile solutions.
- **ONT and Regional Attractions:** The Project provides an environmentally friendly direct airport connection. ONT is one of the nation's fastest-growing passenger airports, currently serving over 7 million passengers annually and projected to reach 30 million by 2045.
- **Metrolink Integration:** The Cucamonga Station is one of the most utilized stations on the highest ridership Metrolink line, the San Bernardino Line (SBL). The SBL is scheduled to offer 30-minute weekday bi-directional service between Los Angeles and Redlands starting in 2028.
- **Integration with Brightline West High-Speed Rail:** The Project seamlessly connects to the Brightline West service, a \$12 billion initiative linking Las Vegas to Rancho Cucamonga, including important stops in the High Desert. Expected to serve over 13 million one-way passengers annually, Brightline West will provide a 2-hour, 200-mph trip from Las Vegas, offering a faster, eco-friendly alternative to the 4-hour drive. Brightline will also provide a local rail service from Hesperia to Cucamonga Station, a critical connection between San Bernardino Valley and the High Desert. The Project will provide the final direct link to ONT for High Desert residents and businesses.

*Entity: San Bernardino County Transportation Authority*

## Transit Committee Agenda Item

June 12, 2025

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The environmental clearance was completed in April 2025 and the Project is currently in the Design-Build (DB) contract procurement phase. On July 3, 2024, the San Bernardino County Transportation Authority Board of Directors (Board) approved moving forward with the procurement process by shortlisting two DB firms, ONTheMove Joint Venture and Ontario Tunnel Constructors, and three Operating System Providers (OPS), Glydways, Inc., Oceaneering International, Inc., and Ohmio, Inc. However, on March 18, 2025, Oceaneering International, Inc. provided written notice formally withdrawing from the procurement process, leaving two shortlisted OSP teams, which have now teamed up with one of the DB teams. The proposal submittal date is scheduled for September 30, 2025 with the evaluation process being completed in time for a recommendation to award the DB contract and a separate OSP contract in December 2025. The overall program schedule milestones include:

- Environmental Clearance: Completed April 2025
- DB Bids Due: September 30, 2025
- DB Contract Award: December 3, 2025
- Final Design: 2026-2027
- Construction: 2027-2031 (pending funding availability)
- Operations: 2031(pending funding availability)

Closing the funding gap is the critical path activity, meaning it will drive the project schedule. The major milestone schedule shown above is subject to adjustments based on grant cycles and closing the funding gap. As previously discussed with the Board, the DB contract includes multiple “notices to proceed” to allow the advancement of the final design while funding is still being secured.

On February 5, 2025, the Board approved the 2025 update to the 10-Year Delivery Plan, which included the latest project estimate at \$696 million with an unfunded need of \$483 million. Project development costs to date are approximately \$20 million, which includes conceptual engineering, environmental clearance, grant applications, and, expenditures related to the ongoing procurement process. The current funding approved for the Project is noted below:

**Table 1. Current Funding Plan**

Source	Type	Amount (thousands)
FTA 5307	Federal	\$ 21,000
Congestion Mitigation and Air Quality (CMAQ)	Federal	\$ 1,980
Low Carbon Transit Operations Program (LCTOP)	State	\$2,000
Rail Assets	Local	\$980
State Transit Assistance (STA)	Local	\$55,862
Local Transportation Funds (LTF)	Local	\$131,491
Sub-total		\$213,313
Current Funding Gap		\$482,678

Closing the funding gap requires substantial State and Federal funding from highly competitive grant programs. In July 2024, the Board approved proceeding with submitting grant applications as needed to continue to close the funding gap. The following grant applications have been submitted, and grant awards are expected to be announced in the summer of 2025:

- State-Solutions for Congested Corridors Program (SCCP): \$80 million
- Federal-Better Utilizing Investments to Leverage Development (BUILD): \$25 million

The strategy to close the funding gap includes submitting applications for the State Transit and Intercity Rail Capital Program and the Federal Transit Administration Capital Investment Grants program. Both programs are highly competitive and the amounts requested will be determined based on the outcome of the BUILD and SCCP grant awards.

Delivering large capital projects requires the project delivery team to identify, monitor, and mitigate project risks in order to minimize impacts on the overall Project. Some of the major Project risks that have the potential to impact the Project scope, costs, and schedule include:

- *Cost:* Potential increases to overall cost due to unforeseen construction challenges and uncertain economic conditions.
- *Funding Uncertainty:* A large funding gap requires substantial Federal and State grant funding, which introduces risks associated with grant cycles and political priorities, potentially delaying the Project if funding is not secured.
- *Technology and Regulatory Approvals:* The use of autonomous vehicles for a public transit service in an underground tunnel is a new application that requires robust testing to ensure safety and reliability.
- *Coordination with Other Construction Projects:* At this time, it is expected that Brightline West construction will precede ONT Connector construction; however, there could be some overlapping activities towards the end of construction at Cucamonga Station, which increases construction coordination and complexity. ONT is in the process of developing a central terminal design, which will require close coordination. The final location of the ONT station must be known by December 2025, and to mitigate cost and schedule impacts, it should be largely consistent with the conceptual plan location.

In 2014, SBCTA studied various options for a direct connection between the Metrolink SBL and ONT. These included traditional Metrolink service, Arrow Service, light rail/Gold Line, and bus shuttle. The study was conducted before the viability of dedicated autonomous services was introduced as another practicable alternative. The cost estimates for the rail options ranged from \$600 million to \$776 million in 2014 dollars. They would be substantially more in today's dollars, in the range of \$900 million to \$1.2 billion, and have a greater impact on private property than the ONT Connector. They would also have congestion impacts at the rail/road interfaces unless costly grade separations were constructed. Connecting to ONT from Cucamonga Station serves the communities throughout the San Bernardino Valley, on or near the Metrolink SBL, both east and west of ONT. With the introduction of local rail service from Brightline West, the High Desert will also be served.

### ***Financial Impact:***



Transit Committee Agenda Item  
June 12, 2025  
Page 4

This item has no financial impact on the adopted Budget for Fiscal Year 2025/2026.

***Reviewed By:***

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

***Responsible Staff:***

Victor Lopez, Director of Transit & Rail Programs

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

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San Bernardino County Transportation Authority

## ***Minute Action***

### AGENDA ITEM: 11

***Date:*** June 12, 2025

***Subject:***

Metrolink San Bernardino Line Frequency

***Recommendation:***

Receive an update on Metrolink frequency on the San Bernardino Line.

***Background:***

On January 27, 2025, the Southern California Regional Rail Authority (SCRRA) released a schedule change that added five roundtrip trains from the Montclair Station to Los Angeles (LA) Union Station. With this addition, there are 22 roundtrip trains providing service at Montclair; 16 of the trains service all stations on the San Bernardino Line between San Bernardino Downtown Station and LA Union Station, one train services all stations between Redlands Downtown Station and LA Union Station, and the remaining five service stations between Montclair Station and LA Union Station. The January schedule change was prompted by SCRRA's launch of an "optimized schedule" on October 21, 2024, often referred to as "Metrolink Reimagined", which was an ambitious goal that negatively impacted Metrolink's service and reliability for customers on the San Bernardino Line. However, since January, on-time performance and reliability have improved on the San Bernardino Line.

The goal of the optimized schedule was to provide more flexibility with the addition of mid-day trip options to reach non-traditional weekday commuters and to streamline connections and reduce dwell time for transfers at LA Union Station. On the San Bernardino Line, the optimized schedule originally added 10 roundtrip trains between Covina and LA Union Station and removed one roundtrip train from the San Bernardino Downtown Station. The schedule included 27 roundtrip trains on the San Bernardino Line, 17 of which served Montclair and included express service between Redlands Downtown and LA Union Stations. The remaining 10 roundtrip trains serviced Covina to LA Union Station. Before the optimized schedule, 18 trains serviced Montclair, which included one express train.

SCRRA has developed a Service Growth Development Plan (Plan) for future service transformation and growth system-wide. The first phase was Metrolink Reimagined launched this past October. The next phase is to expand weekend service in Fiscal Year 2026/2027 on the San Bernardino Line to bi-hourly. The third phase is expected to be active for the 2028 Olympics in Fiscal Year 2028/2029, increasing weekday service to half-hourly during the A.M. and P.M., and hourly on weekends between Rancho Cucamonga and LA Union Stations. The last phase would provide enhancements to service on the Antelope Valley Line only. The estimated operating support required for the system-wide expansion is nearly \$80 million, broken down to \$10 million for the Fiscal Year 2026/2027 weekend expansion and \$70 million for the Fiscal Year 2028/2029 weekday and weekend expansion. These costs have not been split by member agency, nor have additional funding sources been identified. The SCRRA Board of Directors discussed dedicated funding sources at the March 28, 2025 Board Workshop, and SCRRA staff is shortlisting options for future discussion with the member agencies.

*Entity: San Bernardino County Transportation Authority*

Transit Committee Agenda Item  
June 12, 2025  
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Following a request from the Transit Committee on April 10, 2025, staff is providing this update on Metrolink trains servicing the Montclair Station on the San Bernardino Line.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2025/2026.

***Reviewed By:***

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

***Responsible Staff:***

Nicole Soto, Multimodal Mobility Programs Administrator

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

## ***Minute Action***

### AGENDA ITEM: 12

***Date:*** June 12, 2025

***Subject:***

Gold Line to Montclair Project Update

***Recommendation:***

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

A. Receive an update on the Gold Line to Montclair Project.

B. Consider reallocating \$37,199,643 of SBCTA funds currently allocated to the Gold Line to Montclair Project to other SBCTA-funded operations and project needs and discontinuing a fund reserve for future operations.

***Background:***

The Metro Foothill Gold Line Phase 2B project includes 12.3 miles of light-rail track construction between the Cities of Azusa and Montclair, primarily in Los Angeles County, except for 0.65 miles of construction in San Bernardino County, which contains the planned eastern terminus at the Montclair Transit Center, as shown in Attachment A. The overall Phase 2B project is divided into two sections: Phase 2B1 extends from Glendora to Pomona, and Phase 2B2 (Project) extends from Pomona to Montclair.

On May 7, 2025, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) received a Project update and directed staff to seek further clarification from the Metro Gold Line Foothill Extension Construction Authority (Construction Authority) and return to the Transit Committee in June to consider reallocating \$37,199,643 of SBCTA funds currently allocated to the Project to other SBCTA-funded operations, which is included as Attachment B. A letter was sent to the Construction Authority on April 18, 2025, and included a request for a meeting on May 12, 2025. The Construction Authority provided a response letter, included as Attachment C, and a meeting was held with SBCTA and Construction Authority representatives on May 12, 2025, which included a presentation from the Construction Authority, included as Attachment D.

The total allocation approved by the Board for the Project is \$39 million, of which about \$1.9 million has been expended to date and which, when combined with the \$41 million of 2018 Transit and Intercity Rail Capital Program (TIRCP) funds awarded towards the San Bernardino County portion of the Project, provided a total of \$80 million available for the Project. The latest Project cost for the San Bernardino County segment ranges from approximately \$110 million to \$188 million, with the low end of the range representing the latest estimate developed for the Project and the high end of the range representing the Project cost using the bid previously received by the Construction Authority from the design-build procurement process. The estimate provided does not include commissioning or other costs that might need to be paid to the Los Angeles County Metropolitan Transportation Authority to begin service. That means SBCTA will need to allocate at least \$30 million, and potentially up to \$108 million, to cover the current funding gap for the San Bernardino segment. Closing the funding gap will need to come from other future projects that already have a funding gap, as identified in the 10-Year Delivery

*Entity: San Bernardino County Transportation Authority*

## Transit Committee Agenda Item

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Plan, such as the Ontario International Airport (ONT) Connector and the procurement of additional Zero-Emission Multiple Units, or potentially from funding that would otherwise be used for future unknown transit capital and operations needs, including Metrolink, Arrow Service, and Omnitrans.

The Construction Authority has initiated procurement activities to hire a design contractor and anticipates awarding the contract in October 2025. The Construction Manager at Risk (CMAR) is expected to be hired in February 2026. The Guaranteed Maximum Price bid is expected to be submitted by the CMAR firm in February 2026. The estimated cost to advance the Project using the CMAR delivery method to the point where new bids are received is \$15.4 million, which is the amount the Board will need to approve to fund the next phase of the Project. Allocating additional funding to close the current funding gap should be done once the CMAR team receives the actual bid. Below is the expected delivery schedule:

Expected Project Delivery Schedule\*

Activity	Timing
Request for Proposals (RFP) for Designer	June 2025
RFP for CMAR	September 2025
Designer Contract Award	October 2025
CMAR Contract Award	February 2026
Minor Construction Projects Begin	December 2026
CMAR Bids w/ Guaranteed Maximum Price (GMP typically at 80-90% Design)	August 2027
Design Complete (100%)	October 2027
If Required, Bid 100% Design	December 2027
Project Complete (if CMAR bid was ok)	June 2031

\*Preliminary draft schedule; subject to revision

The CMAR delivery method was introduced by Assembly Bill 1932 (Daly), which allows public entities, with the approval of its governing board, to utilize CMAR for projects on property the county owns or leases. SBCTA raised this topic with the Construction Authority since we have received legal guidance that the Construction Authority does not have the legal authority to use the CMAR delivery method since they are not a public entity as defined in the applicable Public Contract Code. The Construction Authority has opined that its enabling legislation is sufficiently broad to permit the Construction Authority to use alternative project delivery methods, including CMAR. Since the Project includes TIRCP funds, a letter has been sent to the California State Transportation Agency (CalSTA) to get further clarification, and we are waiting for a formal response. In the event that the TIRCP funds do not become eligible funds, SBCTA will need to cover the additional \$41 million currently funded by TIRCP funds.

The other topic discussed at length with the Construction Authority at the May 12, 2025 meeting was the need for increased collaboration and to memorialize the commitment via a Memorandum of Understanding (MOU) as well as to update the representation on the Construction Authority Board to include voting members that represent the communities of the Project segment. The Construction Authority will be presenting an update to their Board at their June 12 meeting, including the need to enter into a MOU. With the concurrence of the Construction Authority

San Bernardino County Transportation Authority

## Transit Committee Agenda Item

June 12, 2025

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Board, the MOU will then be drafted to memorialize the communication and reporting obligations. The Legislative Policy Committee meeting scheduled for June 11, 2025, includes an item that recommends authorizing SBCTA to pursue legislation to add two voting members to the Metro Gold Line Foothill Extension Construction Authority Board of Directors, one to be appointed by the City of Montclair and one to be appointed by SBCTA. A copy of the Legislative Policy Committee meeting staff report is included as Attachment E.

Based on the overall schedule and procurement history of the Construction Authority to extend the Gold Line service to Montclair, recent and upcoming improvements to Metrolink service along the same corridor, and the limited operations funds, the prior funding allocated to the Project and any reserves for future operations should be considered for reallocation to other existing SBCTA Board priorities and programs.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2025/2026.

***Reviewed By:***

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

***Responsible Staff:***

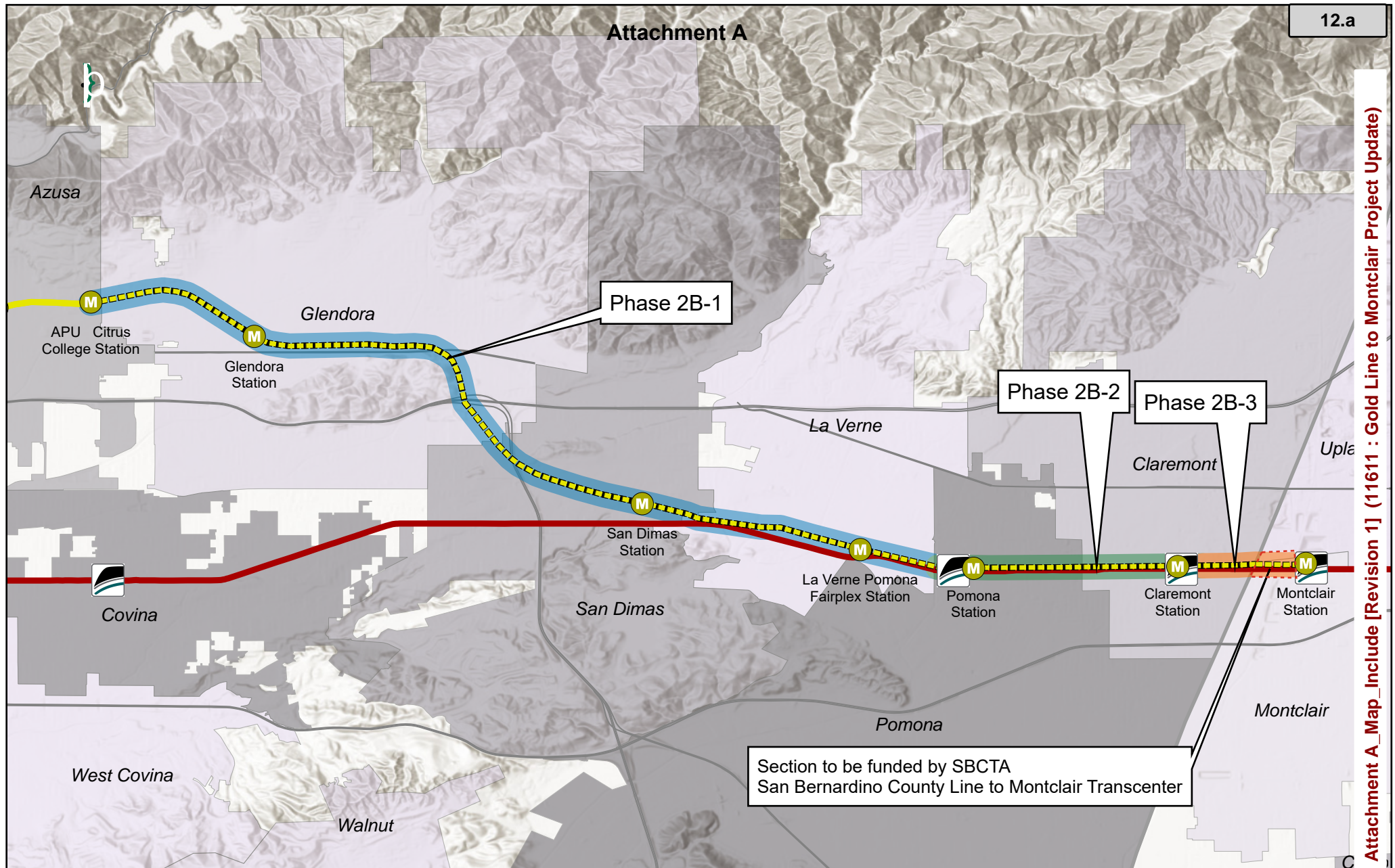
Victor Lopez, Director of Transit & Rail Programs

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Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

Attachment A



Metrolink Stations



San Bernardino Metrolink Line



Metro A Line Stations



Metro A Line (Existing)



Metro A Line (Proposed Extension)

**Foothill Extension - Proposed Alignment Anticipated Construction Timelines**



Phase 2B-1: Glendora to Pomona North Metrolink Station – Construction Underway 2019 to 2025



Phase 2B-2: Pomona North Metrolink Station to Los Angeles San Bernardino County Line – Construction Planned 2025 to 2031



Phase 2B-3: Los Angeles San Bernardino County Line – Construction Planned 2025 to 2031



## *Minute Action*

AGENDA ITEM: 29

**Date:** May 7, 2025

**Subject:**

Gold Line to Montclair Project Update

**Recommendation:**

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

- A. Receive an update on the Gold Line to Montclair Project and provide direction as appropriate.
- B. ~~Consider reallocating \$37,199,643 of SBCTA funds to other SBCTA-funded operations and project needs and discontinuing a fund reserve for future operations.~~ **Direct staff to seek further clarification from the Metro Gold Line Foothill Extension Construction Authority and return to the Transit Committee in June to consider reallocating \$37,199,643 of SBCTA funds to other SBCTA-funded operations and project needs and discontinuing a fund reserve for future operations.**

**Background:**

The Metro Foothill Gold Line Phase 2B project includes 12.3 miles of light-rail track construction between the Cities of Azusa and Montclair, primarily in Los Angeles County, except for 0.65 miles of construction in San Bernardino County, which contains the planned eastern terminus at the Montclair Transit Center, as shown in Attachment A. The overall Phase 2B project is divided into two sections: Phase 2B1 extends from Glendora to Pomona, and Phase 2B2/2B3 (Project) extends from Pomona to Montclair.

On May 1, 2024, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) received a Project update and approved increasing the total allocation to \$39 million, of which about \$1.9 million has been expended to date and which, when combined with the \$41 million of 2018 Transit and Intercity Rail Capital Program (TIRCP) funds awarded towards the San Bernardino County portion of the Project, provided a total of \$80 million available for the Project as an interim funding step until the design-build contract and other costs were further defined. The Board also directed staff to negotiate a reimbursement agreement with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to memorialize the additional funds allocated by the SBCTA Board for the Project. The complete staff report is included as Attachment B.

The Metro Gold Line Foothill Extension Construction Authority (Construction Authority) asserted that having the reimbursement agreement in place and included as part of the Request for Proposals (RFP) packet was critical to reducing the unnecessary risk of money being added by the bidders to their bid price due to the perceived uncertainty. In October 2024, the LACMTA Board approved an amendment with the Construction Authority allocating \$798 million in TIRCP formula funding authorized by Senate Bill 125, which included the \$41 million TIRCP funds for costs in San Bernardino County, and reference to the additional \$39 million allocated by the SBCTA Board in May 2024.

*Entity: San Bernardino County Transportation Authority*



## Board of Directors Agenda Item

May 7, 2025

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The Construction Authority issued a request for qualifications for the design-build contractor in March 2024 and shortlisted one contractor in July 2024 to submit a response to the Authority's RFP. The Construction Authority expected to receive a firm, fixed-price proposal from its design-build contractor in early 2025, and bids were received in late February 2025. The Construction Authority then worked with the design-build contractor to refine the contract documents to reduce costs and risk for the design-builder. However, the best and final offer was received in late March 2025 and remained hundreds of millions of dollars above the Construction Authority's independent cost estimates and available funding. The bid for the San Bernardino County portion was approximately \$170.6 million, which is \$90.6 million more than the \$80 million anticipated by SBCTA in May 2024.

On March 26, 2025, the Construction Authority Board directed staff to cancel the ongoing design-build procurement and pursue a new plan to deliver the project using the Construction Manager at Risk (CMAR) delivery method. It should be noted that the statute governing the CMAR delivery method, Assembly Bill 1932 (Daly), allows a public entity, with the approval of its governing board, to utilize CMAR for projects on property the county owns or leases. The proposed Project lies largely on property owned by either LACMTA or SBCTA, neither being counties. The Construction Authority staff anticipates providing more details on the new plan, including a timeline for expediting project delivery with a new RFP for design to be released in June 2025.

Over the last several years, the Metro Foothill Gold Line extension to Montclair has experienced cost increases, schedule delays, and has gone through different procurement approaches. In November 2018, the Construction Authority previously shortlisted four teams, all of which had cost proposals substantially over the budget established in June 2017. Based on the two lowest-cost proposals received, the Construction Authority had estimated an additional \$570 million was needed to construct the segment to Montclair and recommended a phased approach by advancing the project to Pomona while additional funding was secured for the segment from Pomona to Montclair. However, in November 2022, the Construction Authority informed LACMTA that the estimated cost of the segment between Pomona and Montclair was now estimated at \$878 million, with \$798 million attributable to costs in Los Angeles County and \$80 million to costs in San Bernardino County. Now that the Construction Authority has canceled the ongoing procurement and is going to pursue another procurement approach, staff remains concerned that the overall schedule will continue to be extended and the overall price of the project will continue to go up. In February 2025, the Board approved an update to the 10-Year Delivery Plan, which included the funding for the capital, operations, and maintenance for the extension to Montclair and noted that the projected revenue through 2040 for the San Bernardino Valley Metrolink/Rail Service Program is already 93% committed and only \$33 million remains for future projects and/or operating costs, which is higher than the bids already received for the extension to Montclair.

Furthermore, as noted in previous updates to the SBCTA Board, staff remain concerned with duplication of transit services in the same corridor where they are publicly subsidized at significantly different levels, as is the case with the introduction of Gold Line service in the Metrolink corridor. The SBCTA Board recently approved moving forward with the Lilac to Sycamore project, and along with other double track projects that are included as part of the Metrolink Southern California Optimized Rail Expansion (SCORE) Program, will introduce

San Bernardino County Transportation Authority

## Board of Directors Agenda Item

May 7, 2025

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30-minute bi-directional service along the San Bernardino Line prior to the now revised 2031 revenue service date for the Gold Line segment from Pomona to Montclair. However, in late January 2025, the Southern California Regional Rail Authority, which operates the Metrolink service, implemented a revised schedule as part of their long-term evolution to a regional rail model that already increases the level of service to approximately 30-minute bi-directional service between Los Angeles Union Station and Montclair. The cost to operate the Gold Line 0.65-mile segment within San Bernardino County has also recently increased from approximately \$2 million per year to approximately \$5 million per year. However, per the approved 10-Year Delivery Plan, we are currently reserving \$13.7 million for the initial three years of operations and a total of \$37.7 million through 2040, which would increase to \$63 million with the current estimates. The actual cost to operate is likely to continue to increase due to inflation, future capital cost, state of good repair needs, and other expenses, which will further impact the already limited funding to operate existing transit services in San Bernardino County.

Based on the overall schedule and procurement history of the Construction Authority to extend the Gold Line service to Montclair, recent and upcoming improvements to Metrolink service along the same corridor, and the limited operations funds, the prior funding allocated to the Project and any reserves for future operations should be considered for reallocation to other existing SBCTA Board priorities and programs.

**At the April 10, 2025 Transit Committee, staff was directed to seek detailed clarification from the Construction Authority on how using the CMAR delivery method will result in a reduced project cost, reiterate the need for the transparent sharing of information, and defer the decision to reallocate funds to the June 2025 Transit Committee. A letter was sent to the Construction Authority on April 18, 2025, and included a request for a meeting on May 12, 2025.**

***Financial Impact:***

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

***Reviewed By:***

This item was reviewed and recommended for approval (9-2-0; Opposed: McCallon, Navarro) by the Transit Committee on April 10, 2025.

***Responsible Staff:***

Victor Lopez, Director of Transit & Rail Programs

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	John Dutrey, City of Montclair
<b>SECONDER:</b>	Frank Navarro, City of Colton
<b>AYES:</b>	Bishop, Silva, Herrick, Ulloa, Marquez, Navarro, Warren, Hussey, Pullen, McCallon, Dailey, Dutrey, Jernigan, Wapner, Michael, Saucedo, Baca, Tran, Mintz, Jones, Woolsey, Denison, Armendarez, Rowe, Baca Jr., Velto (Alt.)
<b>ABSENT:</b>	Ramos, Cook, Hagman

Approved  
Board of Directors  
Date: May 7, 2025

Witnessed By:

  
Marleana Roman, Clerk of the Board 05/07/2025

San Bernardino County Transportation Authority



# Foothill Gold Line

Metro Gold Line Foothill Extension Construction Authority

406 East Huntington Drive, Suite 202  
Monrovia, CA 91016-3633

p 626.471.9050 f 626.471.9049  
www.foothillgoldline.org

## Board Members:

April 28, 2025

FGL-SBC-034

**Ed Reece**  
**Chair**  
Councilmember,  
City of Claremont  
Appointee, SGVCOG

Ray Marquez  
Board President  
San Bernardino County Transportation Authority  
1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor  
San Bernardino, CA 92410-1715

**Mendell Thompson**  
**Vice Chair**  
Mayor,  
City of Glendora  
Appointee, City of  
South Pasadena

Subject: **Response to Letter dated April 18, 2025**

**Tim Sandoval**  
**Member**  
Mayor,  
City of Pomona  
Appointee, LACMTA

Dear President Marquez,

**Tim Hepburn**  
**Member**  
Mayor  
City of La Verne  
Appointee,  
City of Pasadena

The Foothill Gold Line Construction Authority is in receipt of your April 18 letter.

**Vacant**  
City of Los Angeles  
Appointee

As you know, the Construction Authority is vested with the statutory authority to plan, design and build the Foothill Gold Line light rail system that consists of 25 stations from Union Station to Montclair. To date, the agency has completed 23 of those 25 stations in three separate construction segments that were each completed on time and under budget. The final two-station project segment from Pomona to Montclair has been environmentally cleared, completed advanced conceptual engineering, and has secured funding in both Los Angeles and San Bernardino Counties.

**Vacant**  
Caltrans District 7  
Gubernatorial  
Appointee

Over the last year, the Construction Authority had been underway with a two-step procurement to hire a design-build team to finalize design and construct the final project segment that includes the Montclair station. Even though the agency offered substantial payments for work performed (similar to stipends) for the unsuccessful bidding teams, and conducted extensive outreach to the contracting community, Kiewit was the sole bidder for the project. After numerous efforts by the Authority to work with Kiewit to refine the contract documents to reduce costs and risk for the design-builder, Kiewit's best and final offer was received in March and remained hundreds of millions of dollars above the agency's multiple independent cost estimates and available funding.

**Gene Masuda**  
**Member, Non-Voting**  
Councilmember,  
City of Pasadena  
Appointee, City of  
Pasadena

While the Authority anticipated some higher costs due to recent changes in the economic landscape, Kiewit's proposal was uniquely disappointing as it was 54% higher than the agency's most conservative independent cost estimate (ICE) and was significantly out of sync with the contracting industry's chief economist who presented an update to our board in March that confirmed market assumptions in the ICEs. Not only was it impossible to move forward given available funding, the Authority could not in good conscience move forward with this unreasonably high bid that seemed to take advantage of the fact that Kiewit was the only contractor competing for the work.

**Daniel M. Evans**  
**Member, Non-Voting**  
Appointee, City of  
South Pasadena

**Javier John Dutrey**  
**Member, Non-Voting**  
Mayor,  
City of Montclair  
Appointee, SBCTA

After careful consideration, the Construction Authority board of directors directed staff to cancel the design-build procurement and pursue a new plan to deliver the project

## Executive Officer:

**Habib F. Balian**  
Chief Executive Officer

Attachment: Attachment C\_Construction Authority Response (INCLUDE) (11611 : Gold Line to Montclair Project Update)

using the Construction Manager at Risk (CMAR) delivery method and I am pleased to say that staff has moved quickly and is preparing the first RFP for issuance in June for project design and expects to issue the RFP for the CMAR in October. The board believes this is the best approach to put available dollars to their best use and prioritize efficient construction. We are already hearing significant interest from the contracting community and we are hopeful that this pivot will allow for more robust competition while only resulting in a 10 to 12 month delay overall for project completion.

I understand that SBCTA staff has looked at Public Contract Code Section 20146 and is concerned that the Construction Authority does not have the authority to utilize the CMAR delivery method under that statute. Very simply, that statute does not apply to the Construction Authority since we are neither a “county” nor “public entity” by the terms of that statute; further, it is not the source of our authority to use CMAR. The Construction Authority was created under Division 12.7, Chapter 6 of the Public Utilities Code (Sections 132400-132450) for the purpose of awarding and overseeing all design and construction contracts for completion of the project. That enabling legislation is sufficiently broad to permit the Construction Authority to use alternative project delivery methods, including CMAR, which involves early engagement of a construction manager during the design phase and delivery of the project under a negotiated guaranteed maximum price.<sup>1</sup>

Since we are no longer conducting an active sole source design-build procurement, where our ability to share cost information was limited per confidentiality requirements, we are now able to share the details of the independent cost estimates for San Bernardino County with your staff and will continue to share official updates to cost estimates during the CMAR process as we move forward. It is important to distinguish that the CMAR process does not have the same confidentiality requirements that the design-build sole source procurement process had. While this was frustrating for your staff, our team communicated the restrictions and why we could not share those estimates during the ongoing procurement process on multiple occasions.

We plan to continue our existing efforts as well as include additional opportunities to involve SBCTA at key points in the project now that we have pivoted to the CMAR process. As far as existing efforts, importantly, SBCTA has held a position on the Construction Authority board – as well as the project’s Joint Powers Authority board - for many years. Currently Mayor Dutrey sits on the Authority board and the Joint Powers Authority board, representing SBCTA. Additionally, Otis Greer sits on the

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<sup>1</sup> The Construction Authority was created under Division 12.7, Chapter 6 of the Public Utilities Code (Sections 132400-132450) for the purpose of awarding and overseeing all design and construction contracts for completion of the project. Under Public Utilities Code section 132410(a)(4), the Construction Authority is expressly authorized to:

- (a) Contract with public and private entities for the planning, design, and construction of the project; and
- (b) Enter into such contracts separately or in combination to include any or all tasks necessary for completion of the project.

This grant of power to the Construction Authority to contract with private entities for planning, design, and construction, and the flexibility to structure those contracts as separate contracts or a combination of contracts, is sufficiently broad to authorize the Construction Authority’s use of alternative project delivery methods such as CMAR, which involves early engagement of a construction manager during the design phase and delivery of the project under a negotiated guaranteed maximum price. Similarly, the Construction Authority’s enabling statute permits the use of design-build project delivery.

Ray Marquez  
 April 28, 2025  
 Page 3

Technical Advisory Committee; and SBCTA staff have for many years been invited to - but stopped attending - quarterly project meetings alongside the city of Montclair. Recently, those meetings have changed to recurring monthly and we will be happy to see SBCTA staff once again choose to attend those meetings. Each of these are important existing opportunities for SBCTA to stay apprised of all aspects of the project and to ask questions.

As far as additional opportunities for SBCTA to be involved at key points in the project, the Construction Authority plans to include SBCTA in the upcoming CMAR procurements, including having a representative on the evaluation committee for each procurement as well as giving access to the portions of the contracting documents relevant to San Bernardino for review and comment at the appropriate time as the design and CMAR process moves forward.

I would welcome a meeting of the group I convened in Claremont in January 2024, with representatives of the board and staff from the Construction Authority, SBCTA, Claremont, Montclair and Metro. Let's plan for the morning of May 12th and get as many of those same people in the room as possible. I have checked and the City of Montclair is available to host the meeting at Montclair City Hall.

Finally, we request that SBCTA not redirect current funding in place for the project while the Construction Authority moves forward with this new plan. We have already shared that the ICE for San Bernardino County was consistent with what our staff has been telling your staff about the funding needs for the project. And as I explained earlier, now that the sole source design-build procurement is behind us, we are able to share the details of the ICE with your team and will gladly share official cost estimates as they are provided through the CMAR process.

We have had a long-time partnership with SBCTA that dates back to the early 2000s and SANBAG days. We want to get this light rail project to the Montclair TransCenter, and I believe working together will make that goal a reality in the near-term.

Lastly, as always, I am available to you, and I look forward to our continued partnership and enhanced collaboration.

Sincerely,



Ed Reece,  
 Chairman of the Board of Directors  
 Foothill Gold Line

Cc: Habib Balian – CEO, Foothill Gold Line  
 Ray Wolfe – Executive Director, SBCTA  
 Stephanie Wiggins – CEO, LACMTA  
 John Dutrey – Mayor, City of Montclair

Attachment: Attachment C\_Construction Authority Response (INCLUDE) (11611 : Gold Line to Montclair Project Update)





# Foothill Gold Line

## Pomona to Montclair Project Partner Meeting - May 12, 2025

### Agenda

- Introductory Comments – John Dutrey, Ed Reece and Ray Marquez
- Pomona to Montclair Project – Project Delivery Method Update
  - Design-Build Cancellation
  - CMAR
  - Authority to Use CMAR
  - Expected Project Delivery Schedule
  - SBCTA's Cost Concerns
- Communication/Reporting Obligations
  - Funding Partners
  - System Operator Partners
- Near-Term Funding Needs from SBCTA
- MOU Between Authority and SBCTA
- Next Steps
- Final Questions





## Pomona to Montclair Project Project Delivery Updates

### Design-Build Procurement Cancelled

	Highest Independent Cost Estimate	Kiewit's Initial Price (ref)	Kiewit's BAFO	Kiewit's BAFO Above ICE	Kiewit's Percentage Above ICE
L.A. County	\$553,339,522	\$830,729,000	\$823,342,327	\$270,002,805	49%
S.B. County	\$92,241,200	\$175,277,000	\$170,663,673	\$78,422,473	85%
TOTAL	\$645,580,722	\$1,006,006,000	\$994,006,000	\$348,425,278	54%

- In March 2025, the Authority board decided to cancel the design-build procurement and pursue a new path to deliver the Pomona to Montclair project using a Construction Manager at Risk (CMAR) delivery method, which will reduce project risk and allow project delivery as quickly as possible.
- The decision followed Kiewit's final bid price (received late February 2025) being deemed unreasonable according to accepted procurement guidelines and practice.
- The Construction Authority made several attempts to collaborate with design-builder (Kiewit) during the proposal and negotiation process to lower costs and find a path forward. The agency conducted discussions on numerous occasions, interacted via questions/requests and responses, and ultimately agreed to dozens of contract changes requested by Kiewit to reduce costs. Despite these shifts and cooperation, Kiewit's final bid was lowered by only \$12 million; remaining hundreds of millions of dollars above the agency's multiple independent cost estimates.



# Independent Cost Estimate

Multiple ICEs (Independent Cost Estimates) prepared for the project

- May 2021 – Initial estimate by Jacobs Engineering
- January 2022 – Updated Jacobs Engineering cost estimate to account for construction market volatility and escalation
- Summer 2022 – **Obtained two additional outside independent cost estimates: one by GNR Estimating Services & one by Hill International**
- End of 2022 – Updated Jacobs Engineering cost estimate to account for construction market volatility and escalation
- October 2023 – Updated Jacobs Engineering cost estimate
  - Detailed line-item review
  - Construction market volatility and escalation
- June 2024 – **LACMTA performed limited audit of Authority's ICE**
  - Determined Authority's ICE was 12% too high
- September 2024 – Updated Jacobs Engineering cost estimate to account for construction market volatility and escalation



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## Factors Driving High Cost\*

- Big Picture Factors
  - Political and Economic Uncertainty
  - Tariffs
  - Regional wildfires
  - Unusually busy subcontractors
  - Risk, Risk, Risk
- Kiewit-Specific Factors
  - **Main factor:** Kiewit and each subcontractor insulating from risk (to an extreme)
  - High escalation rates for labor, material, equipment, and fuel
  - Limited subcontractor quotes obtained
  - Design-Build contracting
    - Escalation: Price locked far ahead of work, resulting in high escalation rates for prime and subs
    - Design: Price locked far ahead of final design, resulting in cautious (high) pricing for items that are technically challenging or simply not yet designed
  - Possible: Making up profit margin from last job

NOTE: Design-Build was cited as one of the top reasons contractors didn't bid

- Contractor takes many risks (inc'd design risk), includes "risk money" in bid
- High price if high risk or if contractor wants to insulate from risk

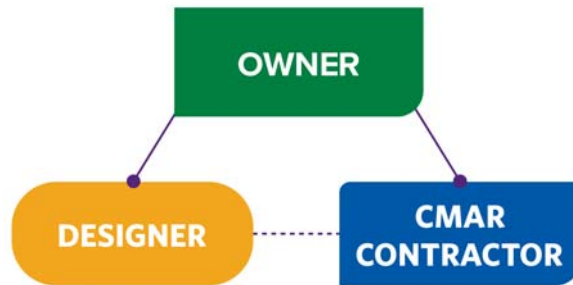
\* This information is the opinion of the Authority and speculative based on data reviewed.



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# CMAR (Construction Manager at Risk)



- Owner hires designer and at approximately 30% design, owner hires CMAR contractor
- Designer participates as member of the “CMAR Project Team” during pre-construction services
  - The CMAR Project Team consists of the owner, designer, CMAR contractor, and Independent Cost Estimator (ICE)
  - Designer retains primary role in design development
- Design is completed to 100% with CMAR and Authority input (based on design criteria)
  - When 80-90% complete, typically CM bids Guaranteed Maximum Price (GMP) for scope it helped develop
    - If GMP ok, then good. Time saved. Cost certainty achieved
    - If GMP too high, then option for competitive **design-bid-build** procurement, possibly with a revised scope



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## CMAR Pros / Cons

### PROS

- **Cost Advantages**
  - Much lower design risk, less “risk money” for design
  - Open book cost estimation means all are aware of budget issues (transparency): avoids cost creep and allows negotiation of risk allocation and mitigation prior to fixed price
  - Guaranteed Max Price gives CMAR contractor risk for cost overruns
- **Other Advantages**
  - Design: Higher quality, goal of optimal design and value maximizing
  - Schedule: Small projects during design; CM bids at 80-90% design

### CONS

- Requires collaboration
- Conflict between designer and CMAR contractor motivations (i.e., conservative design versus cost control)
- Higher owner involvement and management



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### Expected Project Delivery Schedule\*

Activity	Timing
RFP for Designer	June 2025
RFP for CMAR	September 2025
Designer Contract Award	October 2025
CMAR Contract Award	February 2026
Minor Construction Projects Begin	December 2026
CMAR Bids w/ Guaranteed Maximum Price (GMP typically at 80-90% Design)	August 2027
Design Complete (100%)	October 2027
<i>If Required, Bid 100% Design</i>	December 2027
Project Complete (if CMAR bid was ok)	June 2031

\*Preliminary draft schedule; subject to revision



## Anticipated Project Schedule

2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Glendora to Pomona - Alignment Contract												
						Pomona to Montclair – Design + CMAR Contracts (expected timeline)						
												

- The procurement process will be underway starting in June 2025 with the design contractor expected to be hired in October 2025 and the CMAR expected to be hired in February 2026.
- CMAR will provide Guaranteed Maximum Price in about August 2027; but will provide estimates for full project at 60% and 85%. Estimates will be shared with SBCTA.
- New plan results in 10 to 12-month delay in project delivery from original procurement plan.
- Authority is already hearing significant interest from the contracting community and is hopeful that new plan will allow for more robust competition.



# Construction Authority's Enabling Legislation Allows CMAR

The Construction Authority was created under Division 12.7, Chapter 6 of the Public Utilities Code (Sections 132400-132450) for the purpose of awarding and overseeing all design and construction contracts for completion of the project.

Public Utilities Code section 132410(a)(4) expressly authorizes the Construction Authority to:

- (a) Contract with public and private entities for the planning, design, and construction of the project; and
- (b) Enter into such contracts separately or in combination to include any or all tasks necessary for completion of the project

This grant of power to contract with private entities for planning, design, and construction, and the flexibility to structure those contracts as separate contracts or a combination of contracts based on "price or competitive negotiation, or on both of those things" (PUC §132420(d)), is sufficiently broad to authorize the use of alternative project delivery methods such as CMAR, with early engagement of a construction manager during design, and delivery under a negotiated guaranteed maximum price. Similarly, the Construction Authority's enabling statute permits the use of design-build project delivery.

If there is a conflict between the Authority's enabling statute and any of the general rules of procurement under the Public Contract Code, the Authority's enabling statute would prevail. PUC §132420(d): "All contracts approved and awarded by the executive director shall be awarded in accordance with state laws generally applicable to local agency procurements and contracts, subject to the provisions of this chapter [emphasis added]."



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## Public Contract Code Section 20146 Concern

- Public Contract Code Section 20146 does not relate to the Construction Authority as the Authority is neither a "county" nor a "public entity" under the terms of that statute. PCC Section 20146(a): "A county, with approval of the board of supervisors, or a public entity, with approval of its governing body, may utilize construction manager at-risk construction contracts ... ." PCC Section 20146(b)(3): "Public entity' means a public entity of which the members of the county board of supervisors make up the members of the governing body of that public entity."
- The first sentence of PCC 20146(a), which permits the use of CMAR, is permissive and not restrictive. In contrast for example, PUC 185032(a) says that the ability to build high-speed rail "... is exclusively granted to the [high speed rail authority]". PCC 20146(a) does not contain similar exclusivity language.

**Bottomline:** Public Contract Code Section 20146 (the statute identified by SBCTA) does not apply to the Construction Authority and does not restrict use of CMAR (it is permissive, not restrictive); it clarifies or expands for counties statewide their ability to use CMAR.



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## California Agencies/Jurisdictions Using CMAR

In addition to counties, many agencies are using CMAR (*sometimes referred to as CM/GC*) to deliver projects state-wide. Here are just a few found in a recent search:

- University of California System
- California State University System
- Port of Oakland
- SANDAG
- LA Metro
- California Sites Project Authority
- California Transportation Commission
- Caltrans
- Soquel Creek Water District
- Cities of Pasadena, San Diego, Long Beach, Alhambra, San Francisco

Staff at CalSTA has confirmed to Construction Authority that they have no problem with the agency using CMAR to deliver project.



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## SBCTA's Concern that Costs Will Rise

- Construction Authority has no evidence that Kiewit's price was accurate, as it was 54% higher than the most conservative ICE and was out of sync with the Associated General Contractors of America chief economist's own data.
- The Authority believes significant risk money was included in the bid by Kiewit that will not be relevant in the CMAR, since the fixed price from the CMAR will be provided much closer to major construction beginning on the project and after the project has been designed to at least 80%.
- The Authority's new plan results in a 10 to 12-month overall delay in project delivery, which has the potential for increased costs; but the Authority believes it is the best approach to put available dollars to their best use and prioritize efficient construction by reducing project risk and completing project delivery as quickly as possible.
- The Authority has consistently reported to SBCTA that they would very likely need additional funding. The ICE confirmed the amount of additional funding expected by the Authority and communicated to SBCTA throughout the design-build procurement process.
- The design contractor and CMAR will provide separate costs for SB County.
- Construction Authority has consistently completed projects on time and on budget.

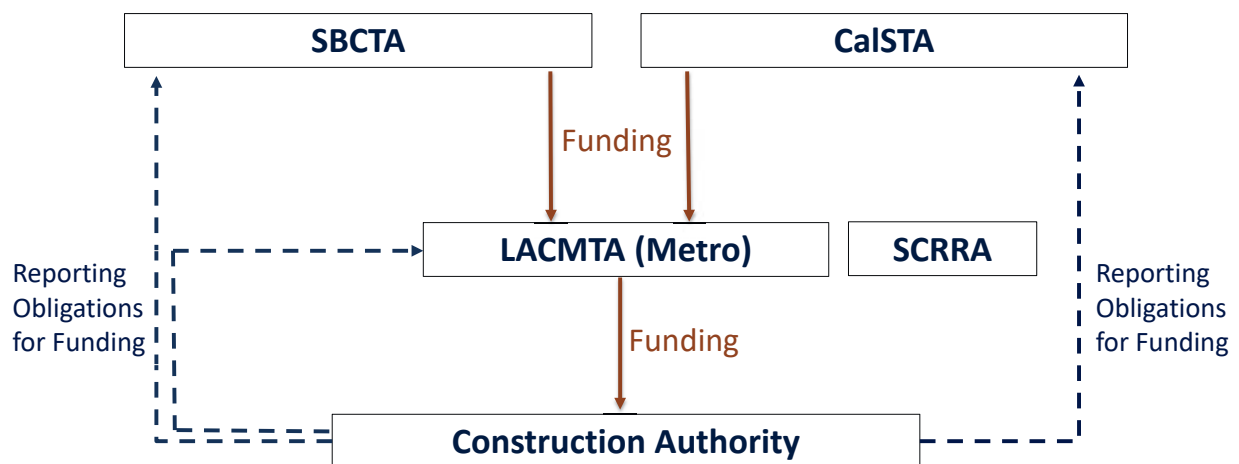


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## Communication/Reporting Obligations: Funding Partners versus System Operator Partners

### Communication/Reporting Obligations with Funding Partners

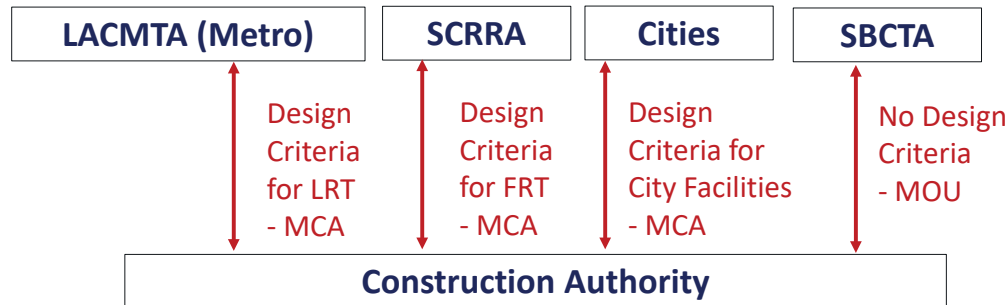


Funding Partners receive communications and reporting regarding the Project, but have no role in planning, design, construction, or implementation. The Authority's reporting and communication obligations:

- Monthly invoices for reimbursement with detailed back-up
- Review copy of monthly Project Status Report which includes percentage project complete, existing and new change orders, and photos and documentation showing project progress, etc.
- Review copy of annual audit reports
- Note: Project costs are specific for each county and include a contingency for each county



## Obligations with System Operator Partners and SBCTA



Authority has different obligations under MCAs with system operator partners because they have design criteria that must be followed. The Authority's obligations (in general):

- Operator partners have a limited role in design review, inspection, and certain other activities to make sure their respective project components conform to their design criteria (Metro = light rail system; SCRRA = commuter rail system; Cities = City Facilities)
  - Design review is "review and comment," not approval, except in limited situations
- The Authority has reporting and communications obligations that consist of:
  - Monthly Project Status Reports which include percentage project complete, existing and new change orders, and photos and documentation showing project progress, etc.
  - Meetings to discuss/resolve issues related to design and construction

While SBCTA does not have a design criteria that must be followed for the project, the Authority is agreeing to provide certain review and reporting obligations to SBCTA as with operator partners



## Near-Term Funding Needs from SBCTA

- At the SBCTA board meeting this month, the board approved a motion to return to June Transit Committee to consider reallocating Pomona to Montclair project funds of \$37,199,643 to other SBCTA projects and discontinue funding reserve for future project operations.
- The Project needs SBCTA's non-TIRCP funding to retain the overall project schedule and to pay for design work in San Bernardino County.
- Construction Authority is working on an estimate for design contract work and will provide to SBCTA once received.
- RFP for design to be issued next month (award expected in October).
- What's remaining of \$80M for design and construction?
  - SBCTA agenda item states \$76.2M, the SBCTA board action shows \$77,199,643
  - Construction Authority records show \$1,663,337.92 was spent on Advanced Conceptual Engineering and Environmental Work in 2016-2018.
  - Is SBCTA including the \$1,266,828.00 spent in 2005 – 2007 on FEIS work?
  - Is SBCTA billing against project funds needed for design and construction?





## MOU between Authority and SBCTA

- The Construction Authority commits to continue ongoing partnering efforts, as well as provide additional opportunities with SBCTA, even beyond its role as a Funding Partner:
  - SBCTA has held a position on the Construction Authority board, the project's Joint Powers Authority board and Technical Advisory Committee for many years. That will continue.
  - SBCTA will continue to be invited to join quarterly project meetings with the city of Montclair. SBCTA staff asked to be removed but have been added back on and will be included in future quarterly meetings with city.
  - The Authority will include SBCTA in the upcoming procurements by having a representative on an evaluation committee for each procurement.
  - The Authority will continue to share official updates to cost estimates during the CMAR process (expected at 60% and 85%). The independent cost estimate for the cancelled design-build procurement has already been shared.
- The Authority will provide draft MOU for communication and reporting.
- Note: the Authority is not involved with operations and therefore SBCTA will need to work with Metro on all operations-related issues.



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## Next Steps

## Next Steps

- Construction Authority issues RFP for design next month and CMAR in September (Assuming SBCTA keeps funds allocated, this will include design in SB County)
- Construction Authority will work with SBCTA to identify staff to participate on an evaluation committee for each procurement
- SBCTA agrees to commit non-TIRCP funding for design work in SB County and enters into reimbursement agreement with Metro
- Construction Authority and SBCTA enter into MOU for communication and reporting obligations
- SBCTA board continues to participate at Construction Authority board and project JPA meetings
- SBCTA staff continues to participate at project TAC and quarterly project meetings with Montclair



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## Final Questions?





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**iwillride.org**



/iwillride



@iwillride

## ***Minute Action***

### AGENDA ITEM:

***Date:*** June 11, 2025

***Subject:***

Metro Gold Line Foothill Extension Construction Authority Board

***Recommendation:***

That the Legislative Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority (SBCTA):

Authorize SBCTA to pursue legislation to add two voting members to the Metro Gold Line Foothill Extension Construction Authority Board of Directors, one to be appointed by the City of Montclair and one to be appointed by SBCTA.

***Background:***

In 1998, Senate Bill 1847 (Schiff), (Attachment A), was signed into law, and the Pasadena Metro Blue Line Construction Authority was created to construct the Metro Blue Line light rail from Union Station to Sierra Madre Blvd. in the City of Pasadena, which may be extended to the City of Claremont. The legislation required that the construction authority be governed by a board of five voting members appointed by the City of Los Angeles, City of Pasadena, City of South Pasadena, San Gabriel Valley Council of Governments, Los Angeles County Metropolitan Transportation Authority (LACMTA), and a single nonvoting member appointed by the Governor.

In 2011, Assembly Bill 706 (Torres), (Attachment B), was signed into law, redefining the Pasadena Blue Line Authority as the Metro Gold Line Foothill Extension Construction Authority. The bill added two additional nonvoting members to the existing governing board of six to be appointed by the Cities of Pasadena and South Pasadena.

In 2012, Assembly Bill 1600 (Torres), (Attachment C), was signed into law. It provided that the Metro Gold Line Foothill Extension project would extend beyond the City of Claremont to the City of Montclair. Additionally, the bill added one nonvoting member to be appointed by the San Bernardino County Transportation Authority (SBCTA) (then San Bernardino Associated Governments or SANBAG).

As SBCTA, LACMTA, and Metro Gold Line Foothill Construction Authority continue working through maintenance and operations agreements, along with funding and right-of-way considerations of the service moving into San Bernardino County, staff is recommending SBCTA seek legislation to expand the Metro Gold Line Foothill Extension Construction Authority's governing board by two voting members, one to be appointed by the City of Montclair and one to be appointed by SBCTA. This legislative action would be consistent with the current governing board, as the service was constructed through Los Angeles County. Now that the service is preparing to expand construction across the county line into San Bernardino, it is imperative that these jurisdictions have a voting voice in decisions that affect the City of Montclair and SBCTA.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2025/2026.

***Reviewed By:***

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

*Entity: San Bernardino County Transportation Authority*

Legislative Policy Committee Agenda Item  
June 11, 2025  
Page 2

committee. SBCTA General Counsel has reviewed this item.

***Responsible Staff:***

Otis Greer, Director of Legislative and Public Affairs

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Approved  
Legislative Policy Committee  
Date: June 11, 2025  
Witnessed By:

Attachment: Attachment E\_Legislative Policy Committee Staff Report - June 11, 2025 (11611 : Gold Line to Montclair Project Update)

## ***Minute Action***

### AGENDA ITEM: 13

***Date:*** June 12, 2025

***Subject:***

Senate Bill 125 Transit Funding

***Recommendation:***

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

- A. Approve the apportionment of Fiscal Year 2024/2025 Senate Bill 125 Transit Funding to the Valley and the Mountain/Desert area operators as shown in Table 1.
- B. Authorize the Executive Director, or his designee, to submit the Revised Allocation Package to the California State Transportation Agency on behalf of SBCTA subsequent to approvals of allocations by the SBCTA Board of Directors.

***Background:***

The Transit and Intercity Rail Capital Program (TIRCP) was created by Senate Bill (SB) 862 (Chapter 36, Statutes of 2014) and modified by SB 9 (Chapter 710, Statutes of 2015) to provide grants from the Greenhouse Gas Reduction Fund (GGRF) to fund transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems and bus and ferry transit systems, to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. Assembly Bill (AB) 398 (Chapter 135, Statutes of 2017) extended the Cap-and-Trade Program that supports the TIRCP from 2020 through 2030. SB 1 (Chapter 5, Statutes of 2017) continues to provide a historic funding increase for transportation with funds directed to the TIRCP from the Public Transportation Account (PTA).

AB 102 (Chapter 38, Statutes of 2023) and SB 125 (Chapter 54, Statutes of 2023) amended the Budget Act of 2023 to appropriate \$4 million of General Funds to the TIRCP over two fiscal years (FY) as well as \$910 million of GGRF funding and \$190 million of PTA funding over four fiscal years to establish the Zero-Emission Transit Capital Program (ZETCP). Further, AB 173 (Chapter 53, Statutes of 2024), SB 108 (Chapter 35, Statutes of 2024), and SB 109 (Chapter 36, Statutes of 2024) amended the Budget Act of 2024 to make adjustments to the timing of the availability of funds for both the TIRCP and the ZETCP. These funds are formula funds that are to be administered by the San Bernardino County Transportation Authority (SBCTA). The TIRCP portion is distributed to SBCTA based on a population formula, and the ZETCP is distributed to SBCTA based on the State Transportation Assistance formula, which is 50% based on population and 50% based on transit operator revenues. The total amount to be received by SBCTA through the FY 2027/2028 is estimated at \$259,191,238. The guidelines for managing these funds were approved by the California State Transportation Agency (CalSTA) on September 29, 2023, and amended on January 10, 2025.

As outlined in SB 125, it is the intent of the Legislature to:

1. Provide one-time multi-year bridge funding for transit operators to address operational costs until long-term transit sustainability solutions are identified.
2. Assist transit operators in preventing service cuts and increasing ridership.
3. Prioritize the availability of transit for riders who are transit-dependent.
4. Prioritize transit agencies that represent a significant percentage of the region's ridership.

*Entity: San Bernardino County Transportation Authority*

The TIRCP portion is appropriated over three FYs. The bill authorizes the funds to be used for high-priority transit capital projects consistent with the uses allowed in Cycle 6 of the TIRCP, which includes existing projects seeking to maintain or obtain Federal or local funding commitments, project development for major projects that are seeking to enter or have already entered project development with Federal partners, or for new TIRCP projects. As in Cycle 6, all capital projects must increase ridership and reduce greenhouse gas emissions, which is common with traditional TIRCP project requirements. The funding may also be used to fund transit operating expenses that prevent service cuts and increase ridership, subject to compliance with requirements.

The ZETCP portion is appropriated over five FYs. The bill authorizes the funds to be used for zero-emission transit equipment, including, but not limited to, zero-emission vehicles and refueling infrastructure, and subject to compliance with requirements, to use that money to fund transit operating expenditures that prevent service reduction or elimination in order to maintain or increase ridership.

These funds are transferred to SBCTA after CalSTA approves an Allocation Package submitted by SBCTA. The Initial Allocation Package was submitted to CalSTA by the required submittal deadline of December 31, 2023, and updated Allocation Packages can be submitted on a rolling basis to incorporate changes to projects and costs. The funds must be transferred to SBCTA within four years of appropriation in the State budget, and there is no expenditure deadline. Because the funds are received by SBCTA prior to expenditure and can only be received by SBCTA, funding agreements are being developed with transit operators that are allocated funds from these programs.

There is an allowance for up to 1% to be used for administrative purposes such as preparing annual reports, processing agreements and invoices, preparing Allocation Packages, and developing the required financial plans. At the December 2023 SBCTA Board of Directors (Board) meeting, the Board approved the maximum eligible amount totaling \$2,591,912 to be reserved for this purpose before the funds are apportioned; if the administration funds are not fully used, they can be reallocated for projects in the future.

The SBCTA Board approved apportioning the FY 2023/2024 funds to the Valley Subarea and to the Mountain/Desert operators in the same manner as they were received by SBCTA at the March 2024 meeting. Staff recommends apportioning the FY 2024/2025 funds in the same manner. Table 1, on the following page, is the resulting recommended apportionment of the TIRCP funds based on population. All available ZETCP funds have been apportioned at this time, and therefore, no additional ZETCP funds are included in the recommendation.

**Table 1 – Fiscal Year 2024/2025 TIRCP Formula Apportionments**

			<b>TIRCP Year 2 Total</b>
<b>Fiscal Year 2024/2025 Apportionment</b>			<b>\$ 55,567,944</b>
<b>Less SBCTA Administration</b>			<b>\$ -</b>
<b>Total Funds Available</b>			<b>\$ 55,567,944</b>
<b>Apportionment Area</b>	<b>Population</b>	<b>Percentage</b>	<b>TIRCP Apportionment</b>
Valley	1,577,134	72.30%	\$ 40,174,552
Mountain/Desert	604,299	27.70%	\$ 15,393,392
<i>MBTA</i>	71,400	11.82%	\$ 1,818,782
<i>Mountain Transit</i>	49,671	8.22%	\$ 1,265,276
<i>VVTA</i>	478,459	79.18%	\$ 12,187,852
<i>City of Needles</i>	4,769	0.79%	\$ 121,482
<b>TOTAL</b>	<b>2,181,433</b>	<b>100.00%</b>	<b>\$ 55,567,944</b>

After approval of the proposed apportionments in Table 1, an allocation item will be brought to the Board for approval before being submitted to CalSTA, as all Allocation Packages must be submitted by SBCTA.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2025/2026.

***Reviewed By:***

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

***Responsible Staff:***

Brianna Martinez, Management Analyst III

Approved  
Transit Committee  
Date: June 12, 2025

Witnessed By:

## Additional Information

## TRANSIT COMMITTEE ATTENDANCE RECORD – 2025

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Art Bishop</b> Town of Apple Valley		X	X	X	X							
<b>Eunice Ulloa</b> City of Chino				X								
<b>Ray Marquez</b> City of Chino Hills		X	X	X								
<b>Frank Navarro</b> City of Colton		X		X	X							
<b>Aquanetta Warren</b> City of Fontana		X		X	X							
<b>Bill Hussey</b> City of Grand Terrace		X		X	X							
<b>Larry McCallon</b> City of Highland		X	X	X	X							
<b>John Dutrey</b> City of Montclair		X	X	X	X							
<b>Alan Wapner</b> City of Ontario			X		X							
<b>L. Dennis Michael</b> City of Rancho Cucamonga		X		X								
<b>Rick Denison</b> Town of Yucca Valley		X	X	X								
<b>Joe Baca, Jr.</b> Board of Supervisors		X	X	X	X							

Communication: Attendance (Additional Information)

X = Member attended meeting      Empty box = Member did not attend meeting  
 Crossed out box = Not a member at the time      Shaded box=The Transit Committee did not meet

TC-ATT25



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 <sup>st</sup> 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