



AGENDA

General Policy Committee Meeting

January 16, 2013

9:00 a.m.

Location

SANBAG

Super Chief Conference Room

1170 W. 3rd Street, 2nd 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

Supervisor Robert Lovingood
County of San Bernardino

East Valley Representatives

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

Council Member Dick Riddell (*Chair-MVSS*)
City of Yucaipa

Supervisor James Ramos
County of San Bernardino

West Valley Representatives

Mayor L. Dennis Michael
City of Rancho Cucamonga

Vice Mayor 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

January 16, 2013

9:00 a.m.

Location: SANBAG, Super Chief Conference Room, 1170 W. 3rd Street, 2nd 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 – Diane Greve

Notes/Actions

1. **Possible Conflict of Interest Issues for the General Policy Committee Meeting January 16, 2013** Pg. 8

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. 9

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.

Discussion Items

Administrative Matters

3. **December 2013 Procurement Report** Pg. 11
 Receive December 2013 Procurement Report.
 William Stawarski

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

4. **Modification to Contracting and Procurement Policy 11000, Contracting and Signature Authority for SANBAG's Executive Director** Pg. 14

That the Committee recommend the Board of Directors approve modifications to Contracting and Procurement Policy 11000, granting San Bernardino Associated Governments' Executive Director, or designee, contracting and/or signature authority as follows:

1. To release and advertise Requests For Proposals, Request For Quotes and Invitation For Bids, which have been approved in SANBAG's Annual Budget.
2. To approve and execute all purchase orders and contracts up to \$100,000.
3. To approve and execute contract amendments that meet at least one of the following criteria:
 - a) Amendments with zero dollar value.
 - b) Amendments to exercise the option term(s) set out in contracts approved by the Board.
 - c) Amendments that cumulatively do not exceed 50% of the original contract value, or \$100,000 individually whichever is less. **Kathleen Murphy-Perez**

This item has been reviewed by the Contract Ad Hoc Committee. SANBAG's General Counsel and Contract Administrator have approved this item as to form.

5. **Summary of Contract and Procurement Activity for 2012** Pg. 19
 Receive and File. **Kathleen Murphy-Perez**

This item is not scheduled for review by any other policy committee or technical advisory committee. This item has been reviewed by SANBAG's General Counsel and Contract Administrator.

Discussion Items Continued....

Council of Governments**6. Resolution of Intention to Form a Property Assessed Clean Energy (PACE) Program and to Set a Public Hearing on the Matter Pg. 23**

That the Committee recommend the Board:

1. Adopt Resolution No. 13-038 that declares SANBAG's intention to finance distributed generation renewable energy sources, energy and water efficiency improvements and electric vehicle charging infrastructure through the use of voluntary contractual assessments (commonly known as a PACE Program).
2. Set a public hearing for Wednesday, March 6, 2013 at 10:30 a.m. at the regularly scheduled Board of Directors meeting to consider the PACE Program Report and to take public testimony. **Duane Baker**

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel has reviewed this item and the Resolution of Intention.

Transportation Fund Administration**7. Local Stimulus Program Update Pg. 34**

That the Committee recommend the Board:

1. Receive report on the status of the Local Stimulus Program.
2. Approve the extension of the final invoice dates for projects from December 31, 2012, to March 31, 2013.
Andrea Zureick

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

Discussion Items Continued....

Transportation Fund Administration (Cont.)**8. Status of the Trade Corridors Improvement Fund Projects and Future Baseline Agreement Amendments Pg. 38**

That the Committee recommend the Board:

1. Receive report on status of Trade Corridors Improvement Fund projects in San Bernardino County.
2. Authorize the Executive Director to execute all future Trade Corridors Improvement Fund Baseline Agreement Amendments that are consistent with Board-authorized allocations of funds, provided all future amendments are approved as to form by SANBAG's General Counsel. Should any policy issues arise from such changes or amendments, the Executive Director will consult with Board Officers. **Philip Chu**

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

Air Quality/Traveler**9. Amendment No. 2 to C10120 between SANBAG and Gladstein, Neandross and Associates (GNA) for an increase in contract amount and revised Scope of Work. Pg. 41**

That the Committee recommend the Board approve Amendment No. 2 to C10120 with Gladstein, Neandross and Associates to provide technical support to the San Bernardino Associated Governments (SANBAG) Natural Gas Truck project. This will increase the contract by \$50,000 for a revised not-to-exceed contract amount of \$434,000. This amendment will also revise Attachment "C", the Scope of Work, and be included as Attachment "D." **Duane A. Baker**

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.

Comments from Committee Members**Brief Comments from Committee Members**

Public Comment

Brief Comments by the General Public

ADJOURNMENT

Additional Information

Acronym List

Pg. 47

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. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd 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. 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: January 16, 2013

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	C10120	Gladstein, Neandross and Associates <i>Erik Neandross</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.

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	<p><i>Approved</i> <i>General Policy Committee</i></p> <p>Date: _____</p> <p>Moved: Second:</p> <p>In Favor: Opposed: Abstained:</p> <p>Witnessed: _____</p>
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COG	<input checked="" type="checkbox"/>	CTC	<input checked="" type="checkbox"/>	CTA	<input checked="" type="checkbox"/>	SAFE	<input type="checkbox"/>	CMA	<input type="checkbox"/>
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Check all that apply.

GPC1301z-db

GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2013

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Ed Graham City of Chino Hills												
Jim Harris City of Twentynine Palms												
Mike Leonard City of Hesperia												
Robert Lovingood Board of Supervisors												
Larry McCallon City of Highland												
Julie McIntyre City of Barstow												
L. Dennis Michael City of Rancho Cucamonga												
Patrick Morris City of San Bernardino												
Gary Ovitt Board of Supervisors												
Dick Riddell City of Yucaipa												
Janice Rutherford Board of Supervisors												
James Ramos Board of Supervisors												
Dennis Yates City of Chino												

X = Member attended meeting.

Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

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

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rick Roelle Town of Apple Valley	X	X	X			X						
Julie McIntyre City of Barstow							X	X		X		
Bill Jahn City of Big Bear Lake		X										
Dennis Yates City of Chino	X		X	X	X							X
Mike Leonard City of Hesperia	X		X	X	X	X	X	X		X	X	X
Larry McCallon City of Highland	X	X	X	X	X	X		X	X		X	X
Rhodes Rigsby City of Loma Linda	X	X	X	X	X	X						
Ed Scott City of Rialto	X	X	X	X	X							
Ed Graham City of Chino Hills	X	X	X	X	X	X	X	X	X	X	X	X
L. Dennis Michael City of Rancho Cucamonga							X	X		X		X
Patrick Morris City of San Bernardino		X	X	X	X	X		X	X	X	X	
Jim Harris City of Twentynine Palms		X	X	X	X	X	X	X	X	X	X	X
Dick Riddell City of Yucaipa		X	X		X	X	X	X		X	X	
Janice Rutherford Board of Supervisors	X		X	X		X		X	X	X	X	X
Josie Gonzales Board of Supervisors	X	X	X	X	X	X						
Brad Mitzelfelt Board of Supervisors	X		X		X			X	X	X	X	
Robert Lovingood Board of Supervisors												X
Gary Ovitt Board of Supervisors	X	X	X	X		X	X	X	X	X	X	
Neil Derry Board of Supervisors	(Self-Suspension as of 5/3/11)	X	X				X	X				
James Ramos Board of Supervisors												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



- 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: January 16, 2013

Subject: December 2012 Procurement Report

Recommendation:* Receive December 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 December 5, 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.
 GP1301a-ws

December 2012 Report of Purchase Orders

PO No.	PO Issue Date	Vendor	Purpose	Amount
4000946	12/13/12	TH Enterprises Inc.	Regional council management system software agreement for 2013.	\$6,480.00
4000949	12/21/12	Douglas Engineering	Prepare a request for an allocation of \$5 million from the 2012/2013 or 2013/2014 California Public Utility Commission's grade separation priority list for the Palm Avenue Grade Separation project by April 1, 2012 to Caltrans. The staff of Douglas Engineering is uniquely qualified in preparation of the Request for Allocation package and was instrumental in getting this project on the priority list.	\$5,350.00
4000947	12/20/12	G/M Business Interiors	Purchase flamesafe lateral file cabinets. SANBAG is able to use same pricing and terms that are stipulated in the contract between G/M Business Interiors and San Bernardino County. Per Purchasing Policy 11000, SANBAG may contract with the vendor or supplier of any public agency that has been selected after complying with the public agency's competitive procurement requirements.	\$20,821.02
4000948	12/20/12	Inland Empire Economic Partner	Annual membership November 1, 2012 to October 31, 2013.	\$15,000.00
4000941	12/10/12	Sprint Communications Company, LP	SANBAG's grade separation project to lower Laurel Street under the BNSF railway track east of North 6 th Street to East of Miller Drive in San Bernardino County, on the route of BNSF right of way. Sprint owns	\$10,000.00

			<p>fiber optic cable within the aforementioned right of way that will require relocation, as a result of this construction. It will be necessary for Sprint to attend meetings, exchange information, review and prepare plan (preliminary engineering) to modify its facility to accommodate the project. SANBAG is responsible for all the relocation costs associated with the required Sprint relocation.</p>	
4000940	12/10/12	BNSF Railway Company	<p>SANBAG's grade separation project to lower Laurel Street under the BNSF railway track east of North 6th Street to East of Miller Drive in San Bernardino County, on the route of BNSF right of way (ROW). BNSF will need to prepare signal design and work on the preliminary track design for the C&M agreement to get permission to work within BNSF ROW. BNSF needs to prepare plans (preliminary engineering) to modify its facility to accommodate the project. SANBAG is responsible for the costs associated with the signal design and preliminary track design to be performed by BNSF.</p>	\$45,000.00
4000942	12/10/12	BNSF Railway Company	<p>SANBAG is the lead for the design phase of the Colton Quiet Zone project along the BNSF railroad line, to modify four at-grade crossings namely, Valley Boulevard, E Street, H Street, and Olive Street. BNSF will need to prepare the signal design and work on the preliminary track design, as a result of the construction for this project. It will be necessary for BNSF to prepare plans (preliminary engineering) to modify its facility to accommodate the project. SANBAG is responsible for the costs associated with the signal design and preliminary track design to be performed by BNSF.</p>	\$29,795.00
<p>*Note: Sole Source justification is noted in the Purpose statement, if applicable.</p>				<p>Total \$132,446.02</p>



- 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: January 16, 2013

Subject: Modification to Contracting and Procurement Policy 11000, Contracting and Signature Authority for SANBAG's Executive Director

Recommendation: * That the Committee recommend the Board of Directors approve modifications to existing Contracting and Procurement Policy 11000, granting San Bernardino Associated Governments' Executive Director or designee, contracting and/or signature authority as follows:

1. To release and advertise Requests for Proposals, Request for Quotes and Invitation for Bids, which have been approved in San Bernardino Associated Governments' annual budget.
2. To approve and execute all purchase orders and contracts up to \$100,000.
3. To approve and execute contract amendments that meet at least one of the following criteria:
 - a) Amendments with zero dollar value.
 - b) Amendments to exercise the option term(s) set out in contracts approved by the Board.
 - c) Amendments that cumulatively do not exceed 50% of the original contract value or \$100,000 individually whichever is less.

*

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.

Background:

San Bernardino Associated Governments (SANBAG) contracts and procurement staff have been working with the SANBAG Board of Directors (Board) Contract Ad Hoc Committee to review existing procurement processes and practices as well as identify potential changes to existing Contracting and Procurement Policy. At the November 15, 2012 Contract Ad Hoc meeting, staff discussed the need for the Executive Director to have additional contracting and signature authority to allow the Executive Director to effectively manage issues that require immediate attention, focus on daily operations and to bring SANBAG's policy in line with other public agencies. Currently, SANBAG's Board has delegated limited signature authority to the Executive Director for Purchase Orders (POs) only, and limited that authority to \$50,000. The Executive Director does not have authority to sign contracts or amendments at any dollar amount. This current structure severely limits the Executive Director's ability to manage day-to-day operations and results in an inefficient overall operational process. In order to meet critical deadlines, staff is limited to using POs instead of the approved form contract, which provides broader legal protection for SANBAG (e.g. insurance, indemnity, etc.), when critical services are necessary and time restrictions do not permit going to the Board for approval of a contract.

The Contract Ad Hoc Committee requested that staff provide recommendations for their consideration. Staff prepared recommendations and presented that information to the Contract Ad Hoc Committee on December 13, 2012. The recommendations presented were based on the following considerations: a) comparison between SANBAG and other public agencies' delegations of authority; b) the size and nature of the procurement activities that SANBAG manages; and c) any state or federal regulatory limitations. Staff compiled information that details other agencies' delegation of contracting and signature authority, which is presented in Table A. In contrast to other agencies, SANBAG's Executive Director has very limited signature authority. Orange County Transportation Authority's (OCTA) Board delegates signature authority to the Chief Executive Officer on all Board actions. OCTA's contract staff has contracting and signature authority up to \$250,000. San Diego Association of Governments (SANDAG) Board delegates all contract and signature authority to the Executive Director on all items that have been approved in their annual budget. Currently, SANBAG's Board must approve all procurement actions with the exception of POs and sole-source procurements up to \$50,000, including the release of all Requests for Proposals (RFPs) and Invitations for Bids (IFBs), all amendments regardless of the dollar value, and all contracts. To accommodate the Committee and Board process, staff must factor an additional four to eight weeks in to their project schedules.

Staff also reviewed the contracts and amendments that the Board approved during the last completed Fiscal Year of 2011-12. That information is presented in Table B. As identified in Table B, approximately 29% of all contracts approved by the Board between July 1, 2011 and June 30, 2012, had a contract value of zero dollars. Most of these contracts were either a Memorandum of Understanding or Cooperative Agreement between SANBAG and another public agency detailing the roles and responsibilities the parties will be responsible for relative to a particular project. By granting the Executive Director authority to execute these contracts, staff could save four to eight weeks in their project schedules.

The Contract Ad Hoc Committee reviewed the information presented and provided staff direction to bring forth the recommendations presented in this Staff Report to the General Policy Committee to increase the signature and contracting authority of the Executive Director.

Should the Committee recommend approval of these changes to the Board of Directors, Policy No. 11000, Contracting and Procurement, will be amended and staff will be provided with written guidance and appropriate training relative to the changes. The changes will be effective the date the Board takes action and will be applicable to all of SANBAG's contracting entities. Staff will also provide a monthly report to this Committee and Board of all procurement actions that the Executive Director has taken in the prior month.

Financial Impact: This item poses no financial impact of Fiscal Year 2012-13 budget.

Reviewed By: This item has been reviewed by the Contract Ad Hoc Committee. SANBAG's General Counsel and Contract Administrator have approved this item as to form.

Responsible Staff: Kathleen Murphy-Perez, Contracts Manager

**TABLE A
 CURRENT AGENCY DELEGATION OF SIGNATURE AUTHORITY**

Agency	Delegation of Authority to:	Contracting Authority	Signature Authority
SANBAG	Executive Director	Board approves all contracts, amendments & release of RFP's and IFB's	Up to \$50,000 for POs and Sole Source. No authority to sign contracts or to release RFP's and IFB's
Orange County Transportation Authority (OCTA)	CEO Director of Contracts/Contracts Manager	Board approves contracts in excess of \$250,000; Authorizes release of RFP's and IFB's over \$1 Million	Executes all contracts approved by the BOD and authorizes release of RFP's & IFB's up to \$1Million. Executes all contracts up to \$250,000*
San Diego Association of Governments (SANDAG)	Executive Director Staff**	If budgeted, Executive Director can approve & sign all contracts.	By adoption of a budget the Board authorizes the Executive Director to enter into all contracts and release all RFP's and IFB's. Up to \$100,000 if unbudgeted. Up to \$100,000
Riverside County Transportation Commission (RCTC)	Executive Director/CFO	Board approves contracts in excess of \$50,000 for equipment/supplies and up to \$100,000 for services***	Executes all contracts and authorizes the release of RFP's and IFB's

* This amount is stand alone and not cumulative

**Delegations of authority to staff vary depending on the level of the staff. i.e. Sr. Manager, Jr. Manager etc.

*** Certain cumulative limitations apply in the course of the Fiscal Year

TABLE B
DOLLAR VALUE OF CONTRACTS APPROVED BY SANBAG
BOARD OF DIRECTORS FROM 7/1/11 THRU 6/30/12

Dollar Value	# of Contracts
\$0	42
\$1 - \$100,000	12
\$101,000- \$250,000	8
Above \$250,000	83
TOTAL	145



- 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: January 16, 2013

Subject: Summary of Contract and Procurement Activity for 2012

Recommendation:* Receive and File.

Background: Presented below is a summary of the contract and procurement activity and accomplishments for 2012. Since January 2012, there have been several major changes to the contract and procurement area within San Bernardino Associated Governments (SANBAG). Based on the direction from SANBAG's Board of Directors, a new position; Procurement/Risk Management/Contract Administrator (Contract Administrator), was created and filled in early 2012. With a full-time Contract Administrator, the procurement process is now managed on a full-time basis. The Contract Administrator manages and oversees the day-to-day operations of all contract and procurement activities providing a consistent approach and offers technical and administrative services to staff. The creation of this position has filled a void in the management and oversight in the area of procurement. Also in 2012, SANBAG hired in-house General Counsel who has provided necessary legal guidance to SANBAG staff.

In addition to these positions, several consultant contracts have been awarded to provide contract related services. To assist in the contract administration of public works contracts; SANBAG awarded two on-call contracts for Labor

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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.
 GPC1301b-kmp

Compliance. These firms are assisting SANBAG in providing updated language for our contract documents; develop training materials for staff, conducting audits of certified payroll documents and as requested, manage labor compliance on certain contracts. Additionally, SANBAG awarded an on-call contract to provide pre-award audit services for Architectural and Engineering services contracts as well as provide other audit related support. Up until recently, SANBAG has been relying on Department of Transportation (Caltrans) in-house audit staff to provide these services. Due to labor force reductions at Caltrans, the audit process was lengthy and often was not conducted until after the completion of the contract. SANBAG's ability to have its own audit consultant will provide SANBAG with resources that were not previously available.

In 2011, SANBAG recognized its need to also have a Risk Manager to provide contract related services. An amendment was awarded to SANBAG's Insurance provider; Willis to provide risk management services on a short-term basis. Risk management services being provided by Willis were; review of contract language to ensure appropriate levels of coverage are being sought and review of consultant insurance certificates and policies for compliance with contract requirements. In the last quarter of 2012, staff released a Request for Proposal (RFP) for Insurance Brokerage and Risk Management services. The Board awarded a multi-year contract to a new firm, Keenan and Associates (Keenan) to provide SANBAG with the procurement of their insurance policies and risk management services. One of the first activities that Keenan will be assisting contract staff with is reviewing existing contract language and providing any recommended modifications based on current insurance industry standards.

In 2012, there have been several key policy changes relative to contracts and procurement. Policy 11000 has been amended to reflect the following:

- Construction Change Orders – Language was revised to bring the approval process in line with revised statutory guidelines.
- Contract Term – Amended the maximum term from three years to five years.
- Repealed Negotiation Policy 34505 for Major Projects as the policy was not in compliance with state and federal procurement guidelines.
- Independent Cost Estimates – Added language to the Policy requiring Independent Cost Estimates on all procurement actions to comply with state and federal procurement guidelines.
- Insurance Guidelines – Amended the Policy to include insurance requirements for third party contracting. This action was taken to provide greater protection to SANBAG.

- Cooperative Procurements – Revised existing language to broaden the policy so that staff could take advantage of state and federal cooperative procurements for cost saving opportunities.

During the last year, staff has worked on a variety of administrative changes such as developing processes and conducting training classes to support the recent policy changes, but also as a means to provide staff with consistent and clear direction. Highlights of the things accomplished are;

- Insurance process – Developed a system for review of insurance liability certificates and to manage expiration of such certificates.
- Template development – Staff has created a variety of forms and templates to provide consistency and as a means for document management. Staff, in collaboration with General Counsel and other consultants, recently concluded major revisions to two of the RFP templates. In the first quarter of 2013, the remainder of the templates will be updated to bring them in line with recent statutory changes.
- In the last quarter of 2012, a much-needed centralized procurement filing system has been developed. Up until recently, project managers maintained their own files, which were not always consistent or complete, nor did it allow for quality control or quality assurance. File cabinets have been ordered and all contract files will be audited for completeness by the Contract Administrator prior to being placed in a safe and secure area with limited access. The goal is to preserve the integrity of our contract documents and to meet state and federal procurement guidelines.
- Dun & Bradstreet – Staff procured a Dun & Bradstreet subscription to provide additional financial information on all consultants being recommended for contract award. The cost investment is minimal with a large return on SANBAG's investment.

Staff has also been working closely with the Board Contract Ad Hoc Committee (Committee). Monthly meetings have been underway since the third quarter of 2012. Staff and Committee members have been reviewing procurement policies and procedures and have developed several recommendations that will be vetted through the General Policy Committee and the Board. It is anticipated that these meetings will continue through early 2013.

Though 2012 was a year of great accomplishments, there is more work to do. Staff continues to communicate with Caltrans at the local level and headquarters to respond to the Audit findings from last summer. We continue to provide Caltrans with support documentation to address their audit findings. Staff will provide an update to the General Policy Committee and the Board as to the final outcome. Work will continue in the development of additional Request for

Proposals (RFPs) and Invitation for Bids (IFBs) templates. An on-call, contract task order based RFP will be created as well as an IFB for the procurement of goods, which currently SANBAG does not have. Training will be a primary focus in 2013. Anticipated staff training will include: review of the revised RFP and IFB templates; contract negotiations, conducting consultant debriefings and labor compliance of public works contracts. Staff will also focus on a procurement review and include discussions with external stakeholders to provide input on SANBAG's procurement process. The goal is to ensure the consultant community that SANBAG is the agency of choice and that SANBAG's procurement process is competitive, fair and transparent. We will also continue our outreach efforts with the vendor community. We are currently in discussion holding SANBAG's first vendor outreach event in the spring of 2013, creation of an on-line vendor registration on SANBAG's website and the development of a vendor performance review process.

Staff looks forward to continued collaboration with the Committee, and will be bringing to the General Policy Committee and the Board any other recommended policy changes in the coming year.

Financial Impact: This item poses no financial impact on the Fiscal Year 2012-13 budget.

Reviewed By: This item is not scheduled for review by any other policy committee or technical advisory committee. This item has been reviewed by SANBAG's General Counsel and Contract Administrator.

Responsible Staff: Kathleen Murphy-Perez, Contracts Manager



- 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: January 16, 2013

Subject: Resolution of Intention to Form a Property Assessed Clean Energy (PACE) Program and to Set a Public Hearing on the Matter

Recommendation:* That the Committee recommend the Board:

1. Adopt Resolution No. 13-038 that declares SANBAG's intention to finance distributed generation renewable energy sources, energy and water efficiency improvements and electric vehicle charging infrastructure through the use of voluntary contractual assessments (commonly known as a PACE Program).
2. Set a public hearing for Wednesday, March 6, 2013 at 10:30 a.m. at the regularly scheduled Board of Directors meeting to consider the PACE Program Report and to take public testimony.

Background: On November 2, 2011, the Board of Directors directed staff to proceed with the steps necessary to create a regional energy efficiency and water conservation improvement loan program, as defined by Assembly Bill (AB) 811 and AB 474, and commonly referred to as a Property Assessed Clean Energy (PACE) Program.

A PACE Program allows a jurisdiction and an interested property owner to enter into a contractual agreement to finance the installation of eligible renewable energy, energy efficiency, or water efficiency improvements that are permanently fixed to the property. The jurisdiction loans the property owner the funds for the improvement. The amount of the loan plus a fixed interest amount is repaid through an assessment on the property tax bill for the property. The term of the loan is typically 20 years.

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Approved
General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG	X	CTC		CTA		SAFE		CMA	
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The jurisdiction gets the funds to loan by selling bonds to private investors secured by the property tax assessments paid by the property owners.

The PACE program can serve as a conduit to get millions of dollars in private investment circulating in the local economy. The program can help residential property owners lower their energy bills. The program can help commercial property owners and businesses lower their energy and water costs which could help make them more competitive. This private investment can help create jobs for contractors, installers, and suppliers of the materials used for these improvements. All of this economic benefit also directly benefits our environment by reducing greenhouse gas emissions, delaying construction of new power plants, helping the common goal of energy security, and conserving water.

On October 3, 2012, the Board of Directors approved the Memorandum of Understanding (MOU) to be approved by the County and the cities if they wish to be included in the PACE Program. That MOU has been distributed to each SANBAG member agency. At this time, most agencies have signed the MOU to be included in the PACE Program.

The next step in this process is for the Board of Directors to adopt a Resolution of Intention. The attached Resolution No. 13-038 will generally accomplish the following:

1. Determine that establishing a PACE Program would be in the public interest.
2. Determine that establishing a comprehensive program is more advantageous than each agency establishing their own.
3. Directs the Executive Director or designee to cause the preparation of a list of authorized improvements that may be financed through the PACE Program.
4. Identify the boundaries of the proposed PACE Program. Generally these will be the boundaries of the agencies that have approved the MOU indicating their desire to be part of the program. As of the date this report is being prepared those agencies are:
 - a. Adelanto
 - b. Barstow
 - c. Big Bear Lake
 - d. Chino
 - e. Fontana
 - f. Grand Terrace
 - g. Hesperia
 - h. Highland

- i. Loma Linda
 - j. Montclair
 - k. Ontario
 - l. Rancho Cucamonga
 - m. Rialto
 - n. San Bernardino (County)
 - o. Twentynine Palms
 - p. Victorville
 - q. Yucaipa
 - r. Yucca Valley
5. Sets out the basic arrangements for how the financing will work.
 6. Directs the Executive Director or designee to cause the preparation of a PACE Program Report that will spell out the specifics of how the PACE Program will operate.
 7. Sets the date for the public hearing to consider the Program Report for March 6, 2013.
 8. Sets out the manner and method of collecting the contractual assessments and the penalties, remedies and lien priorities in the event of delinquency and default.
 9. Directs the Executive Director or designee to discuss with the Auditor Controller's Office and set out in the Program Report any additional fees that may be charged by the Auditor Controller's office for placing the contractual assessments on the tax roll.
 10. Designates the Executive Director or his designee as the responsible official for causing the preparation of the current roll of voluntary contractual assessment obligations.
 11. Appoints the Executive Director or his designee to establish procedures to promptly respond to inquiries concerning future or current estimated liability for a contractual assessment.

If the Resolution of Intention is approved by the Board of Directors, SANBAG staff will publish notice of and will schedule a public hearing for the March 6, 2013 SANBAG Board of Directors meeting to consider the PACE Program Report on the guidelines for how the PACE Program will operate.

Financial Impact: This item is consistent with the adopted SANBAG budget.

Reviewed By: This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel has reviewed this item and the Resolution of Intention.

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

RESOLUTION NO. 13-038

RESOLUTION OF THE BOARD OF THE SAN BERNARDINO ASSOCIATED GOVERNMENTS DECLARING ITS INTENTION TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE THROUGH THE USE OF VOLUNTARY CONTRACTUAL ASSESSMENTS PURSUANT TO CHAPTER 29 OF PART 3 OF DIVISION 7 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND SETTING A PUBLIC HEARING THEREON

WHEREAS, pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act"), the Joint Powers Agreement of the San Bernardino Associated Governments ("SANBAG") originally made and entered into October 17, 1975 (the "Joint Powers Agreement"), as further amended to date, and each separate Memorandum of Understanding by and between SANBAG and those parties to the Joint Powers Agreement identified in Exhibit A attached hereto and incorporated herein by this reference (each, a "Participating Party") entered into as of the effective date of this resolution for implementation of a property assessed clean energy ("PACE") program to finance the installation of distributed generation renewable energy sources, energy or water efficiency improvements or electric vehicle charging infrastructure, SANBAG proposes to establish a voluntary contractual assessment program, to be known as the SANBAG HERO Program (the "HERO Program"), to assist property owners within the jurisdictional boundaries of each Participating Party with the cost of installing distributed generation renewable energy sources, energy or water efficient improvements or electric vehicle charging infrastructure (the "Authorized Improvements") that are permanently fixed to their property; and

WHEREAS, in the opinion of this Board of Directors, properties located within the jurisdictions of the Participating Parties would be benefited by including such properties in the HERO Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Associated Governments as follows:

Section 1. Findings. The Board of Directors hereby finds and declares all of the following:

- A. All of the above recitals are true and correct;
- B. Energy conservation efforts, including the promotion of energy efficiency improvements to residential, commercial, industrial, agricultural or other real property, can reduce energy consumption, energy bills, and maximize existing energy production and transmission facilities;

C. Energy efficiency improvements also include improvements that promote water efficiency. The California Energy Commission prepared a staff report in November 2005, regarding California's water-energy relationship. Such report states:

"As California continues to struggle with its many critical energy supply and infrastructure challenges, the state must identify and address the points of highest stress. At the top of this list is California's water-energy relationship; water-related energy use consumes 19 percent of the state's electricity, 30 percent of its natural gas, and 88 billion gallons of diesel fuel every year— and this demand is growing... [A] major portion of the solution is closer coordination between the water and energy sectors... The state can meet energy and demand reduction goals... by simply recognizing the value of the energy saved for each unit of water saved."

The direct relationship between water use and energy use means that improvements to residential, commercial, industrial, agricultural or other real property which promote water efficiency also result in energy efficiency;

D. Water conservation efforts, including the promotion of water efficiency improvements to residential, commercial, industrial, agricultural or other real property, are necessary to address the issue of chronic water shortages in California;

E. The upfront cost of making residential, commercial, industrial, agricultural or other real property more energy or water efficient prevents many property owners from making those improvements and, in an effort to make those improvements more affordable and to promote the installation of those improvements, the Legislature has authorized an alternative procedure pursuant to Chapter 29 of the Act for authorizing voluntary contractual assessments to finance the cost of Authorized Improvements;

F. A public purpose will be served by a voluntary contractual assessment program whereby SANBAG is authorized to finance the installation of Authorized Improvements that are permanently fixed to residential commercial, industrial, agricultural or other real property; and

G. Property located in the jurisdictional territory of Participating Parties will benefit from inclusion in the HERO Program; and including such property in the HERO Program will serve the public purpose of promoting energy and water conservation efforts and addressing the issue of global climate change;

Section 2. Determination of Public Interest. The Board of Directors hereby determines that it would be convenient, advantageous and in the public interest to designate an area within the jurisdictional boundaries of each Participating Party, which may encompass the entirety of such Participating Party or a lesser portion, as areas within which authorized SANBAG officials and property owners may enter into voluntary contractual assessments pursuant to Chapter 29 of the Act to finance the installation of Authorized Improvements that are permanently fixed to real property pursuant to Chapter 29 of the Act (the "HERO Program Boundaries").

Section 3. Determination to Establish a Single, Comprehensive Program.

The Board of Directors hereby declares that while the Authorized Improvements are of such a character that they directly and specially benefit property in the Participating Party jurisdictions and that the purposes sought to be accomplished by establishing a program to finance the installation of such improvements can best be accomplished by a single, comprehensive program rather than by separate programs administered by each Participating Party. Therefore, SANBAG proposes to make voluntary contractual assessment financing available to the owners of property located in the HERO Program Boundaries to finance the installation of Authorized Improvements that are permanently fixed to real property.

Section 4. Identification of the Authorized Improvements.

The Executive Director of SANBAG (the "Executive Director") shall prepare or direct the preparation of a list of the Authorized Improvements that may be financed through the HERO Program, as part of the report required in Section 8 of this Resolution, and shall update such list from time to time, as the Executive Director deems necessary.

Section 5. Identification of the Boundaries.

The area within which voluntary contractual assessments may be entered into pursuant to Chapter 29 of the Act is all land within the HERO Program Boundaries.

Section 6. Proposed Arrangements for Financing.

The proposed arrangements for financing the HERO Program are briefly described as follows:

SANBAG may issue bonds, notes, receive lines of credit, and enter into other financing instruments or relationships pursuant to Chapter 29 of the Act, the principal and interest of which would be repaid by voluntary contractual assessments. Alternatively or in the interim, SANBAG, may enter into agreements with other public entities to advance or grant funds to SANBAG to finance Authorized Improvements and/or to implement and administer the HERO Program. Such advances, if subject to reimbursement, shall be repaid through voluntary contractual assessments and SANBAG may sell bonds or other forms of indebtedness to reimburse such advances. The proposed financing arrangements may include the lease-purchase of public facilities pursuant to a lease or other contractual arrangement with a public financing authority or non profit entity or other financing elements as may be determined necessary or useful to the financing of the HERO Program. SANBAG may enter into a relationship with an underwriter or financial institution that would allow sequential issuance of a series of bonds, each bond being issued as the need arose to finance work to be repaid through voluntary contractual assessments. The interest rate of each bond may be determined by an appropriate index, but shall be fixed at the time each bond is issued.

In the event improvement bonds will be issued pursuant to the Improvement Bond Act of 1915 to represent voluntary contractual assessments, all of the following will apply to the extent not in conflict with Chapter 29 of the Act:

- (a) Notice is hereby given that serial bonds or term bonds or both to represent unpaid assessments, and to bear interest at the rate of not to exceed 12 percent per year, or such other amount authorized by law, payable semiannually, shall be issued hereunder in one or more series in the manner provided by the Division 10 of the California Streets and Highways Code (to the extent not in conflict with Chapter 29 of the Act), and the last installment of bonds shall mature a maximum of 39 years from the second day of September next succeeding 12 months from their date.
- (b) SANBAG hereby determines and declares that SANBAG shall not obligate itself to advance available funds from SANBAG treasury nor shall any Participating Party be obligated to advance available funds from its treasury to cure any deficiency which may occur in any bond redemption fund.
- (c) SANBAG hereby determines that the principal amount of bonds maturing or becoming subject to mandatory prior redemption each year shall be other than an amount equal to an even annual proportion of the aggregate principal amount of the bonds, and the amount of principal maturing or becoming subject to mandatory prior redemption in each year plus the amount of interest payable in that year shall be an aggregate amount that is substantially equal each year, except for the moneys falling due on the first maturity or mandatory prior redemption date of the bonds which shall be adjusted to reflect the amount of interest earned from the date when the bonds bear interest to the date when the first interest is payable on the bonds.
- (d) With respect to the procedures for the collection of assessments and the advance retirement of bonds, SANBAG proposes to proceed under the provisions of Part 11.1 of Division 10 (commencing with Section 8760 of the California Streets and Highways Code).
- (e) Such bonds may be refunded under Division 11.5 of the California Streets and Highways Code or other applicable laws permitting the refunding of the bonds, upon the conditions specified by and at the determination of SANBAG.

The Executive Director, upon consultation with bond counsel, is authorized to provide for the issuance of bonds payable from voluntary contractual assessments. In connection with the issuance of bonds payable from voluntary contractual assessments, SANBAG expects to obligate itself, through a covenant with the owners of the bonds, to exercise its foreclosure rights with respect to delinquent contractual assessment installments under circumstances to be specified in such covenant.

SANBAG shall determine the creditworthiness of a property owner to participate in the financing of Authorized Improvements based upon criteria to be developed by the Executive Director in consultation with SANBAG's financing team.

Section 8. Preparation of Report. The Board of Directors hereby directs the Executive Director to prepare, or direct the preparation of, and file with the Board of Directors a report pursuant to Section 5898.22 of the California Streets and Highways Code at or before the time of the public hearing described in Section 9 hereof (the "Report"). The Report shall contain all of the following:

- (a) A map showing the HERO Program Boundaries within which voluntary contractual assessments are proposed to be offered.
- (b) A draft contract specifying the terms and conditions that would be agreed to by the owner of property within the HERO Program Boundaries and SANBAG.
- (c) A statement of SANBAG policies concerning voluntary contractual assessments including all of the following:
 - (i) Identification of types of Authorized Improvements that may be financed through the use of voluntary contractual assessments;
 - (ii) Identification of SANBAG official authorized to enter into voluntary contractual assessments on behalf of SANBAG,
 - (iii) A maximum aggregate dollar amount of voluntary contractual assessments;
 - (iv) A method for setting requests from property owners for financing through voluntary contractual assessments in priority order in the event that requests appear likely to exceed the authorization amount; and
 - (v) A brief description of criteria for determining the underwriting requirements and safeguards that will be used to ensure that the total annual property tax and assessments on property proposed to be subject to a voluntary contractual assessment under the HERO Program will not exceed five percent (5%) of such property's market value, as determined at the time of approval for the contractual assessment of the owner of such property.
- (d) A plan for raising a capital amount required to pay for work performed pursuant to voluntary contractual assessments. The plan may include amounts to be advanced by SANBAG through funds available from any source. The plan may include the sale of a bond or bonds or other financing relationship pursuant to Section 5898.28 of the California Streets and Highways Code. The plan shall include a statement of or method for determining the interest rate and time period during which contracting property owners would pay any assessment. The plan shall provide for any reserve fund or funds. The plan shall provide for the apportionment of all or any portion of the costs incidental to financing, administration, and collection of the voluntary contractual assessment program among the

consenting property owners and SANBAG,

- (e) A report of the results of consultations with the Auditor-Controller of the County of San Bernardino (the "County") concerning the additional fees, if any, that will be charged to SANBAG for incorporating the proposed voluntary contractual assessments into the assessments of the general taxes of the Participating Parties on real property and a plan for financing the payment of those fees.

Section 9. Public Hearing. Pursuant to Chapter 29 of the Act, the Board of Directors hereby orders that a public hearing be held before the Board of Directors in the SANBAG offices located in the Santa Fe Depot, 1170 W. 3rd Street, First Floor Lobby, San Bernardino, CA 92410, at 10:30 a.m. on March 6, 2013, on the proposed Report and the HERO Program. At the public hearing all interested persons may appear and hear and be heard and object to or inquire about the proposed HERO Program or any of its particulars.

Section 10. Notice of Public Hearing. The Secretary of the Board of Directors is hereby directed to provide notice of the public hearing by publishing this Resolution once a week for two weeks, pursuant to Section 6066 of the California Government Code, and the first publication shall occur not later than 20 days before the date of such hearing in a newspaper of general circulation published within the jurisdiction of SANBAG or, if there is no such newspaper of general circulation published within the jurisdiction of SANBAG, then in a newspaper of general circulation published nearest thereto.

Section 11. The Voluntary Contractual Assessments. The voluntary contractual assessments levied pursuant to Chapter 29 of the Act, and the interest and any penalties thereon, shall constitute a lien against the lots and parcels of and on which they are made, until they are paid. The voluntary contractual assessments shall be collected in the same manner and at the same time as general taxes on real property located within the Participating Parties are payable and shall be subject to the same penalties, remedies and lien priorities in the event of delinquency and default. As a cumulative remedy, if any voluntary contractual assessment or installment thereof, or of any interest thereon, together with any penalties, costs, fees and other accrued charges are not paid when due, the Board of Directors may order that the same be collected by an action brought in superior court to foreclose the lien thereof as provided in Division 10 of the California Streets and Highways Code,

Section 12. Consultations with the County Auditor-Controllers. The Board of Directors hereby directs the Executive Director to determine and discuss in the Report what additional fees, if any, will be charged, annually, by the Auditor Controller's office of the County for incorporating the proposed voluntary contractual assessments on the tax roll.

Section 13. Preparation of Current Roll of Assessments. Pursuant to Section 5898.24(c)(1) of the California Streets and Highways Code, the Board of Directors hereby designates the Executive Director, or his or her designee, as the responsible

official for annually preparing or causing the preparation of the current roll of voluntary assessment obligations by assessor's parcel number on property subject to a voluntary contractual assessment.

Section 14. Responses to Inquiries. Pursuant to Section 5898.24(c)(2) of the California Streets and Highways Code, the Board of Directors hereby appoints the Executive Director, or his or her designee, to establish procedures to promptly respond to inquiries concerning current or future estimated liability for a voluntary contractual assessment.

Section 15. Effective Date of Resolution. This resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of Directors of the San Bernardino Associated Governments on February ____ 2013.

Janice Rutherford, President

ATTEST:

Vicki Watson,
Clerk of the Board

EXHIBIT A
LIST OF PARTICIPATING PARTIES

The following counties and cities are Participating Parties of SANBAG as of the date of the adoption of the foregoing resolution:

Adelanto

Barstow

Big Bear Lake

Chino

Fontana

Grand Terrace

Hesperia

Highland

Loma Linda

Montclair

Ontario

Rancho Cucamonga

Rialto

San Bernardino (County)

Twentynine Palms

Victorville

Yucaipa

Yucca Valley



- 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: January 16, 2013

Subject: Local Stimulus Program Update

Recommendation:* That the Committee recommend the Board:

1. Receive report on the status of the Local Stimulus Program.
2. Approve the extension of the final invoice dates for projects from December 31, 2012, to March 31, 2013.

Background: On July 1, 2009 the Board of Directors approved the creation of the Local Stimulus Program in the total amount of \$31,400,000. The distribution to the agencies was based on a per capita basis, excepting that no agency would receive less than \$300,000. The completion deadline was 36 months after approval of the individual projects.

Due to delays in either project delivery or billing delays, invoices will not be received for five agencies until the first quarter of 2013.

<u>Agency</u>	<u>Amount Remaining to be Billed</u>
Highland	\$ 742,413.30
Needles	\$ 19,929.85
Rialto	\$ 26,018.66
San Bernardino	<u>\$2,027,928.26</u>
TOTAL	\$2,816,290.07

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Approved
General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG	CTC	CTA	x	SAFE	CMA
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Check all that apply.

GPC1301a-az

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1301/AgendaItems/GP1301a1-az.pdf>

General Policy Committee Agenda Item
January 16, 2013
Page 2

- Financial Impact:*** This item has no financial impact on the approved Fiscal Year 2012-2013 budget.
- 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

ATTACHMENT
LOCAL STIMULUS PROGRAM PROJECT STATUS
January 1, 2013

CITY	Project Name	Amount	Balance Remaining to be Billed	Status
VALLEY SUBAREA				
Chino	Chino Avenue - 10th to Benson Ave.; Edison Ave. at Ramona; Edison Ave., Central to Oaks; Edison Ave., Oaks to Mountain; Riverside Drive	\$1,193,216.88	\$0.00	Complete
	<i>Totals</i>	<u>\$1,193,216.88</u>	<u>\$0.00</u>	
Chino Hills	Peyton Drive Street Rehabilitation Maintenance of Eucalyptus Ave. from Galloping Hills Road (east) to the end (west). Work includes selective patch repairs, edge grind and overlay from Galloping Hills Road (east) to Ridgeview Drive, and application of Type II slurry from Ridgeview Drive to end (west).	\$937,932.19	\$0.00	
	<i>Totals</i>	<u>\$178,055.11</u>	<u>\$0.00</u>	Complete
		<u>\$1,115,987.30</u>	<u>\$0.00</u>	
Colton	Laurel Street Grade Separation	\$732,660.37	\$0.00	Complete
	<i>Totals</i>	<u>\$732,660.37</u>	<u>\$0.00</u>	
Fontana	Slover Avenue Street Pavement Rehabilitation	\$1,287,519.09	\$0.00	Complete
	Auto Center Drive Street Improvements	\$301,820.04	\$0.00	Complete
	Valley Blvd. - Catawba Ave. to Banana Ave., pavement rehabilitation	\$1,090,178.63	\$0.00	Complete
	<i>Totals</i>	<u>\$2,679,517.76</u>	<u>\$0.00</u>	
Grand Terrace	Public Alley Pavement Rehabilitation	\$7,885.00	\$0.00	Complete
	Miscellaneous Sidewalk Repairs	\$79,259.36	\$0.00	Complete
	Reconstruct Barton Road/Preston Street Intersection	\$6,037.77	\$0.00	Complete
	Barton Road Pavement Rehabilitation	\$77,092.87	\$0.00	Complete
	Michigan Avenue Pavement Rehabilitation	\$50,656.00	\$0.00	Complete
	Michigan Street	\$79,069.00	\$0.00	Complete
	<i>Totals</i>	<u>\$300,000.00</u>	<u>\$0.00</u>	
Highland	Pavement rehabilitation on Base Line from State Route 210 to Cole Avenue	\$742,413.30	\$742,413.30	Construction phase
	<i>Totals</i>	<u>\$742,413.30</u>	<u>\$742,413.30</u>	
Loma Linda	Lawton Avenue Pavement Rehabilitation	\$320,641.69	\$0.00	Complete
	<i>Totals</i>	<u>\$320,641.69</u>	<u>\$0.00</u>	
Montclair	Fremont Avenue Street Improvement Project	\$125,000.00	\$0.00	Complete
	Intersection Improvement Project - Phase 2	\$243,993.07	\$0.00	Complete
	Fremont Avenue Street Improvement Project - Phase 2	\$155,000.00	\$0.00	Complete
	<i>Totals</i>	<u>\$523,993.07</u>	<u>\$0.00</u>	

LOCAL STIMULUS PROGRAM PROJECT STATUS

January 1, 2013

CITY	Project Name	Amount	Balance Remaining to be Billed	Status
San Bernardino (cont'd)	33rd Street Pavement Rehabilitation from "E" Street to "D" Street	\$42,000.00	\$632.22	<i>To be Invoiced</i>
	29th Street Pavement Rehabilitation between Lincoln Street & "H" Street	\$119,000.00	\$61,045.58	<i>To be Invoiced</i>
	Sun Valley Dr. Pavement Rehabilitation between 48th Street and Reservoir Dr.	\$125,000.00	\$38,615.99	<i>To be Invoiced</i>
	Sierra Way Pavement Rehabilitation from 4th Street to 9th Street	\$234,000.00	\$15,535.00	<i>To be Invoiced</i>
	Tippecanoe Ave. Pavement Rehabilitation from Base Line St. to Upper Warm Creek Channel	\$65,000.00	\$2,085.62	<i>To be Invoiced</i>
	Westbound SR-210 Waterman Ave. Exit Ramp & 30th Street - New Traffic Signal	\$350,000.00	\$350,000.00	<i>Design phase.</i>
	I-10/Tippecanoe Interchange	\$1,071,103.48	\$1,071,103.48	<i>Construction phase</i>
	<i>Totals</i>	<u>\$2,898,703.48</u>	<u>\$2,027,928.26</u>	
San Bernardino County - Urban	Calabash Avenue Rehabilitation	\$598,499.28	\$0.00	<i>Complete</i>
	Bloomington Ave. at Larch Ave. Signal Installation	\$515,000.00	\$0.00	<i>Complete</i>
	Riverside Drive Rehabilitation	\$204,705.16	\$0.00	<i>Complete</i>
	Oak Glen Road South Rehabilitation	\$1,242,300.00	\$0.00	<i>Complete</i>
	Bryant Street Rehabilitation	\$411,252.72	\$0.00	<i>Complete</i>
	Citrus Street 20 ADA ramps	\$160,000.00	\$0.00	
	Live Oak Drive Rehabilitation	\$891,000.00	\$0.00	
	<i>Totals</i>	<u>\$4,022,757.16</u>	<u>\$0.00</u>	
Upland	Arrow Highway Pavement Rehabilitation	\$1,063,678.72	\$0.00	<i>Complete</i>
<i>Totals</i>		<u>\$1,063,678.72</u>	<u>\$0.00</u>	
Yucaipa	Wildwood Canyon Road Street Improvement Project	\$171,966.00	\$0.00	<i>Complete</i>
	Yucaipa Blvd. Street Improvement Project, 12th Street to 15th Street	\$555,491.86	\$0.00	<i>Complete</i>
<i>Totals</i>		<u>\$727,457.86</u>	<u>\$0.00</u>	
VALLEY SUBAREA TOTALS		\$23,729,170.30	\$2,796,360.22	
MOUNTAIN/DESERT SUBAREA				
Adelanto	Air Expressway Pavement Rehabilitation	\$400,678.07	\$0.00	<i>Complete</i>
<i>Totals</i>		<u>\$400,678.07</u>	<u>\$0.00</u>	
Apple Valley	Town-wide Microsurfacing Project #1	\$958,524.44	\$0.00	
	Town-wide Microsurfacing Project #2	\$31,808.86	\$0.00	<i>Complete</i>
<i>Totals</i>		<u>\$990,333.30</u>	<u>\$0.00</u>	
Barstow	Callente St. to Elizabeth St.: reconstruction, stop signs and stop bars	\$343,237.86	\$0.00	<i>Complete</i>
<i>Totals</i>		<u>\$343,237.86</u>	<u>\$0.00</u>	
Big Bear Lake	Modoc Drive Rehabilitation	\$21,263.53	\$0.00	
	Narrow Rehabilitation	\$9,575.45	\$0.00	
	Grizzly Court Rehabilitation	\$10,182.00	\$0.00	
	Swan Drive Rehabilitation	\$0.00	\$0.00	



- 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: January 16, 2013

Subject: Status of the Trade Corridors Improvement Fund Projects and Future Baseline Agreement Amendments

Recommendation:* That the Committee recommend the Board:

1. Receive report on status of Trade Corridors Improvement Fund projects in San Bernardino County.
2. Authorize the Executive Director to execute all future Trade Corridors Improvement Fund Baseline Agreement Amendments that are consistent with Board-authorized allocations of funds, provided all future amendments are approved as to form by SANBAG's General Counsel. Should any policy issues arise from such changes or amendments, the Executive Director will consult with Board Officers.

Background: When the California Transportation Commission (CTC) approved the Trade Corridors Improvement Fund (TCIF) program of projects in April 2008, they approved approximately 20 percent more funding than known to be available in anticipation of additional fund sources being generated to support goods movement projects. In addition, they supported a corridor-based programming approach that allowed project prioritization to be accomplished at the regional level rather than decided by the State. San Bernardino County was part of the Southern California Consensus Group (Consensus Group) that made recommendations for programming toward funds available for the Los Angeles/Inland Empire

*

Approved
General Policy Committee

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

COG		CTC	X	CTA		SAFE		CMA	
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Check all that apply.

Corridor in the TCIF program. The agreement within the Consensus Group is that all agencies will reduce their share of the TCIF programming proportionally if the full funding programmed by the CTC in April 2008 is not available. The total amount identified to date for overprogramming is \$120,959,000 and San Bernardino County's share of that is 9.4 percent, or \$11,415,000. The current status of the program is summarized in Table 1 below. The identified TCIF savings to date is \$11,390,971, and staff believes it is reasonable to assume that a savings of \$24,000 can be realized in the future TCIF projects so that it is not necessary to reduce the current programming level on any of the projects not yet allocated.

Table 1: San Bernardino County TCIF Program Project Status

Project	Construction Start	TCIF Programmed	Identified Savings
I-10/Riverside	1/2011	\$9,837,000	(reprogrammed)
Colton Crossing*	9/2011	\$91,305,000	\$4,725,765
I-10/Citrus	4/2011	\$23,600,000	\$1,835,206
I-10/Cherry	8/2011	\$30,773,000	\$0
Glen Helen Pkwy GS	4/2013	\$7,172,000	\$0
Lenwood GS	11/2013	\$6,694,000	\$0
Palm GS	6/2013	\$9,390,000	\$4,830,000
Laurel Street GS	6/2013	\$11,917,000	\$0
Vineyard GS	9/2013	\$6,884,000	\$0
South Milliken GS	9/2013	\$14,521,000	\$0
Total		\$212,093,000	\$11,390,971

* Colton Crossing was not considered a San Bernardino County project, but was taken off the top of the Los Angeles/Inland Empire Corridor. The total TCIF savings of \$50,076,550 was distributed proportionally among the Consensus Group agencies. San Bernardino County's share of the savings is \$4,725,765.

The SANBAG Board has approved several TCIF Project Baseline Agreements, and various amendments, with the CTC, California Transportation Department (Caltrans), and local sponsors for the projects outlined above. As a requirement of the TCIF program guidelines, nominating agencies such as SANBAG are required to provide executed Project Baseline Agreements that define the project scope, cost, funding,

schedule, and benefits. Should any of these project elements change, the nominating agency, along with the local agency partners, is required to execute an amendment to the Baseline Agreement, which is submitted to the Southern California TCIF Consensus Group for concurrence, and finally to the CTC for approval.

There are six remaining TCIF grade separation projects to be delivered:

- Laurel Street Grade Separation
- Glen Helen Parkway Grade Separation
- Palm Avenue Grade Separation
- Lenwood Road Grade Separation
- South Milliken Avenue Grade Separation
- North Vineyard Avenue Grade Separation

All TCIF funds must be allocated no later than the June 11, 2013, CTC meeting, and all projects are currently on schedule to meet that deadline. In order to expedite TCIF project delivery, and provide the most current information to the CTC, staff recommends that the SANBAG Board authorize the Executive Director to execute all future TCIF Baseline Agreement Amendments provided they are consistent with previous Board authorized allocations of funds and have been approved as to form by SANBAG's General Counsel. The Executive Director will consult with Board Officers if any changes to the Board authorized allocation of funds or policy issues arise from the amendments. This authority has already been granted for the Laurel Street Grade Separation Baseline Agreement at the December 2012 SANBAG Board meeting.

Financial Impact:

This item is consistent with the approved SANBAG Fiscal Year 2012/13 budget Task Nos. 0884, 0874, 0876, 0877, 0869 and 0881.

Reviewed By:

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

Responsible Staff:

Philip Chu, Transportation Programming Analyst



- 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: January 16, 2013

Subject: Amendment No. 2 to C10120 between SANBAG and Gladstein, Neandross and Associates (GNA) for an increase in contract amount and revised Scope of Work.

Recommendation: That the Committee recommend the Board approve Amendment No. 2 to C10120 with Gladstein, Neandross and Associates to provide technical support to the San Bernardino Associated Governments (SANBAG) Natural Gas Truck project. This will increase the contract by \$50,000 for a revised not-to-exceed contract amount of \$434,000 and also revise the Scope of Work.

Background: In late August 2009, the Department of Energy (DOE) announced that San Bernardino Associated Governments (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 to match the DOE Clean Cities grant. These two grants total \$19.2 million and are being used towards the transition of 202 tractor/trailer vehicles to natural gas, as well as the construction of two natural gas fueling stations, improvements to maintenance facilities and training. At the January 6, 2010, Board meeting, SANBAG approved the execution of an agreement with the DOE for its share of funding for the project. On March 3, 2010, the SANBAG Board approved the contract with GNA,

Approved
 General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG	X	CTC	X	CTA	X	SAFE		CMA	
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Check all that apply.
 GPC1301a-jh
http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C10120_02.doc

its consultant, to provide administrative and technical assistance to the project. On April 7, 2010, the SANBAG Board approved the selection of Ryder Truck Rental, Inc., as its new project partner. On this same date the GNA contract was amended for the first time to update the approved vendor name on the DOE contract. The CEC approved the funding agreement with SANBAG at its June 30, 2010, Commission meeting. On July 7, 2010, SANBAG approved the SCAG Agreement for Clean Cities' outreach.

Since then the project has experienced great success which has included the purchase, and implementation of leasing 202 trucks to a variety of Ryder customers such as Big O Tires, CVS, Kraft, Staples and many others. 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 contract amendment will provide the additional funds necessary to complete the DOE project and to allow for the technical expertise related to the Fontana fuel station permitting process and installation of CNG/LNG equipment. In addition, this increase will cover the expenses that exceeded the original contract amount and are in dispute by SANBAG staff. The increase of funds are needed primarily due to a number of issues regarding the amount of work performed by the contractor and the limited amount of funds that were available for this project. This includes unexpected permit delays and the additional numerous reporting requirements needed for a grant awarded under the American Recovery and Reinvestment Act (ARRA). The revised Scope of Work outlines the new Scope of Work responsibilities of GNA through the completion of this project, which is December of 2013.

Financial Impact: Funds for the contract increase have been included in the FY12/13 budget. The funding source for this increase will be Measure I 1990-2010 Transportation Management and Environmental Enhancement Funds.

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.

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



CONTRACT SUMMARY SHEET

Contract No. C 10120 Amendment No. 2

By and Between

San Bernardino Associated Governments and Gladstein, Neandross, and Associates

Contract Description To provide technical services for the completion of the SANBAG Natural gas truck project.

Board of Director's Meeting Date: <u>2/8/2013</u>	
Overview of BOD Action: <u>Approve Amendment #2 to C10120 to increase contract amount and revise scope of work.</u>	
Is this a Sole-Source procurement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	384,000	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	384,000	Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$	50,000	Contingency Amendment
TOTAL CONTRACT VALUE	\$	434,000	TOTAL CONTINGENCY VALUE
TOTAL BUDGET AUTHORITY (contract value + contingency)			\$ 434,000

Contract Start Date <u>3/3/2010</u>	Current Contract Expiration Date <u>12/22/2013</u>	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>102</u> .	
<input type="checkbox"/> A Budget Amendment is required.	
How are we funding current FY? DOE funds, CEC funds, and Measure I 1990-2010 TMEF	
<input checked="" type="checkbox"/> Federal Funds	<input checked="" type="checkbox"/> State Funds
<input type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds
<input checked="" type="checkbox"/> Measure I Funds	
Provide Brief Overview of the Overall Funding for the duration of the Contract: The duration of this contract shall be paid through Measure I 1990-2010 TMEF funds.	
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable	

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

<u>JENNY HERRERA</u>		<u>12/19/12</u>
Project Manager (Print Name)	Signature	Date
<u>DUANE A. BAKER</u>		<u>12-19-12</u>
Task Manager (Print Name)	Signature	Date
<u>Andrea Zureick</u>		<u>12-20-12</u>
Dir. of Fund Admin. & Programming (Print Name)	Signature	Date
<u>Jeddy Hill</u>		<u>11/3/13</u>
Contract Administrator (Print Name)	Signature	Date
<u>w. STURM</u>		<u>11-1-12</u>
Chief Financial Officer (Print Name)	Signature	Date

Amendment No. 2 to Contract No. C10120

By and Between

SAN BERNARDINO ASSOCIATED GOVERNMENTS

And

GLADSTEIN, NEANDROSS AND ASSOCIATES

For

Services Rendered for the Completion of the SANBAG Natural Gas Truck Project

This Amendment, No. 2 ("Amendment") to Contract for services for the completion of the SANBAG natural gas truck project is made and entered into on the Effective Date by and between San Bernardino Associated Governments ("SANBAG") and Gladstein, Neandross and Associates. ("Contractor").

A. SANBAG and CONTRACTOR are parties to Contract No. C10120 effective March 3, 2010 (the "Contract"), wherein SANBAG engaged CONTRACTOR, to provide technical services for the implementation of the SANBAG natural gas truck project. Effective August 4, 2010, the Contract was amended to revise the project partner name from J.B. Hunt to Ryder Truck Rentals.

B. SANBAG and CONTRACTOR desire to amend the Contract to reflect an increase in the overall contract amount as well as provide a revised scope of work for the remainder of the contract. This will increase the Contract amount by \$50,000 for performing the services as described in Attachment D "Scope of Work Part B."

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

1. Section 7: SANBAG's Responsibilities

The first sentence of this paragraph shall be removed and replaced with the following:

7.1 Disbursement of Funds. SANBAG shall reimburse CONTRACTOR up to a total, not-to-exceed amount of \$434,000 for services provided in the Scope of Work (SOW).

2. Attachment "D" is added to this agreement as the revised to show the Scope of Work for the remainder of the project. Notwithstanding any other provision, this is the only work authorized and any other work shall be only be performed under the written approval of SANBAG staff.

3. Section 5: General scope shall be removed and replaced with the following:

CONTRACTOR shall use funds granted hereunder exclusively for services rendered in Attachment "C" and shall not use the funds for operation or maintenance of PROJECT. CONTRACTOR shall be solely responsible for implementing, staffing and operating their portion of the Project outlined in ATTACHMENT "C". As such, CONTRACTOR agrees to furnish all labor, materials, equipment, required licenses, permits, fees, and other appropriate legal authorization from all applicable federal, state, and local jurisdictions necessary to perform and complete, per schedule and in a competent manner, the services outlined in Attachment "C" Any and all work performed under Attachment "C" shall be only upon the prior written approval of SANBAG staff.

CONTRACTOR shall abide by the addition of Attachment "D", Scope of Work part B which entails the only authorized work under this amendment. This is solely for the services of Mr. Robert Coale for the permitting process and installation of equipment for the Fontana fueling station effective February 9, 2013 through December 22, 2013. Any and all work shall be performed only upon written approval from SANBAG staff.

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. 2 is the date this Amendment is executed by SANBAG.

GLADSTEIN, NEANDROSS & ASSOCIATES

SAN BERNARDINO ASSOCIATED GOVERNMENTS

By: _____
Erik Neandross
CEO

By: _____
Janice Rutherford
SANBAG President

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Eileen Monaghan Teichert
General Counsel

CONCURRENCE:

By: _____
Jeffery Hill
Contract Administrator

**ATTACHMENT "D" SCOPE OF WORK (SOW) PART B
LNG PROJECT IMPLEMENTATION
CONSULTING SERVICES – GLADSTEIN, NEANDROSS & ASSOCIATES**

Task 1:

For the services of Mr. Robert Coale, relating to the permitting process and installation of LNG/CNG equipment for the Ryder Fontana Fuel Station.

Mr. Robert Coale shall be reimbursed at the hourly rate of \$184.99.

BUDGET

CATEGORY	PROGRAM COSTS
For services of Mr. Bob Coale through 12/22/2013	\$48,006.00
Travel/Supplies	\$1,994.00
Total:	\$50,000.00

HOURS THROUGH 12/22/2013

POSITION	MONTHLY HOURS	PROGRAM HOURS
Robert Coale	10	170

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
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

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

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