

## AGENDA

### General Policy Committee Meeting

**December 12, 2012**

**9:00 a.m.**

Location

SANBAG

*Super Chief Conference Room*

1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor

San Bernardino, CA

### *General Policy Committee Membership*

*Chair – SANBAG Vice President*

Council Member Mike Leonard  
City of Hesperia

*SANBAG President*

Supervisor Janice Rutherford  
County of San Bernardino

*SANBAG Past President*

Mayor Larry McCallon  
City of Highland

*Mt./Desert Representatives*

Mayor Julie McIntyre (*Chair-MDC*)  
City of Barstow

Council Member Jim Harris  
City of Twentynine Palms

Vacant

County of San Bernardino

*East Valley Representatives*

Mayor Patrick Morris (*Chair-CRTC*)  
City of San Bernardino

Mayor Dick Riddell (*Chair-MVSS*)  
City of Yucaipa

Vacant

County of San Bernardino

*West Valley Representatives*

Mayor L. Dennis Michael  
City of Rancho Cucamonga

Council Member Ed Graham  
City of Chino Hills

Mayor Dennis Yates  
City of Chino

Supervisor Gary Ovitt  
County of San Bernardino

*Ray Wolfe*  
*Executive Director*

*Eileen Teichert*  
*SANBAG Counsel*

*San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.*

*In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:*

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a **Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

*Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.*

**San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
Service Authority for Freeway Emergencies  
County Congestion Management Agency**

**AGENDA**

**General Policy Committee Meeting**

**December 12, 2012**

**9:00 a.m.**

**Location:** SANBAG, Super Chief Conference Room, 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor,  
San Bernardino

**CALL TO ORDER 9:00 a.m.**  
(Meeting chaired by Mike Leonard)

- I. Pledge of Allegiance
- II. Attendance
- III. Announcements
- IV. Agenda Notices/Modifications – Anna Aldana

- 1. **Possible Conflict of Interest Issues for the General Policy Committee Meeting December 12, 2012.** Pg. 6

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.

**Consent Calendar**

Consent Calendar items shall be adopted by a single vote unless removed by member request.

**Administrative Matters**

- 2. **Attendance Register** Pg. 7

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

- 3. **November 2012 Procurement Report** Pg. 9

Receive November 2012 Procurement Report.  
**William Stawarski**

**Notes/Actions**

## Discussion Items

### Administrative Matters

4. **Final Encumbrances for Fiscal Year 2012-2013** Pg. 11  
 Approve final encumbrances in the amount of \$21,934,358 listed in Table 1, to be formally incorporated into San Bernardino Associated Government's 2012-2013 Budget.  
**William Stawarski**
5. **SANBAG 2013/2014 Budget Schedule** Pg. 13  
 Approve the 2013/2014 Budget Schedule. **William Stawarski**
6. **Insurance Premium Update** Pg. 15  
 Receive Insurance Premium Update Report.  
**William Stawarski**

### Regional/Subregional Planning

7. **Deferral of local jurisdiction development impact fee adjustments through 2013** Pg. 18  
 That the Committee recommend the Board approve the option of local jurisdiction deferral of increases to their Development Impact Fee (DIF) programs for transportation projects in the SANBAG Development Mitigation Nexus Study through 2013. **Timothy Byrne**

### Air Quality/Traveler

8. **Budget Amendment for Department of Energy (DOE) Natural Gas Fuel Project** Pg. 20  
 That the Committee recommend the Board approve budget amendment to increase Task No. 102, Air Quality Implementation, in the amount of \$178,110 funded by 1990-2010 Transportation Management and Enhancement (TMEE) funds for a new task total of \$3,635,811.00.  
**Duane Baker**
9. **Approve Amendment No. 1 to Freeway Service Patrol (FSP) Contract C11213 with Pepe's Towing Services, Inc., for additional work** Pg. 23  
 That the Committee recommend the Board approve Amendment No. 1 to Contract No. C11213 with Pepe's Towing Services, Inc., for additional work to cover FSP Beat 3 from January 11, 2013 to April 30, 2013. This action will increase the contract amount by \$63,529.00 for a revised not-to-exceed amount of \$623,781.00. This action shall not revise the original scope of work for Beat 6 or contract end date which is December 31, 2014. **Duane Baker**

**Discussion Items Continued....**

**Air Quality/Traveler (Cont.)**

- 10. Amendment No. 8 to Agreement No. 05006 with CASE Systems, Inc., for the extension of Call Box Maintenance Services Pg. 29**

That the Committee recommend the Board of the San Bernardino County Service Authority for Freeway Emergencies (SAFE):

Approve Amendment No. 8 to Agreement No. 05006, between the SAFE and CASE Systems, Inc., for call box maintenance services throughout San Bernardino County, extending the contract term with CASE Systems, Inc., for five months through June 30, 2013, and increasing the contract amount by \$70,000 for a new not-to-exceed amount of \$8,741,250.  
**Duane Baker**

**Transportation Fund Administration**

- 11. Surface Transportation Program Rural Apportionment Funds for the County of San Bernardino Pg. 35**

That the Committee recommend the Board approve an exception to SANBAG Policy 40001/VS-30: Cost Buy-down for Projects with a Development Share Contribution, and allow the use of \$4.2M Surface Transportation Program funds allocated to the County of San Bernardino for use at their discretion to be regarded as an internal loan of development share funds for the I-10 Cedar Interchange project.  
**Andrea Zureick**

**Comments from Committee Members**

**Brief Comments from Committee Members**

**Public Comment**

**Brief Comments by the General Public**

**ADJOURNMENT**

**Additional Information**

**Acronym List**

**Pg. 38**

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

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

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

**Agenda Actions** – Items listed on both the “Consent Calendar” and “Items for Discussion” contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a “Request to Speak” form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A “Request to Speak” form must be completed for *each* item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under “Public Comment” may not be acted upon at that meeting. “Public Testimony on any Item” still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes 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, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

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

**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 Vote as specified in the SANBAG Bylaws.**

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

**Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his 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 not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

**Call for the Question.**

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

**The Chair.**

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



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

***Minute Action***

**AGENDA ITEM: 1**

**Date:** December 12, 2012

**Subject:** Information Relative to Possible Conflict of Interest

**Recommendation\*:** Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

**Background:** In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Contractor/Agents	Subcontractors
9	C11213-01	Pepe's Towing, Inc. <i>Lorenzo Navarro</i>	N/A
10	C05006-08	Case Systems, Inc. <i>Sebastian Gutierrez</i>	N/A

**Financial Impact:** This item has no direct impact on the budget.

**Reviewed By:** This item is prepared monthly for review by the Board of Directors and Policy Committee members.

\*

*Approved*  
 General Policy Committee

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

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	CTC	CTA	SAFE	X	CMA	X
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Check all that apply.

ADM1212z-db

**\*\*\*GENERAL POLICY COMMITTEE ATTENDANCE RECORD - 2012**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Rick Roelle</b> Town of Apple Valley	X	X	X			X						
<b>Julie McIntyre</b> City of Barstow							X	X		X		
<b>Bill Jahn</b> City of Big Bear Lake		X										
<b>Dennis Yates</b> City of Chino	X		X	X	X							
<b>Mike Leonard</b> City of Hesperia	X		X	X	X	X	X	X		X	X	
<b>Larry McCallon</b> City of Highland	X	X	X	X	X	X		X	X		X	
<b>Rhodes Rigsby</b> City of Loma Linda	X	X	X	X	X	X						
<b>Ed Scott</b> City of Rialto	X	X	X	X	X							
<b>Ed Graham</b> City of Chino Hills	X	X	X	X	X	X	X	X	X	X	X	
<b>L. Dennis Michael</b> City of Rancho Cucamonga							X	X		X		
<b>Patrick Morris</b> City of San Bernardino		X	X	X	X	X		X	X	X	X	
<b>Jim Harris</b> City of Twentynine Palms		X	X	X	X	X	X	X	X	X	X	
<b>Dick Riddell</b> City of Yucaipa		X	X		X	X	X	X		X	X	
<b>Janice Rutherford</b> Board of Supervisors	X		X	X	X	X		X	X	X	X	
<b>Josie Gonzales</b> Board of Supervisors	X	X	X	X	X	X						
<b>Brad Mitzelfelt</b> Board of Supervisors	X		X		X			X	X	X	X	
<b>Gary Ovitt</b> Board of Supervisors	X	X	X	X		X	X	X	X	X	X	
<b>Neil Derry</b> Board of Supervisors	(Self-Suspension as of 5/31/11)	X	X				X	X				

X = Member attended meeting. Empty box = Member did not attend meeting. Crossed out box = Not a member at the time.

\*\*\*On October 3, 2012 the Board approved changing the name of the Administrative Committee to the General Policy Committee

**ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD - 2011**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Rick Roelle</b> Town of Apple Valley		X	X	X	X	X	X		X	X	X	
<b>Dennis Yates</b> City of Chino	X	X	X	X	X	X	X	X	X	X	X	X
<b>Mike Leonard</b> City of Hesperia	X			X	X	X		X		X	X	X
<b>Larry McCallon</b> City of Highland	X		X	X	X	X	X	X	X	X	X	X
<b>Rhodes Rigsby</b> City of Loma Linda	X		X	X		X	X		X	X	X	X
<b>Paul Eaton</b> City of Montclair	X	X	X	X		X						
<b>Janice Rutherford</b> Board of Supervisors							X	X	X	X	X	X
<b>Patrick Morris</b> City of San Bernardino	X	X		X	X	X	X	X	X	X	X	X
<b>John Pomierski</b> City of Upland	X											
<b>Ed Graham</b> City of Chino Hills			X	X	X	X	X	X	X	X	X	X
<b>Josie Gonzales</b> Board of Supervisors	X		X		X	X			X	X	X	X
<b>Brad Mitzelfelt</b> Board of Supervisors	X	X		X	X	X	X	X			X	X
<b>Gary Ovitt</b> Board of Supervisors	X	X		X	X	X	X	X	X	X	X	X
<b>Neil Derry</b> Board of Supervisors (Self-Suspension as of 5/3/11)	X	X	X	X								

X = Member attended meeting. Empty box = Member did not attend meeting. Crossed out box = Not a member at the time.



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

**Minute Action**

AGENDA ITEM: 3

**Date:** December 12, 2012  
**Subject:** November 2012 Procurement Report  
**Recommendation:\*** Receive November 2012 Procurement Report.

**Background:** The Board of Directors adopted the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997, and approved the last revision on November 7, 2012. The Executive Director, or designee, is authorized to approve Purchase Orders up to an amount of \$50,000. All procurements for supplies and services approved by the Executive Director, or designee, in excess of \$5,000 shall be routinely reported to the General Policy Committee and to the Board of Directors.

Attached are the purchase orders in excess of \$5,000 to be reported to the General Policy Committee for the month of November 2012.

**Financial Impact:** This item imposes no impact on the fiscal year 2012/2013 budget. Presentation of the monthly procurement report will demonstrate compliance with the Contracting and Procurement Policy (Policy No. 11000).

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

**Responsible Staff:** William Stawarski, Chief Financial Officer

\*

*Approved*  
 General Policy Committee

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

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.  
 ADM1212d-ws

### November 2012 Report of Purchase Orders

PO No.	PO Issue Date	Vendor	Purpose	Amount
4000922	10/09/12	Xerox	Rental cost for copier WC7775P.	\$5,302.08
4000923	10/09/12	Xerox	Rental cost for copier D110CP.	\$20,321.40
4000935	11/06/12	County of San Bernardino, Information Services	San Bernardino County is creator of the street centerline data, and grants access to the rest of the SANBAG jurisdictions in the County. For the past five years, the County has provided SANBAG with yearly aerial photo imagery updates at a fraction of the cost of outside vendors. Also, the County created the street centerline data.	\$18,015.00
4000938	11/21/12	Lewis Brisbois Bisgaard & Smith.	Lewis Brisbois Bisgaard & Smith was selected from SANBAG's insurance carrier list of outside counsel. It was the only local firm and has a reputation be a good, experienced defense law firm. SANBAG is limited to the insurance carrier's list since the carrier selects the defense cost over attorney's fees	\$30,950.00
4000936	11/21/12	Environmental Systems Research (ESRI)	ESRI remains the only real solution for GIS software for government and continues to provide solid support and maintenance for GIS software. SANBAG's entire GIS system is based on ESRI software for nearly 20 years. Currently, no other qualified firm exists for a new GIS system meeting SANBAG requirements.	\$12,276.00
4000891	11/29/12	Vavrinek, Trine, & Day (VTD) & Co, CPAs	Due to extra hour's required and additional amount of work to resolve various auditing/accounting issues, the purchase order is revised from \$35,000 to \$50,000.	\$50,000.00
<i>*Note: Sole Source justification is noted in the Purpose statement, if applicable.</i>				<b>Total</b>
				<b>\$136,864.48</b>



- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

**Minute Action**

AGENDA ITEM: 4

**Date:** December 12, 2012

**Subject:** Final Encumbrances for Fiscal Year 2012/2013

**Recommendation:\*** Approve final encumbrances in the amount of \$21,934,358, listed in Table 1, to be formally incorporated into San Bernardino Associated Government's 2012/2013 Budget.

**Background:** San Bernardino Associated Government's (SANBAG's) Budget for Fiscal Year (FY) 2012/2013 for new activity was adopted by the Board of Directors on June 6, 2012. The encumbrances (funding related to outstanding encumbrances for goods or services from the previous Fiscal Years) are presented for approval to be formally incorporated into SANBAG's FY 2012/ 2013 Budget.

The following attachment provides a summary of task activities, by fund that will have an encumbrance carried over and added to the previously approved budget.

**Financial Impact:** Encumbrances totaling \$21,934,358 (Table 1) will be formally incorporated into SANBAG's FY 2012/2013 Budget.

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

**Responsible Staff:** William Stawarski, Chief Financial Office

\*

Approved  
 General Policy Committee

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

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.

TABLE 1

Fund	Task	Amount	Fund Total
1020 MSI Valley Administration	0373 Fed/State Fund Administration	34,160.00	34,160.00
1035 Local Transportation Fund-Planning	0309 General Transit	1,436.73	
	0352 General Commuter Rail	187.24	1,623.97
1040 Local Transportation Fund-Rail	0377 Commuter Rail Operation Expenses	18,312.29	18,312.29
1080 Rail Assets	0379 Commuter Rail Capital Expenses	13,306.00	13,306.00
2520 Regional Improvement Program	0882 North Milliken Avenue Grade Separation	5,036,560.11	5,036,560.11
4110 MSI Valley Fund-Freeway Projects	0815 Measure I Program Management	2,682.11	2,682.11
4120 MSI Valley Fund-Freeway Interchange	0815 Measure I Program Management	6,554.08	6,554.08
4130 MSI Valley Fund-Major Streets	0815 Measure I Program Management	28,012.40	
	0874 Palm Avenue Grade Separation	5,000.00	
	0515 Measure I Apportionment & Allocation	4,779,610.85	
4710 MSI Cajon Pass	0610 Measure I Project Management	655,517.15	5,468,140.40
4901 MSI 1990-Major Projects	0880 I-15/I-215 Devore Interchange	14,084.76	14,084.76
	0815 Measure I Program Management	25,000.00	
	0817 SR-60 Sound Wall	16,321.06	
	0839 I-215 Bi-County HOV Gap Closure Project	1,387.55	
	0609 Strategic Planning/Delivery Planning	7,760.00	
	0615 Measure I Local Stimulus	8,110,653.00	8,161,121.61
4904 MSI 1990-Commuter Rail	0379 Commuter Rail Capital Expenses	43,940.54	43,940.54
4907 MSI 1990-TMEE	0406 Rideshare Management	6,443.07	6,443.07
6010 Local Capital Projects	309 General Transit	5,896.42	
	0882 North Milliken Avenue Grade Separation	2,974,553.00	
	0888 I-15 La Mesa/Nisqualli Interchange	25,000.00	3,005,449.42
6310 Victor Valley Major Local Highway	0888 I-15 La Mesa/Nisqualli Interchange	25,000.00	25,000.00
7110 Indirect Cost Allocation	0105 Indirect Project Management	34,625.25	96,979.74
	0120 Indirect General	578.54	
	0130 Indirect Management Services	61,775.95	
Total		21,934,358.10	21,934,358.10



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

**Minute Action**

AGENDA ITEM: 5

**Date:** December 12, 2012

**Subject:** SANBAG 2013/2014 Budget Schedule

**Recommendation:**\* Approve the 2013/2014 Budget Schedule

**Background:** The preparation of the Fiscal Year 2013/2014 budget requires a schedule for development, consideration and adoption of the final budget appropriations.

The General Policy Committee is primarily responsible for policy input for the development and review of the budget. Other policy committees are also scheduled to consider proposed tasks under their review.

A full Board of Directors Budget Workshop will be scheduled in conjunction with the May 2013 General Policy Committee meeting for consideration of the proposed budget. Final budget adoption for Fiscal Year 2013/2014 is scheduled for the June Board of Directors meeting.

**Financial Impact:** This item has no immediate budgetary impact.

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

**Responsible Staff:** William Stawarski, Chief Financial Officer

\*

Approved  
 General Policy Committee

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

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.

ADM1212b-ws

## **SANBAG Fiscal Year 2013/2014 Budget Schedule**

<b><u>DATE</u></b>	<b><u>ACTIVITY</u></b>
December 5, 2012	General Policy Committee Review and Discussion of 2013/2014 Budget Schedule
January 9, 2013	Board Approval of 2013/2014 Budget Schedule
March 13, 2013	General Policy Committee Review of Tasks
March 14, 2013	Metro Valley Study Session Review of Tasks
March 14, 2013	Commuter Rail & Transit Committee Review of Tasks
March 15, 2013	Mountain/Desert Committee Review of Tasks
April 10, 2013	General Policy Committee Program Review
April 11, 2013	Metro Valley Study Session Further Review of Tasks if Required
April 18, 2013	Commuter Rail & Transit Committee Further Review of Tasks if Required
April 19, 2013	Mountain/Desert Committee Further Review of Tasks if Required
May 1, 2013	Board of Directors Presentation of the Proposed Budget
May 8, 2013	Board of Directors Budget Workshop in Conjunction with General Policy Committee Meeting
June 5, 2013	Board of Directors Adoption of the SANBAG Fiscal Year 2013/2014 Budget



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

**Minute Action**

AGENDA ITEM: 6

**Date:** December 12, 2012

**Subject:** Insurance Premium Update

**Recommendation:**\* Receive Insurance Premium Update Report

**Background:** SANBAG's risk management program includes a number of insurance policies that are renewed annually each December. SANBAG's new broker, Keenen, provides consulting advice and recommendations to SANBAG on the appropriate insurance coverage. Keenen markets SANBAG's insurance requirements and negotiates with a number of carriers. The results include the following recommendations:

Carrier	Coverage	Cost
National Assurance Company	General Liability	\$82,099
Allied World National Assurance	Umbrella Liability	\$46,346
The Hartford Insurance Group	Automotive	\$1,439
National Union Fire Insurance	Public Officials	\$180,200
National Union Fire Insurance	Crime	\$3,635
Great American	Excess Crime	\$10,890
Affiliated FM	Property	\$43,589
Zenith	Workers Compensation	\$62,304
<b>TOTAL</b>		<b>\$430,502</b>

\*

Approved  
 General Policy Committee

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

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply  
 ADM1212c-ws

Attachment: <http://portal.sanbag.ca.gov/mgmt/committee/admin/Admin2012/adm1212/AgendaItems/ADM1212c1-ws.xlsx>

The total premium cost (including taxes) of \$430,502 represents a \$73,942 increase from the previous year. The majority of the increase is attributed to the Public Officials Liability policy which increased by \$64,631. The premium increase for Public Officials Liability is due to increased revenues and exposure.

Exhibit A provides a four year comparison of premium costs of the insurance policies. The total cost without Public Officials Liability decreased from a high of \$263,825 in 2010 to a low of \$236,786 in 2011, \$240,991 in 2012, and \$250,302 in 2013. The total cost with Public Officials Liability increased from a high of \$334,856 in 2010 to a low of \$307,470 in 2011, \$356,560 in 2012, and increased to \$430,502 in 2013.

**Financial Impact:** This item is consistent with the approved 2012/2013 Budget, Task 0105, Indirect Project Management. There is sufficient budget balance to offset the increase in premium costs.

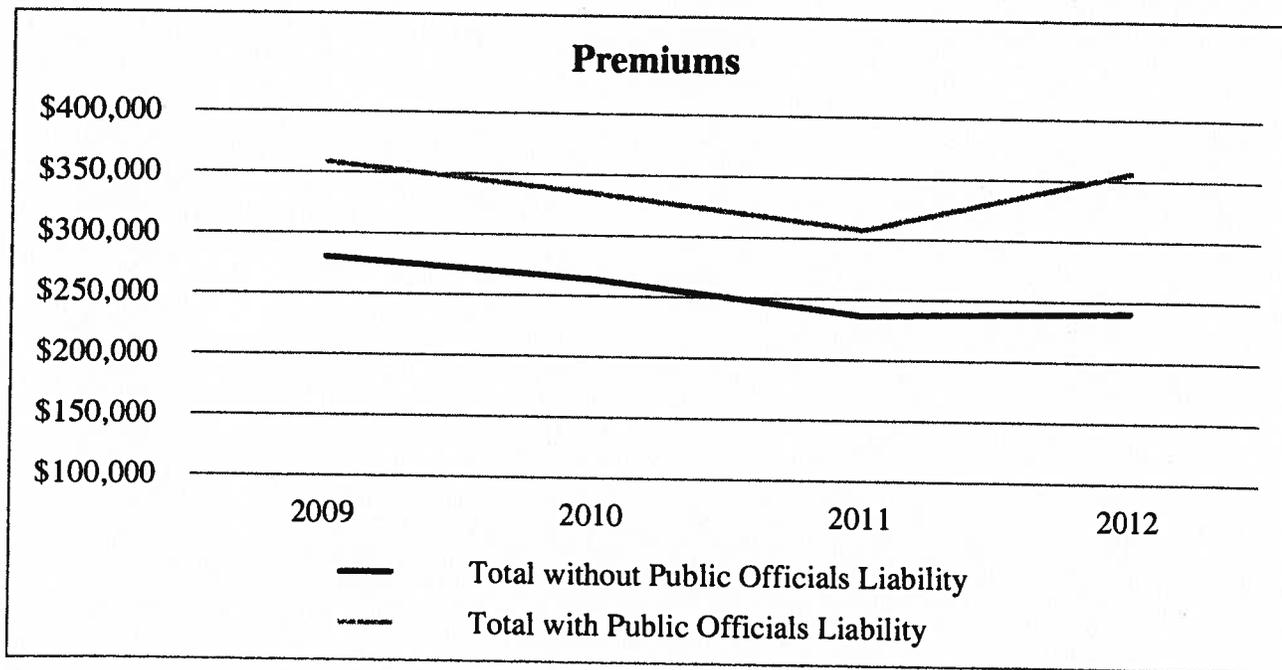
**Reviewed By:** This item is not scheduled for review by any other policy committee or technical advisory committee.

**Responsible Staff:** William Stawarski, Chief Financial Officer

**SANBAG  
Insurance Premiums  
Four Year Comparison**

**EXHIBIT A**

Premiums	12/01/2009- 12/01/2010	12/01/2010- 12/01/2011	12/01/2011- 12/01/2012	12/01/2012- 12/01/2013
<b>Policy</b>				
Automobile (\$1K deductible)	\$ 1,451	\$ 1,439	\$ 1,439	\$ 1,439
Crime	3,460	2,699	2,699	3,635
Excess Crime	8,500	9,000	9,900	10,890
General Liability	82,580	84,722	82,672	82,099
Property (\$10K deductible)	36,500	36,500	38,249	43,589
Umbrella Liability	62,201	47,182	46,721	46,346
Workers Compensation	69,133	55,244	59,311	62,304
Total without Public Officials Liability	263,825	236,786	240,991	250,302
Public Officials Liability (\$100K deductible)	71,031	70,684	115,569	180,200
Total with Public Officials Liability	<u>\$ 334,856</u>	<u>\$ 307,470</u>	<u>\$ 356,560</u>	<u>\$ 430,502</u>





- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

**Minute Action**

AGENDA ITEM: 7

**Date:** December 12, 2012

**Subject:** Deferral of local jurisdiction development impact fee adjustments through 2013

**Recommendation:\*** That the committee recommend the SANBAG Board approve the option of local jurisdiction deferral of increases to their Development Impact Fee (DIF) programs for transportation projects in the SANBAG Development Mitigation Nexus Study through 2013.

**Background:** The SANBAG Board approved the 2011 Update to the Development Mitigation Nexus Study (Appendix K of the Congestion Management Program) on November 2, 2011. Also approved at that time was an option for Valley and Victor Valley jurisdictions in the January fee update cycle to adjust their fee programs to be consistent with the Nexus Study by as late as January 2013.

Appendix J of the Congestion Management Program (CMP) provides that Valley and Victor Valley jurisdiction DIF fees be adjusted on an annual basis based on the approved CMP cost escalation methodology, as amended by the Board of Directors on May 6, 2009. The methodology uses the Caltrans Construction Items Index as the basis for estimating cost escalation.

SANBAG staff has examined the latest data from the Caltrans Construction Items Index and has seen that costs have generally decreased since 2007. The cost escalation factors presented in Table 1 are derived from the Caltrans report "Price Index for Selected Highway Construction Items." Since the complete 2012 data are not yet available, the most recent 12 month period which includes the fourth

\*

	<p><i>Approved</i>                  General Policy Committee</p> <p>Date: _____</p> <p>Moved: _____ Second: _____</p> <p>In Favor: _____ Opposed: _____ Abstained: _____</p> <p>Witnessed: _____</p>
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COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.  
 ADM1212e-tb

quarter of 2011 through the third quarter of 2012 have been reported in Table 1. The most recent 12 month period reflects a decrease of 5.6% from 2011.

**Table 1. Escalation Factors from Caltrans Index**

Year	Caltrans Index	Annual Percent Change
2000	53.5	1.13%
2001	58.7	9.72%
2002	53.1	-9.54%
2003	56.6	6.59%
2004	79.1	39.75%
2005	98.1	24.02%
2006	104.1	6.12%
2007	100.0	-3.94%
2008	95.0	-5.00%
2009	78.4	-17.47%
2010	76.8	-2.04%
2011	84.0	9.38%
2011 4 <sup>th</sup> Quarter through 2012 3 <sup>rd</sup> Quarter	79.3	-5.60%

Although some of the Valley and Victor Valley fee programs may need to be adjusted further based on changes in the cost estimates for freeway interchanges in the 2011 Nexus Study, staff recommends that these adjustments be deferred for another year as well, given the direction of the Board on December 5, 2012 for staff to proceed with the Interchange Phasing Study. This analysis of interchange phasing opportunities plus continuing adjustments to costs of the top 10 interchanges in the Valley will be reflected in the 2013 update to the Nexus Study. It would seem prudent to defer making adjustments for the interchange portion of the Nexus Study until these additional efforts are complete. Jurisdictions would need to contact SANBAG only if they choose to modify their DIF fees.

**Financial Impact:** This item imposes no impact on the fiscal year 2012/2013 budget.

**Reviewed By:** This item is not scheduled for review by other policy or technical advisory committees. However, the Transportation Technical Advisory Committee has been notified of the proposed approach.

**Responsible Staff:** Timothy Byrne, Chief of Planning



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

*Minute Action*

AGENDA ITEM: 8

**Date:** December 12, 2012

**Subject:** Budget Amendment for Department of Energy (DOE) Natural Gas Fuel Project

**Recommendation:\*** That the Committee recommend the Board approve budget amendment to increase Task No. 102, Air Quality Implementation, in the amount of \$178,110 funded by 1990-2010 Transportation Management and Enhancement (TMEE) funds for a new task total of \$3,635,811.00

**Background:** On August 26, 2009, Vice President Biden, along with DOE Secretary Chu, announced that SANBAG was successful in receiving funding from the Clean Cities' Fiscal Year (FY) 09 Petroleum Reduction Technologies Projects for the Transportation Sector. The following week, the California Energy Commission (CEC) announced that SANBAG was a recipient of an Assembly Bill 118 grant award, created and designed specifically to provide match funding to the DOE Clean Cities grant. These two grants totaling \$19.2 million would be used for the transition of more than 200 tractor/trailer vehicles to natural gas, as well as the construction of two natural gas fueling stations (open to the public), improvements to maintenance facilities and training.

Project partners who are sub recipients to the grant funding include Ryder Systems, Inc., the fleet partner who has contributed approximately \$17 Million dollars toward the project and the Southern California Association of Governments (acting as the Southern California Clean Cities Coalition) and

*Approved*  
 General Policy Committee

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

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG		CTC	X	CTA	X	SAFE		CMA	X
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Check all that apply.

Gladstein and Associates, which provided outreach and marketing, as well as a Natural Gas Systems specialist required for the project.

At the January 6, 2010 Board meeting, SANBAG approved the execution of an agreement with the DOE and as a result, the DOE funds have been obligated by the federal government.

Since that time, the project has been progressing well with all 202 trucks purchased. More than 170 of the 202 LNG/CNG trucks have been leased to customers and have replaced thousands of gallons of annual diesel use with domestically produced low-carbon Natural Gas Fuel. The trucks have also reduced thousands of pounds of greenhouse gas (GHG) emissions per year and eliminated hundreds of tons of diesel particulate emissions. The Orange fueling station is in its final stages of completion and the Fontana fuel station is slated to begin construction in January 2013.

The amount requested in this budget amendment will provide the additional funds necessary to complete the Department of Energy project. The funds are needed primarily due to a number of unexpected permit delays that took place while working with the City of Orange, the location of the first of two natural gas fueling stations. Even though the Mayor of Orange is a strong supporter of the natural gas fueling station, the City had not approved/permitted a natural gas fueling station before, therefore, their Planning Department took a very cautious approach and as a result the construction of the natural gas fueling was delayed for almost a year. The City of Orange natural gas fueling station is just about completed, but unfortunately the numerous delays due to the various permits and changes the City required impacted the budget for the overall project.

The additional funds being requested will provide continued American Recovery Reinvestment Act (ARRA) and federal reporting support from Parsons, as well as from GCAP Services that specialize in ARRA and federal labor compliance rules and regulations, both required by the Grant. In addition, some of the funds will enable a Natural Gas Systems Specialists to continue on the project under Gladstein and Associates as well.

The funds being requested will allow for the expertise required by the Grant through the completion of the project which must be done by December of 2013.

At this time, Staff requests that the Board approve the additional funds requested to avoid delay in the project and to secure a successful project that is in compliance with all rules and regulations requested by the CEC and DOE grants.

***Financial Impact:*** The budget increase for Task No. 102 in the amount of \$178,110 is to be funded from 1990-2010 Transportation Management and Enhancement (TMEE) fund balance.

***Reviewed By:*** This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG Contracts Administrator has reviewed this item.

***Responsible Staff:*** Duane A. Baker, Director of Management Services



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

*Minute Action*

AGENDA ITEM: 9

**Date:** December 12, 2012

**Subject:** Amendment No. 1 to Freeway Service Patrol (FSP) Contract C11213 with Pepe's Towing Services, Inc., for additional work.

**Recommendation:** That the Committee recommend the Board approve Amendment No. 1 to Contract No. C11213 with Pepe's Towing Services, Inc., for additional work to cover FSP Beat 3 from January 11, 2013 to April 30, 2013. This action will increase the contract amount by \$63,529.00 for a revised not-to-exceed amount of \$623,781.00. This action shall not revise the original scope of work for Beat 6 or contract end date which is December 31, 2014.

**Background:** In September 2012, it was determined that the Contractor for Beat #3 would not have the ability to continue services per their contract which was to end on April 30, 2013. The determination was made that the Contractor with the Beat closest to Beat 3 would be offered the work. Pepe's Towing has the closest Beat and were offered the work. An emergency purchase order was developed and signed by Pepe's Towing at the end of October to provide emergency coverage for Beat 3 until a contract amendment could be prepared and to avoid FSP service interruption. In addition, Pepe's Towing has agreed to provide the FSP services at the same hourly rate as the previous Contractor which is \$49.50 per hour. Pepe's Towing has agreed to continue to provide Beat 3 FSP coverage at this rate until the contract expires on April 30, 2013, at which time a new contractor will have been selected after a competitive RFP selection process.

\*

*Approved*  
 General Policy Committee

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

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	CTC	X	CTA		SAFE	X	CMA	X
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[http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C11213\\_01.doc](http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C11213_01.doc)

Pepe's Towing has provided excellent service to the FSP Program throughout the past six years as they have assisted stranded motorists quickly, professionally and safely. In addition to their excellent service, they are performing well within their contract budgets.

Staff recommends that the Board approve Amendment No. 1 to Contract C11213 with Pepe's Towing Services, Inc., for additional work to cover Beat #3 until April 30, 2013. The original contract C11213 was created to cover Pepe's services for FSP Beat 6. Staff is recommending that this contract be amended to include this short period of extra work to cover Beat 3. The original contract end date will remain at December 31, 2014.

**Financial Impact:** This item is consistent with the adopted Fiscal Year (FY) 2012/2013 budget, totaling \$63,529.00. This action will increase the contract amount by \$63,529.00 for a revised not-to-exceed amount of \$623,781.00. The source of funds is a combination of State FSP funds and Department of Motor Vehicles funds – Task Number 704.

**Reviewed By:** This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have reviewed this item and a draft of the amendment.

**Responsible Staff:** Duane A. Baker, Director of Management Services



## CONTRACT SUMMARY SHEET

Contract No. C 11213 Amendment No. 1

By and Between

Pepe's Towing Services, Inc. and San Bernardino Associated Governments

Contract Description Freeway Service Patrol Services along Beat 6 and additional temporary work coverage for Beat 3.

<b>Board of Director's Meeting Date:</b> 1/9/2013	
<b>Overview of BOD Action:</b> Approve amendment 1 for C11213 with Pepe's Towing Services, Inc. to provide additional work to cover FSP Beat 3.	
Is this a Sole-Source procurement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	560,252	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	560,252	Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$	63,529	Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>623,781</b>	<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			<b>\$ 623,781</b>

Contract Start Date 1/2/2012	Current Contract Expiration Date 12/31/2014	Revised Contract Expiration Date
Has the contract term been amended? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please explain.		

FINANCIAL INFORMATION				
<input checked="" type="checkbox"/> Budget authority for this contract currently exists in Task No. <u>704</u> .				
<input type="checkbox"/> A Budget Amendment is required.				
How are we funding current FY? 80% State Freeway Service Patrol funds 20% Department of motor vehicle funds.				
<input type="checkbox"/> Federal Funds	<input checked="" type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
Provide Brief Overview of the <b>Overall</b> Funding for the duration of the Contract: 80% will be funded by State FSP funds and 20% will be matched by local funds.				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable				

CONTRACT MANAGEMENT INFORMATION	
<b>Check all applicable boxes:</b>	
<input type="checkbox"/> Retention? If yes, indicate % _____.	
<input type="checkbox"/> Disadvantaged Business Enterprise (DBE) Goal _____ %	

JENNY HERRERA  
Project Manager (Print Name)

DUANE A. SAKER  
Task Manager (Print Name)

Andrea Zureick  
Dir. of Fund Admin. & Programming (Print Name)

Jeffery H. I.  
Contract Administrator (Print Name)

W. S. TRUMSKI  
Chief Financial Officer (Print Name)

[Signature] 12/5/12  
Signature Date

[Signature] 12-5-12  
Signature Date

[Signature] 12/5/12  
Signature Date

[Signature] 12/5/12  
Signature Date

**Amendment No. 1 to Contract No. C11213**

**By and Between**

**SAN BERNARDINO ASSOCIATED GOVERNMENTS**

**And**

**PEPE'S TOWING SERVICES, INC.**

**For**

**FREEWAY SERVICE PATROL FOR BEAT #3  
WITHIN SAN BERNARDINO COUNTY**

This Amendment No. 1 ("Amendment") to Contract for Freeway Service Patrol for Beat #3 is made and entered into on the Effective Date by and between San Bernardino Associated Governments ("SANBAG") and Pepe's Towing Service's, Inc. ("Contractor").

A. SANBAG and CONTRACTOR are parties to Contract No. C11213 effective October 5, 2011 (the "Contract"), wherein SANBAG engaged CONTRACTOR to provide freeway service patrol services along Beat #6 within San Bernardino County ("SERVICES"); and

B. SANBAG and CONTRACTOR desire to amend the Contract to reflect SANBAG's exercise its option to include additional work from the term January 11, 2013 through April 30, 2013. The service will be provided along Beat #3 which goes from Sierra Avenue to Waterman Avenue. This will increase the Contract amount by \$63,529 to compensate CONTRACTOR for performing the additional Services, as allowed for in Section 4.10 of the CONTRACT.

4.10 At any time during the term of this Contract, COMMISSION may request CONTRACTOR to perform Extra Work. "Extra Work" shall mean any work which is determined by COMMISSION to be necessary for proper completion of the Services, but which the parties did not reasonable anticipate would be necessary at the time of the execution of this Contract and was not included in the Scope of Work. Extra Work shall be reimbursed at the same hourly rate as identified in Exhibit "A". Contractor shall not perform, nor be compensated for Extra Work without obtaining authorization in the form of a written Extra Work Order issued by COMMISSION'S representative. For instance, Construction FSP services as it relates to construction activity and projects can be considered Extra Work. In the event an Extra Work Order is not issued and signed by COMMISSION'S representative, CONTRACTOR shall not provide such Extra Work. However, no compensation or reimbursement for Extra Work shall be paid if it is not authorized by COMMISSION and if the cumulative total of such Extra Work under the Contract exceeds \$25,000. All Extra Work in a cumulative total in excess of \$25,000 must be approved in advance by amendment to this contract.

NOW THEREFORE, SANBAG and CONTRACTOR agree to amend the Contract as follows:

1. SECTION 3.2 Price. The first sentence of this paragraph is amended to read as follows: The total Not-To-Exceed or (Firm Fixed) amount is Six Hundred Twenty-Three Thousand, Seven Hundred and Eighty One Dollars and no cents. (\$623,781). CONTRACTOR'S fee for services is included in the total contract cost and shall be a specific rate of compensation contract, as agreed upon, and noted in Attachment "B", Compensation and Payment, Price Summary Sheet, and the Detailed Itemized Beat Cost Schedule. Services to be provided under this Contract are to be performed as set forth in Attachment "A", which includes Scope of Services which is incorporated herein by this reference.
2. Attachment B-1 is added to the Contract to show compensation and payment for Beat #3 for the period needed. Which is attached to this Amendment and incorporated herein by this reference.
4. All other provisions of the Contract shall remain in full force and effect and are incorporated herein by this reference.
5. The Recitals above are true and correct and are incorporated into and made a part of this Amendment.
6. The Effective Date of this Amendment No. 1 is the date this Amendment is executed by SANBAG.

**PEPE'S TOWING SERVICES, INC.**

**SAN BERNARDINO ASSOCIATED GOVERNMENTS**

By: \_\_\_\_\_  
Manuel Acosta  
President

By: \_\_\_\_\_  
Janice Rutherford  
SANBAG President

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

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

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Eileen Monaghan Teichert  
General Counsel

CONCURRENCE:

By: \_\_\_\_\_  
Jeffery Hill  
Contract Administrator





- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

*Minute Action*

AGENDA ITEM: 10

**Date:** December 12, 2012

**Subject:** Amendment No. 8 to Agreement No. 05006 with CASE Systems, Inc., for the extension of Call Box Maintenance Services

**Recommendation:**\* That the Committee recommend the Board of the San Bernardino County Service Authority for Freeway Emergencies (SAFE):

Approve Amendment No. 8 to Agreement No. 05006, between the SAFE and CASE Systems, Inc., for call box maintenance services throughout San Bernardino County, extending the contract term with CASE Systems, Inc., for five months through June 30, 2013, and increasing the contract amount by \$70,000 for a new not-to-exceed amount of \$8,741,250.

**Background:** The San Bernardino County Service Authority for Freeway Emergencies (SAFE) operates approximately 1,200 call boxes on freeways and highways throughout the County. Each call box is a battery-powered, solar-charged roadside terminal with a microprocessor and a built-in digital cellular telephone. The network has assisted more than 1.4 million callers since inception.

The last procurement process for a maintenance provider was conducted in the summer of 2004. A Request for Proposal (RFP) was released to upgrade the system from an analog to a digital cellular signal, to provide improvements anticipated to bring the system into compliance with the Americans with Disabilities Act, and to provide routine corrective and preventative maintenance.

*Approved*  
 General Policy Committee

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

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG		CTC		CTA		SAFE	X	CMA	
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Check all that apply.

ADM1212a-nm

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C05006-08.docx>

As a result of this RFP process, in November of 2004, Comarco Wireless Technologies (CWT) was selected as the call box maintenance provider and awarded Agreement No. 05-006 through June 30, 2010. In July 2008, the SAFE Board approved CWT's assignment to CASE Systems, Incorporated (CASE), and CASE's assumption of CWT's rights and obligations under Agreement No. 05-006. In May 2010, the SAFE Board approved a twelve-month extension of the CASE agreement term to June 30, 2011, and in June 2011, approved a six-month extension of the CASE agreement term to December 31, 2011. Subsequently, an additional three-month extension was approved on November 2, 2011, taking the term through March 31, 2012. On April 4, 2012, the Board approved another extension to January 31, 2013. As staff continues to review, research and resolve a number of State related items, and in order to have our agreement with CASE end on the same date as Riverside County Transportation Commission's (RCTC) contract for similar services with CASE, staff is requesting an additional five months extension of the agreement to June 30, 2013.

In order to maximize resources, RCTC and the SAFE decided to issue a joint RFP for call box maintenance services, with RCTC taking the lead. The procurement for call box maintenance will be conducted by RCTC. RCTC plans to release a competitive-based call box maintenance RFP during the first or second month of the upcoming year for RCTC and SANBAG. SANBAG will be part of the Evaluation Team. While RCTC and SANBAG continue to work out the final details of the outstanding issues with the State, RCTC has extended their contract with CASE through the end of the fiscal year, June 30, 2013. Once all of the issues have been resolved, a joint RFP for call box maintenance services is planned to be released with RCTC taking the lead. Subsequently, staff will return to the SAFE Board for approval of a contract with a call box maintenance vendor.

Though there are several one-year options available to SANBAG, under the current Agreement, staff is requesting only an additional five-month extension to the current CASE Agreement No. 05006, which will provide staff the required time needed to release a competitive based Request for Proposal (RFP) for Call Box Maintenance Services. This also will allow for continued on-going maintenance of the San Bernardino County Call Box Program.

**Financial Impact:** This item is consistent with the 2012/2013 adopted budget under Task 0702.

**Reviewed By:** This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have reviewed this item and a draft of the Amendment.

**Responsible Staff:** Duane A. Baker, Director of Management Services



## CONTRACT SUMMARY SHEET

Contract No. C 05006 Amendment No. 08

By and Between

CASE Systems, Inc. and SANBAG

Contract Description Extension of Agreement for call box maintenance services

**Board of Director's Meeting Date:** 1/9/13  
**Overview of BOD Action:** Approve Amendment No. 8 to Agreement No. 05006 for call box maintenance services to extend the expiration date of the contract to 6/30/13 and increase the contract amount by \$70,000.  
**Is this a Sole-Source procurement?**  Yes  No

CONTRACT OVERVIEW			
Original Contract Amount	\$	5,785,129	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	8,671,250	Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$	70,000	Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	\$	<b>8,741,250</b>	<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			\$ 8,741,250

<b>Contract Start Date</b> 11/3/04	<b>Current Contract Expiration Date</b> 1/31/13	<b>Revised Contract Expiration Date</b> 6/30/13
Has the contract term been amended? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - please explain. Extension for services while RFP is drafted and sent out.		

**FINANCIAL INFORMATION**

Budget authority for this contract currently exists in Task No. 0702.  
 A Budget Amendment is required.  
 How are we funding current FY? Through the California DMV \$1 per vehicle annual fee.

<input type="checkbox"/> Federal Funds	<input checked="" type="checkbox"/> State Funds	<input type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
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*Provide Brief Overview of the Overall Funding for the duration of the Contract:*  
 The California Department of Motor Vehicles collects the annual \$1 vehicle registration fee from vehicles registered in San Bernardino County for use in maintaining and operating the Call Box program.  
 Payable  Receivable

**CONTRACT MANAGEMENT INFORMATION**

**Check all applicable boxes:**

Retention? If yes, indicate % \_\_\_\_\_.

Disadvantaged Business Enterprise (DBE) Goal \_\_\_\_\_ %

Nikki Miller  
 Project Manager (Print Name)  
Duane A. Baker  
 Task Manager (Print Name)  
Andrea Zureick  
 Dir. of Fund Admin. & Programming (Print Name)  
Jeffery Hill  
 Contract Administrator (Print Name)  
W. S. [Signature]  
 Chief Financial Officer (Print Name)

<u>Nikki Miller</u> Signature	<u>12/4/12</u> Date
<u>Duane A. Baker</u> Signature	<u>12-7-12</u> Date
<u>Andrea Zureick</u> Signature	<u>12/4/12</u> Date
<u>[Signature]</u> Signature	<u>12/4/12</u> Date
<u>[Signature]</u> Signature	<u>12/5/12</u> Date

**AMENDMENT NO. 8 TO  
AGREEMENT NO. 05-006**

**BY AND BETWEEN**

**SAN BERNARDINO COUNTY SERVICE AUTHORITY FOR FREEWAY  
EMERGENCIES**

**AND**

**CASE SYSTEMS, INC.**

**FOR**

**CALL BOX MAINTENANCE SERVICES**

THIS AMENDMENT NO. 8 is effective on the "Effective Date" defined herein, by and between the San Bernardino County Service Authority For Freeway Emergencies ("SAFE") and Case Systems, Inc. ("CONTRACTOR").

**RECITALS:**

WHEREAS, SAFE and CONTRACTOR's predecessor-in-interest, entered into a Agreement No. C05-006 effective November 3, 2004, to install, repair and maintain the motorist aid call box system on freeways and state highways within the boundaries of San Bernardino County and upgrade the system to a digital cellular signal, which agreement is hereinafter referred to as the "Agreement";

WHEREAS, SAFE consented to the assignment to and assumption by CONTRACTOR of all of CONTRACTOR's predecessor-in-interest's rights and obligations under the Agreement on July 2, 2008;

WHEREAS, the Agreement has been amended by seven amendments, including the most recent amendment number 7 extending the Agreement term to January 31, 2013; and

WHEREAS, SAFE and CONTRACTOR desire to extend the Agreement term to June 30, 2013.

NOW THEREFORE, SAFE and CONTRACTOR agree to amend the Agreement as follows:

1. Delete the first sentence of Section I, Scope of Services, Paragraph 2 and replace it with the following:

“2. Term. Upon SAFE Board approval and unless earlier terminated as provided herein, the term of this Contract shall be from November 3, 2004 through June 30, 2013, unless earlier terminated as provided herein.”

2. Delete the first sentence of Section III, Fee and Payments, Paragraph 1 and replace it with the following:

“1. Payment For Services. The total amount of this contract shall not exceed eight million, seven hundred forty-one thousand, two hundred fifty and no cents (\$8,741,250.00) and consists of the following:”

3. Delete the first sentence of Section III, Fee and Payments, Paragraph 1, Subparagraph B and replace it with the following:

“B. The total compensation payable monthly for the provision of preventative, corrective and general maintenance of the call box system, during the term of the contract as outlined in Section I, shall not exceed three million, four hundred three thousand, eight hundred eight-four dollars and no cents (\$3,403,884.00) and will be based on a flat rate fee as outlined in Attachment “C”.”

4. The Recitals to this Amendment are true and correct and are incorporated into this Amendment.

5. All other terms and conditions of the Agreement, which are not altered by this Amendment No. 8, shall remain in full force and effect and are incorporated herein by this reference.

6. The “Effective Date” is defined as the date SAFE executes this Amendment.

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

**IN WITNESS WHEREOF**, the authorized parties have executed below this Amendment No. 8 to the Agreement.

**SAN BERNARDINO COUNTY SAFE**

**CASE SYSTEMS, INC.**

By: \_\_\_\_\_  
Janice Rutherford, Board President

By: \_\_\_\_\_  
Sebastian Gutierrez, Chief Executive Officer

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

**APPROVED AS TO FORM FOR SAFE:**

By: \_\_\_\_\_  
Eileen Monaghan Teichert, General Counsel

**CONCURRENCE:**

By: \_\_\_\_\_  
Jeffery Hill, Contract Administrator



- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

**Minute Action**

AGENDA ITEM: 11

**Date:** December 12, 2012

**Subject:** Surface Transportation Program Rural Apportionment Funds for the County of San Bernardino

**Recommendation:\*** That the Committee recommend the Board approve an exception to SANBAG Policy 40001/VS-30: Cost Buy-down for Projects with a Development Share Contribution, and allow the use of \$4.2M Surface Transportation Program funds allocated to the County of San Bernardino for use at their discretion to be regarded as an internal loan of development share funds for the I-10 Cedar Interchange project.

**Background:** Every year SANBAG receives about \$20M of Surface Transportation Program (STP) funds to use throughout the county for a wide variety of transportation projects. Per federal law, STP is distributed between urban areas of the state with an urbanized area population over 200,000 and other areas of the state with population less than 200,000 based on the area's relative share of the state's population. SAFETEA-LU required that about \$2.2M of these "other area" funds be reserved for use in areas of the county with population less than 5,000 each year. The County of San Bernardino exchanges half of these federal funds for state funds for use on projects off the federal-aid system at their discretion. In December 2005, the SANBAG Board allocated the remaining \$6.5M that was expected over the six-year period of SAFETEA-LU to the County for use at their discretion on federally-eligible projects. The County programmed those funds on the following projects:

\*

	<p><i>Approved</i>          General Policy Committee</p> <p>Date: _____</p> <p>Moved: _____ Second: _____</p> <p>In Favor: _____ Opposed: _____ Abstained: _____</p> <p>Witnessed: _____</p>							
<table border="1" style="margin: auto;"> <tr> <td>COG</td> <td>CTC</td> <td>X</td> <td>CTA</td> <td>X</td> <td>SAFE</td> <td>CMA</td> </tr> </table>	COG	CTC	X	CTA	X	SAFE	CMA	
COG	CTC	X	CTA	X	SAFE	CMA		

Check all that apply.  
 ADM1212a-az

- Lenwood Rd Grade separation - \$4.2M
- Flamingo Heights Landers Rd Improvements - \$2M
- SR-247 and Chaparrel Rd - \$200,000

Since programming these funds on these projects in 2006, the funding plan for the Lenwood Road Grade Separation project has fully developed. SANBAG, the City of Barstow, and the County were successful in securing \$6.7M in State Proposition 1B Trade Corridors Improvement Fund (TCIF) program funds. Because of stringent schedule requirements related to the TCIF program, in January 2010, SANBAG assumed the management role for the project to reduce the risk of loss of those funds. Over the next year SANBAG allocated \$3.45M in STP funds toward the right of way phase of the project, and in June 2011, SANBAG, the city, and the County entered into a right of way and construction funding agreement that essentially capped the contribution from the city and County at approximately \$2.5M each with the balance of the \$31.5M project being funded from state and federal funds and North Desert Major Local Highway Program (MLH) funds. At the time it was projected that SANBAG would be required to bond for \$11M in MLH funds in the construction phase. Through development of the Measure I 2010-2040 Ten-Year Delivery Plan, SANBAG identified \$8.8M in STP funds that could be used for construction and negate the need to bond for this project.

Because the County has met its \$2.5M financial commitment to this project through funding of the project development phases, there is no longer a need for the \$4.2M STP funds they had programmed on the project. In addition, because SANBAG has committed \$12.3M STP to this project, the federal funding requirement for rural areas has been met. Therefore, the County has requested that, in this unique circumstance, they be permitted to use the \$4.2M STP allocated to them in 2005 as an internal loan toward their required local (development share) contribution on the I-10 Cedar Interchange Project, which is the highest priority interchange in the Valley, to be paid back with future development fee collections. The County expects environmental approval in December 2012, and allocation of these funds toward PS&E and right of way would allow the County to be in a position to support the advancement of these phases. Per SANBAG Policy 40001/VS-30, STP funds are considered public share funds; however because these funds were allocated to the County to use at their discretion, SANBAG staff recommends this exception. It is the intention of the County to direct the internal loan repayment to a future project in the rural area.

**Financial Impact:** This item has no financial impact on the approved Fiscal Year 2012-2013 budget because the subject funds are currently allocated to the County and are not included in the SANBAG Budget.

General Policy Committee Agenda Item  
December 12, 2012  
Page 3

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

**Responsible Staff:** Andrea Zureick, Director of Fund Administration and Programming

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist SANBAG Board Members and partners as they participate in deliberations at SANBAG 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. SANBAG 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
IIEP	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

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

# ***San Bernardino Associated Governments***



## **MISSION STATEMENT**

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993  
Reaffirmed March 6, 1996