

**AGENDA**  
**Board of Directors Meeting**  
**July 10, 2013**

**\*\*\*\*\*Start Time: 10:00 a.m. (CLOSED SESSION)\*\*\*\*\***  
**1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor (The Super Chief)**

**\*\*\*\*Convene Regular Meeting at 10:30 a.m.\*\*\*\***  
**1<sup>st</sup> Floor Lobby**

**LOCATION**

**San Bernardino Associated Governments**  
**Santa Fe Depot - SANBAG Lobby 1st Floor**  
**1170 W. 3rd Street, San Bernardino, CA**

**Board of Directors**

**President**

**Bill Jahn, Council Member**  
*City of Big Bear Lake*

**Vice-President**

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

**Cari Thomas, Mayor**  
*City of Adelanto*

**Curt Emick, Mayor**  
*Town of Apple Valley*

**Julie McIntyre, Mayor**  
*City of Barstow*

**Dennis Yates, Mayor**  
*City of Chino*

**Ed Graham, Vice Mayor**  
*City of Chino Hills*

**Frank Navarro, Council Member**  
*City of Colton*

**Michael Tahan, Council Member**  
*City of Fontana*

**Walt Stanckiewicz, Mayor**  
*City of Grand Terrace*

**Mike Leonard, Council Member**  
*City of Hesperia*

**Larry McCallon, Mayor**  
*City of Highland*

**Rhodes "Dusty" Rigsby, Mayor**  
*City of Loma Linda*

**Paul Eaton, Mayor**  
*City of Montclair*

**Edward Paget, Mayor**  
*City of Needles*

**Alan Wapner, Council Member**  
*City of Ontario*

**Pete Aguilar, Mayor**  
*City of Redlands*

**Deborah Robertson, Mayor**  
*City of Rialto*

**Patrick Morris, Mayor**  
*City of San Bernardino*

**Jim Harris, Council Member**  
*City of Twentynine Palms*

**Ray Musser, Mayor**  
*City of Upland*

**Ryan McEachron, Mayor Pro Tem**  
*City of Victorville*

**Dick Riddell, Council Member**  
*City of Yucaipa*

**George Huntington, Council Member**  
*Town of Yucca Valley*

**Robert A. Lovingood, Supervisor**  
*County of San Bernardino*

**Janice Rutherford, Supervisor**  
*County of San Bernardino*

**James Ramos, Supervisor**  
*County of San Bernardino*

**Gary Ovitt, Supervisor**  
*County of San Bernardino*

**Josie Gonzales, Supervisor**  
*County of San Bernardino*

**Basem Muallem, Caltrans**  
*Ex-Officio Member*

**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  
 County Congestion Management Agency  
 Service Authority for Freeway Emergencies**

**AGENDA**

**Board of Directors  
 July 10, 2013**

**\*\*\*10:00 a.m. (CLOSED SESSION)\*\*\*  
 1170 W. 3rd Street, 2<sup>st</sup> Floor (The Super Chief)  
 San Bernardino, CA**

**CLOSED SESSION**

**1. Conference With Real Property Negotiators**

Agency Negotiators: Mitch Alderman, San Bernardino County Transportation Commission; Rick Rayl & Bradford Kuhn, Nossaman LLP; and Karen Starr, Epic Land Solutions, pursuant to Government Code Section 54956.8.

Property:

Commission Parcel #	APN #	Property Owner
SBPR 45/46/47	0136-021-16, 17 & 18	GEORGE V. MANTZOROS AND GLORIA MANTZOROS, AS CO-TRUSTEES OF THE MANTZOROS FAMILY LIVING TRUST, U/A DATED OCTOBER 9, 2012

Negotiating parties: See table above under "Property Owner".

Under Negotiation: Price and terms for acquisition and/or transfer of properties or interests therein.

**2. Conference With Legal Counsel – Existing Litigation**

Existing litigation pursuant to Government Code Section 54956.9, subdivision (a), with respect to the following matters:

SANBAG sbX Parcel #	Case Name and Number
B-239	<u>SANBAG v. Orange Show Road Properties, LLC, et al.</u> , San Bernardino County Superior Court Case No. CIVDS 1104962
B-243	<u>SANBAG v. World Oil Marketing Company</u> , San Bernardino County Superior Court Case No. CIVDS 1104963
C-18, 20 & 22	<u>SANBAG v. Hospitality, LLC, et al.</u> , San Bernardino County Superior Court Case No. CIVDS 1103202
C-71	<u>SANBAG v. Costco</u> , San Bernardino County Superior Court Case No. CIVDS 1103192

**\*\* Convene Regular Meeting at 10:30 a.m. \*\***  
**1170 W. 3<sup>rd</sup> Street, 1<sup>st</sup> Floor Lobby, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Call to Order 10:30 a.m. by Council Member Bill Jahn

- I. Pledge of Allegiance
- II. Attendance
- III. Announcements:
  - Calendar of Events (Pg. 20)
- IV. Agenda Notices/Modifications – Vicki Watson

- 1. **Possible Conflict of Interest Issues for the Board Meeting of July 10, 2013** Pg. 21

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**

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 36.

### **Administrative Matters**

- 2. **Board of Directors Attendance Roster** Pg. 24
- 3. **May 2013 Procurement Report** Pg. 28  
Receive May 2013 Procurement Report. **William Stawarski**  
**This item was received by the General Policy Committee on June 12, 2013.**
- 4. **Budget to Actual Report for third quarter ending March 31, 2013** Pg. 33  
Receive and file Budget to Actual Report for third quarter ending March 31, 2013. **William Stawarski**  
**This item was received by the General Policy Committee on June 12, 2013.**

**Notes/Actions:**

Consent Calendar Continued....

Administrative Matters (Cont.)

5. Award Financial Advisor Services Contract Pg. 37

That the Board acting in its capacity as the San Bernardino County Transportation Authority award Contract No. C13109 to Montague DeRose and Associates, LLC for Financial Advisor Services for a five (5) year contract term with two (2) one-year options to extend for an amount not-to-exceed \$600,000 for the initial five (5) year term.  
**William Stawarski**

**This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Contract.**

6. SANBAG Initiatives and Action Plan for Fiscal Year 2013/2014 Pg. 43

Receive and file the major initiatives and related action plan for SANBAG for the coming fiscal year. **Raymond Wolfe**

**This item was reviewed by the General Policy Committee on June 12, 2013.**

Regional/Subregional Planning

7. San Bernardino County Regional Greenhouse Gas Inventory and Reduction Plan and Environmental Impact Report (EIR) Pg. 63

Receive information on the status of the San Bernardino County Regional Greenhouse Gas Inventory and Reduction Plan and Environmental Impact Report (EIR). **Steve Smith**

**This item was received by the Board of Directors Metro Valley Study Session on June 13, 2013, and by the Mountain/Desert Committee on June 21, 2013. Material in this item has also been reviewed by the Planning and Development Technical Forum (Planning/Community Development Directors) on May 22, 2013 and by the City/County Manager Technical Advisory Committee on June 6, 2013.**

8. High Desert Corridor Pg. 66

Receive an update on the status of project development for the High Desert Corridor. **Steve Smith**

**This item was received by the Mountain/Desert Policy Committee on June 21, 2013.**

Consent Calendar Continued....

Regional/Subregional Planning (Cont.)

**9. Amendments to the Development Mitigation Nexus Study** Pg. 71

That the Board of Directors, acting as the Congestion Management Agency (CMA) approve modifications to the development fair share percentages for the I-15/Duncan Canyon Road interchange contained in the Development Mitigation Nexus Study, as described in the Background section of this agenda item. The modifications reflect an annexation that has occurred in the interchange "traffic shed" over the last several years. **Tim Byrne**

**This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013.**

**10. Transportation Development Act (TDA) Award of Article 3 Bicycle and Pedestrian Facilities and Transit Stop Access Improvement Projects** Pg. 74

1. Award TDA Article 3 funds for Bicycle and Pedestrian Facilities projects in the amount of \$3,069,621 as identified in Attachment A to this item.

2. Award TDA Article 3 funds for Transit Stop Access Improvement projects in the amount of \$757,321 as identified in Attachment B to this item. **Tim Byrne**

**This item was reviewed and recommended for approval by the General Policy Committee on June 12, 2013. The material in this item was also presented to the Transportation Technical Advisory Committee on June 3, 2013.**

Council of Governments

**11. Agreement with San Bernardino County for the Collection of Special Taxes, Fees and Assessments, and Memorandum of Understanding for the Electronic Recording of Documents Related to the Home Energy and Renovation Opportunity (HERO) Program** Pg. 81

1. Approve Agreement C13157 with San Bernardino County for the collection of special taxes, fees and assessments.

2. Approve Memorandum of Understanding (MOU) C13156 with San Bernardino County for the electronic recording of documents. **Duane Baker**

**This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item, the contract and Memorandum of Understanding.**

Consent Calendar Continued....

Council of Governments (Cont.)

**12. Legislative Update**

Pg. 99

1. Receive State Update and adopt the following position on State Legislation:

a. Support AB 1081 (Medina, D-Riverside)

2. Receive Federal Update and adopt the following positions on Federal Legislation:

a. Support H.R. 974, the MOVE Freight Act of 2013 (Rep. Sires, D-New Jersey)

b. Support H.R. 2084, Partnership to Build America Act (Rep. Delaney, D-MD) Wendy Strack

**This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013.**

**13. State and Federal Legislative Platform Update**

Pg. 179

Adopt the proposed schedule and process for an update to the State and Federal Legislative Platforms. Wendy Strack

**This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013.**

Project Delivery

**14. Mitigation Agreement for the I-15/I-215 Devore Interchange Reconstruction Project (Devore Interchange)**

Pg. 188

1. Approve Purchase and Sale agreement with the Riverside-Corona Resource Conservation District based on the standard format in the Attachment "A" for the purchase from Riverside-Corona Resource Conservation District of 8.9 Acres of Enhancement Credits from the Program and authorize payment of \$1,361,700 per said agreement for impacts to the Waters of the U.S. that result from activities authorized under section 404 of the Clean Water Act for the Devore Interchange Project upon approval of final agreement language by General Counsel. This purchase will be funded by Cajon Pass Bond Funds authorized under previously approved Cooperative Agreement C11103 with the California Department of Transportation.

2. Authorize the Executive Director to execute the purchase and sale agreement for the required waters mitigation based on the form in Attachment "A" upon approval of final language by General Counsel. Garry Cohoe

**This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013, and the Mountain Desert Policy Committee on June 21, 2013. SANBAG Contract Administrator and General Counsel have reviewed this item and the agreement.**

Consent Calendar Continued....

Project Delivery (Cont.)

**15. Lenwood Road Grade Separation Project Assignment and Assumption Agreement** Pg. 246

Approve a new Assignment and Assumption Agreement C13127 between the San Bernardino County Transportation Commission (COMMISSION)) and the City of Barstow (CITY) assigning to and being assumed by COMMISSION the CITY's rights and obligations under the Overpass Agreement between BNSF Railway Company and CITY that are necessary for construction of the Lenwood Road Overpass Structure. **Garry Cohoe**

**This item was reviewed and recommended for approval by the Mountain Desert Policy Committee on June 21, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Contract as to form.**

**16. I-15 Base Line Road Interchange Project** Pg. 252

Acting as the San Bernardino County Transportation Commission:

1. Approve award of Contract No. C13033 with Arcadis US for Construction Management services for the I-15 Base Line Road Interchange Improvement Project in an amount not-to-exceed \$6,634,739.00, provided that the award of the contract and the authorization to execute the contract are contingent upon Caltrans' issuance of a Conformance Letter and correction of any noted deficiencies, as required by Caltrans' Local Assistance Procedures Manual.

2. Approve a contingency amount for Contract No. C13033 of \$663,473.00 and authorize the Executive Director or designee to release contingency as necessary for the project.

3. Approve issuance of a Purchase Order in the amount of \$100,000.00 to cover the cost of the preconstruction services so that work can commence prior to the issuance of the federal funds for construction. **Garry Cohoe**

**This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Contract.**

Consent Calendar Continued....

Project Delivery (Cont.)

**17. Interstate 215 (I-215) Barton Road Interchange**

Pg. 324

Acting as the San Bernardino County Transportation Authority:

1. Approve Amendment No. 4 of Contract No. A03045 with LSA Associates, Inc., for the completion of the I-215/Barton Road Interchange Project Environmental Document with an increase of \$245,218.63 to the contract value for a not-to-exceed total of \$2,296,169.40 which includes previously released contingency of \$235,355.00 and to extend the contract duration through June 30, 2014.

2. Approve contingency amount of \$24,521.00, for Contract No. A03045 Measure I Valley Fund – Freeway Projects and authorize the Executive Director or designee to release contingency as necessary for the project. **Garry Cohoe**

**This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and Amendment.**

Transit/Rail

**18. SANBAG Contract No. 04-024, Amendment No. 3 to Gold Line Joint Powers Agreement to include the City of Montclair**

Pg. 348

Approve Amendment No. 3 to the Metro Gold Line Foothill Extension Construction Authority, San Bernardino Associated Governments Contract No. 04-024 to include the City of Montclair. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter and Rail Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have approved this item and Contract as to form.**

**19. Fiscal Year 2013/2014 Transportation Development Act (TDA) Unmet Transit Needs Public Hearings**

Pg. 357

That the Board:

1. Adopt Definitions of “Unmet Transit Needs” and “Reasonable to Meet” as identified in Attachment A.

2. Set Times, Dates and Locations for TDA Unmet Transit Needs Public Hearings. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013.**

Consent Calendar Continued....

Transit/Rail (Cont.)

**20. Unmet Transit Needs Public Hearings and Findings**

Pg. 361

That the Board acting in its capacity as the San Bernardino County Transportation Commission:

1. Review the testimony from the September 2012 Unmet Transit Needs Public Hearings.
2. Adopt Resolution No. 13-043 making Unmet Transit Needs Findings. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel has reviewed this item and the Resolution.**

**21. Request for Proposal No. 14003, On-call Transit and Rail Services**

Pg. 377

That the Board, acting as the San Bernardino County Transportation Commission, authorize and approve release of Request for Proposal No. 14003 for qualified firms to provide On-call Transit and Rail Services. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have approved this item and reviewed the Scope of Work.**

**22. Contracts granting and rescinding certain rights of entry and licenses to cross San Bernardino County Transportation Authority and the San Bernardino County Transportation Commission railroad right-of-way with Joshua Grading, Charter Communications, Omnitrans, Griffith/Comet JV (Joint Venture), City of San Bernardino and City of Rialto**

Pg. 383

That the Board acting as the San Bernardino County Transportation Authority and the San Bernardino County Transportation Commission:

1. Approve Contract No. R13162 with Joshua Grading granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Upland mile post 101.77;
2. Approve Contract No. R13163 with the Charter Communications granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rancho Cucamonga mile post 97.72;

*Continued on next page*

22. (Continued)

3. Approve Contract No. R13164 with Omnitrans granting a license agreement on the Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
4. Rescind Contract No. R13113 with Griffith/Comet JV (Joint Venture) granting a right-of-entry onto Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
5. Approve Contract No. R13166 with Griffith/Comet JV (Joint Venture) granting a right-of-entry onto Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
6. Rescind Contract No. R13112 with the City of San Bernardino granting a license agreement on the Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
7. Approve Contract No. R13165 with the City of San Bernardino granting a license agreement on the Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
8. Approve Contract No. R13167 with the City of Rialto granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rialto mile post 86.4 east;
9. Approve Contract No. R13161 with the City of Rialto granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rialto mile post 86.4 west. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the license agreements.**

23. **Release of Invitation for Bids (IFB) 14001 for construction of the Downtown San Bernardino Passenger Rail Project (DSBPRP)** Pg. 394

That the Board, acting as the San Bernardino County Transportation Commission, authorize the release of Invitation for Bid No. 14001 to obtain bids for construction of the Downtown San Bernardino Passenger Rail Project (DSBPRP) pending final review and approval of San Bernardino Associated Governments General Counsel and Contract Administrator. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have approved this item.**

Consent Calendar Continued....

Transit/Rail (Cont.)

24. **Release Invitation for Bid (IFB) No. 14002 for Construction of the San Bernardino Transit Center (SBTC)** Pg. 396

That the Board, acting as the San Bernardino County Transportation Commission:

1. Authorize the release of Invitation for Bid No. 14002 to obtain bids for construction of the San Bernardino Transit Center Project pending final review and approval of San Bernardino Associated Governments General Counsel, Contract Administrator and a funding agreement with Omnitrans.
2. Authorize staff to proceed directly to Board for approval of the Omnitrans funding agreement. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have approved this item.**

25. **Award Professional Services Contract to HDR Engineering, Inc. to complete a Rail Access Study to the Ontario Airport** Pg. 398

That the Board, acting as the San Bernardino County Transportation Commission:

1. Award Contract No. C13048 to HDR Engineering, Inc. for Professional Planning and Engineering Services for a two (2) year contract term for an amount not-to-exceed \$584,035.
2. Approve Fiscal Year 2013/14 budget amendment to increase Task No. 0352 General Commuter Rail by \$584,035 of State Transit Assistance Fund County Population (PUC99313) for a new task total of \$3,644,842. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Transit and Rail Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Contract.**

26. **Amendment No. 7 to Contract C10079, Redlands Rail Extension, to HDR Engineering, Inc. for Design Services** Pg. 416

Approve Amendment No. 7 to Contract No. C10079 with HDR Engineering, Inc. for design and environmental clearance services increasing the contract amount by \$2,183,924 for a new not-to-exceed amount of \$33,568,276; exercise a second one-year option to extend HDR's contract duration through February 8, 2015. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Amendment.**

Consent Calendar Continued....

Transit/Rail (Cont.)

27. **Reimburse the Orange County Transportation Authority for purchase of Southern California Regional Rail Authority rolling stock, Rotem passenger cars** Pg. 497

Reimburse the Orange County Transportation Authority (OCTA) \$6,041,376 for Rotem cars purchased by the Southern California Regional Rail Authority (SCRRA) by assuming responsibility for approximately \$1 million of OCTA's annual member share of the SCRRA capital budget from Fiscal Year 2013/14 through 2018/2019. **Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Transit and Rail Committee on June 20, 2013.**

28. **Review Financial Audits for Transit Operators** Pg. 511

That the Board receive:

1. Omnitrans Comprehensive Annual Financial Report (CAFR) on the Annual Financial Audit for Fiscal Year 2011/2012
2. Mountain Area Regional Transit Authority (MARTA) Basic Financial Statements for Fiscal Year 2011/2012
3. Valley Transportation Services (Vtrans) Basic Financial Statements for Fiscal Year 2011/2012. **Mitch Alderman**

**This item was received by the General Policy Committee on June 12, 2013 and by the Commuter Rail and Transit Committee on June 20, 2013. The finance department has reviewed and approved this item.**

29. **Fiscal Year 2013/2014 Transit Operator Funding Allocations** Pg. 544

Approve Fiscal Year 2013/2014 Transit Operator Funding Allocations, as indicated in Table 1, to the City of Barstow, City of Needles, Morongo Basin Transit Authority, Mountain Area Regional Transit Authority, Omnitrans, Victor Valley Transit Authority and Valley Transportation Services. **Andrea Zureick**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. The individual funding allocation plans have been reviewed by each transit operator.**

Consent Calendar Continued....

Transit/Rail (Cont.)

30. **Advancement of Fiscal Year 2013/2014 Local Transportation Funds to Omnitrans** Pg. 547

Authorize advanced disbursement of Fiscal Year 2013/2014 Local Transportation Funds allocated to Omnitrans to assist with an unforeseen cash flow disruption, contingent upon the availability of funding and removal of the indirect cost allocation of 3.27% currently being charged to the San Bernardino Transit Center.  
**Mitch Alderman**

**This item was review and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013.**

31. **Financial Commitment to the Southern California Regional Rail Authority for Fiscal Year 2013/2014** Pg. 550

That the Board approve the following:

1. Approve Fiscal Year 2013/2014 operating assistance allocation of \$11,442,000 in Valley Local Transportation Funds to Southern California Regional Rail Authority.

2. Approve Fiscal Year 2013/2014 capital assistance allocation of \$3,634,500 in Federal Transit Administration 5309 and 5337 funds with local match to be funded from Toll Credits.

3. Approve Fiscal Year 2013/2014 capital assistance allocation of \$1,000,000 in Federal Transportation Administration 5337 funds to Southern California Regional Rail Authority for the reimbursement of cost associated with the purchased of Rotem cars originally funded by Orange County Transportation Authority, provided the overall reimbursement plan was approved in the preceding agenda item.  
**Mitch Alderman**

**This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013.**

Transportation Fund Administration

32. **Measure I Population Estimates for Measure I Allocations** Pg. 588

Adopt the 2013 Population Estimates for use in the allocation of Measure I Local Street Program Funds. **Andrea Zureick**

**This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013.**

Consent Calendar Continued....

Transportation Fund Administration (Cont.)

**33. Major Local Highway Program Allocation, Funding Agreement and Budget Amendment for the Town of Yucca Valley** Pg. 594

1. Approve allocation of \$471,000 in Measure I Morongo Basin Subarea – Major Local Highway Program funds to the Town of Yucca Valley for the State Route 62/Dumosa Avenue Traffic Signal Project.

2. Approve a budget amendment to increase Task No. 0516, Measure I Mt/Desert Apportionment and Allocation, from \$9,842,859 to \$10,313,859 to be funded with \$471,000 of Measure I Morongo Basin Subarea – Major Local Highway Program funds.

3. Approve Funding Agreement C13161 in the amount of \$471,000 with the Town of Yucca Valley for the State Route 62/Dumosa Avenue Traffic Signal Project, with \$471,000 funded by Measure I Morongo Basin Subarea – Major Local Highway Program funds.  
**Andrea Zureick**

**This item was reviewed and unanimously recommended for approval by the Mountain Desert Policy Committee on June 21, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the contract.**

**34. Interstate 10 Cedar Avenue Interchange Memorandum of Understanding** Pg. 606

1. Approve Memorandum of Understanding No. C13086 with the County of San Bernardino for the development of the Interstate 10 Cedar Avenue Interchange project.

2. Waive the five-year contract term limitation set forth in Policy 11000. **Andrea Zureick**

**This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013. SANBAG General Counsel and Contract Administrator have approved this item and the Memorandum of Understanding.**

**35. Allocation of Transportation Development Act Funds for Fiscal Year 2013/2014** Pg. 615

Adopt Resolution No. 13-083 authorizing the allocation of Local Transportation Funds and State Transit Assistance Funds for Fiscal Year 2013/2014. **Andrea Zureick**

**This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013. SANBAG General Counsel has reviewed this item and the Resolution, as to form.**

**Consent Calendar Items Pulled for Discussion**

36. Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

**DISCUSSION ITEMS**

**Administrative Matters**

37. **Results of Caucus Meetings to Select Members of the General Policy Committee** Pg. 619

Note the results of the caucus meetings to select members of the General Policy Committee. **Duane Baker**

**This item has not received prior policy committee or technical advisory committee review.**

**Council of Governments**

38. **Public Hearing to Consider Resolution No. 13-087 to Modify the Program Report to Expand the Boundaries of the SANBAG HERO Program** Pg. 621

1. Hold a public hearing to modify the boundaries of the SANBAG Home Energy Renovation Opportunity (HERO) Program to add the cities of Needles, Upland, Redlands and the Town of Apple Valley.

2. Adopt Resolution No. 13-087 that confirms the modification of the SANBAG HERO Program Report to expand the program area within which contractual assessments may be offered. **Duane Baker**

**This item has not received prior policy committee or technical advisory committee review.**

**Project Delivery**

39. **I-10 and I-15 Corridor Improvement Projects – Update** Pg. 626

1. Receive an update on the I-10 and I-15 Corridor Improvement Projects Equity Study. 10 Min.

2. Receive information included in the draft I-10 Corridor Project Alternatives Considered but Eliminated from Further Discussion report. **Garry Cohoe**

**This item has not received prior policy committee review.**

Discussion Items Continued....

Project Delivery (Cont.)

**40. Additional Expenditure Authority for Three Railroad Construction and Maintenance Agreements on Interstate 215 Segment 2** Pg. 653

1. Approve additional expenditure authority for Contract C09109, Construction and Maintenance Agreement with California Department of Transportation (Caltrans) and BNSF Railway for railroad flagging and inspection costs for Interstate 215 (I-215) for the Ninth Street Bridge construction in the amount of \$34,600 for a new total expenditure authority of \$515,813.00.

2. Approve additional expenditure authority for Contract C09110, Construction and Maintenance Agreement with California Department of Transportation (Caltrans) and BNSF Railway for railroad flagging and inspection costs for Interstate 215 (I-215) for the Baseline Street Bridge construction in the amount of \$115,000 for a new total expenditure authority of \$902,823.00.

3. Approve additional expenditure authority for Contract C09111, Construction and Maintenance Agreement with California Department of Transportation (Caltrans) and BNSF Railway for railroad flagging and inspection costs for Interstate 215 (I-215) for the 16th Street Bridge construction in the amount of \$215,000 for a new total expenditure authority of \$1,002,823.00. **Dennis Saylor**

**This item has not received prior policy committee review.**

Transit/Rail

**41. Increase expenditure authority for the Downtown San Bernardino Passenger Rail Project and San Bernardino Transit Center right-of-way acquisitions** Pg. 655

That the Board acting in its capacity as the San Bernardino County Transportation Commission allocate \$1,500,000 of undesignated, unreserved State Transit Assistance Fund County Population (PUC99313) to fund right-of-way purchases for the Downtown San Bernardino Passenger Rail Project and the San Bernardino Transit Center. This allocation amount is comprised of the estimated property acquisition costs plus contingency. **Mitch Alderman**

**This item has not received prior policy committee or technical advisory committee review.**

Discussion Items Continued....

Transit/Rail (Cont.)

**42. E Street Storm Drain Contract Delegation** Pg. 657

1. Approve and adopt the Plans and Specifications for construction of the E Street Storm Drain Project.

2. Delegate authority to the Commuter Rail & Transit Committee to award Contract #C14004, E Street Storm Drain Improvements, as part of the San Bernardino Transit Center Project. **Mitch Alderman**

**This item has not received prior policy committee or technical advisory committee review. SANBAG General Counsel has approved this item as to form.**

**43. Purchase Order to Burlington Northern Santa Fe Railway Company for Flagging Services to accommodate the expansion of Southern California Regional Rail Authority's Eastern Maintenance Facility.** Pg. 659

1. Authorize an increase to Purchase Order No. 4000916 with Burlington Northern Santa Fe Railway Company in an amount of \$30,000 for a new total of \$130,000. The purchase order is for Flagging Services to accommodate the expansion of Southern California Regional Rail Authority's Eastern Maintenance Facility.

2. Authorize the San Bernardino Associated Governments' Executive Director or his designee to execute Purchase Order No. 4000916 with Burlington Northern Santa Fe Railway Company for flagging services associated with the Eastern Maintenance Facility.

3. Allocate \$7,050 of undesignated, unreserved State Transit Assistance Fund (PUC 99313) and \$22,950 of Local Transportation Fund Rail, for a total of \$30,000 to fund the flagging services for the expansion of the Eastern Maintenance Facility. **Mitch Alderman**

**This item has not received prior policy committee or technical advisory committee review. Contracts Administrator has reviewed this item.**

Comments from Board Members

Brief Comments from Board of Directors

Executive Director's Comments

Brief Comments from the Executive Director

Public Comment

Brief Comments by the General Public

**ADJOURNMENT**

**Additional Information**

**Agency Reports/Committee Memberships**

South Coast Air Quality Management Report Pg. 661  
Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee  
Mayor Larry McCallon

**SCAG Committees**

SCAG Regional Council Pg. 668

SCAG Policy Committees  
Community, Economic and Human Development  
Energy and Environment  
Transportation and Communications

**SANBAG Policy Committees**

Pg. 669

**Acronym List**

Pg. 675

Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

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

### **Accessibility**

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

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

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

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

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when 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. The time limits established in "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*



# Important Dates to Remember...

## July 2013

### SANBAG Meetings – Cancelled:

All SANBAG Board Committee Meetings are DARK in July

### SANBAG Meetings – Scheduled:

General Policy Committee	NO July Meeting	-----	The Super Chief
Metro Valley Board Study Session	NO July Meeting	-----	The Super Chief
Commuter Rail & Transit Committee	NO July Meeting	-----	The Super Chief
Mountain/Desert Committee	NO July Meeting	-----	Town of Apple Valley

### Other Meetings/Events:

Ryder Alternative Fuel Facility Dedication in Orange, CA	July 9	2:00 pm	1440 N. Main St. Orange, CA 92867
Ryder Alternative Fuel Facility Dedication in Fontana, CA	July 10	1:00 pm	10641 Almond Ave. Fontana, CA 92337

**REMINDER:** SANBAG Offices are CLOSED on July 4th and 5th.

For additional information, please call SANBAG at (909) 884-8276



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

***Minute Action***

**REVISED AGENDA ITEM: 1**

**Date:** July 10, 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 SANBAG Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

**Closed Session #1 – Conference with Real Property Negotiators**

<u>PARCEL</u>	<u>POTENTIAL CONFLICTS OF INTEREST</u>
SB 45, 46, 47	GEORGE V. MANTZOROS, TRUSTEE OF THE MANTZOROS FAMILY LIVING TRUST, U/A DATED OCTOBER 9, 2012
	GLORIA MANTZOROS, TRUSTEE OF THE MANTZOROS FAMILY LIVING TRUST, U/A DATED OCTOBER 9, 2012
	J & G PRODUCE, INC., a California corporation (Officers/Directors: GEORGE MANTZOROS)

*Approved  
Board of Directors*

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

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

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

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

COG | X | CTC | X | CTA | X | SAFE | X | CMA | X

Check all that apply  
 BRD1307z-aa

**Closed Session #2 – Conference with Legal Counsel – Existing Litigation**

<b><u>PARCEL</u></b>	<b><u>POTENTIAL CONFLICTS OF INTEREST</u></b>
B-239	SB OIL, INC., a California corporation
B-243	WORLD OIL MARKETING COMPANY, a California corporation (Officers/Directors: Bernard B. Roth; Toshiko G. Chan; Robert S. Roth; Florence Roth; Richard N. Roth; Steven F. Roth)
C-18/20/22	EL TORITO RESTAURANTS, INC., a California corporation (Officers/Directors: Richard Edwin Rivera; Madelaine Louise Morrow; Richard Paul Dutkiewicz)
C-71	COSTCO WHOLESALE CORPORATION, a Washington corporation (Officers: Walter Craig Jelinek; Joel Benoliel; Richard A. Galanti)

**Consent/Discussion Calendar Items**

<b>Item No.</b>	<b>Contract No.</b>	<b>Principals &amp; Agents</b>	<b>Subcontractors</b>
5	C13109	Montague DeRose and Associates <i>Douglas Montague</i>	None
16	C13033	Arcadis US <i>Girish Kripalani</i>	Simon Wong Engineering Falcon Engineering Dynamic Engineering David Evans and Associates, Inc. Meadows Consulting Leighton Consulting, Inc. Towill Inc. Psomas
17	A03045-04	LSA Associates, Inc. <i>Robert H. McCann</i>	Klienfelder Arellano Associates
22	R13162	Joshua Grading & Excavation, Inc <i>Tom Craft</i>	None
22	R13163	Charter Communications <i>Beth Thompson</i>	None
22	R13166	Griffith/Comet JV <i>Joe Meidl</i>	None
25	C13048	HDR Engineering, Inc. <i>Rob Klovsky</i>	Fehr & Peers RSE, Inc. Pacific Railway Enterprises, Inc. Joanna Capelle

**Consent/Discussion Calendar Items**

Item No.	Contract No.	Principals & Agents	Subcontractors
26	C10079-7	HDR Engineering, Inc. <i>Rob Klovsy</i>	Base + Birge Engineering David Evans & Assoc., Inc. Epic Land Services, Inc. Delta Group Gruen Hatch Mott Macdonald HTC ICF Iteris, Inc. Project Design Consultants Pacific Rail Engineers Westbound Communications Cambridge PAC Rail Project Management (RPM) Atwell Consulting Group, LLC
40	C09109	BNSF <i>Melvin Thomas</i>	None
40	C09110	BNSF <i>Melvin Thomas</i>	None
40	C09111	BNSF <i>Melvin Thomas</i>	None
43	PO4000916	BNSF <i>Greg J. Rousseau</i>	None

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

**Reviewed By:** This item is prepared monthly for review by SANBAG Board and Committee members.

**BOARD OF DIRECTORS ATTENDANCE RECORD – 2013**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Gary Ovitt</b> Board of Supervisors	X	X		X	X	X						
<b>James Ramos</b> Board of Supervisors	X	X			X							
<b>Janice Rutherford</b> Board of Supervisors	X	X		X	X	X						
<b>Josie Gonzales</b> Board of Supervisors		X		X	X	X						
<b>Robert A. Lovingood</b> Board of Supervisors	X	X		X	X	X						
<b>Cari Thomas</b> City of Adelanto		X	X	X	X	X						
<b>Curt Emick</b> Town of Apple Valley	X	X	X	*	X	X						
<b>Julie McIntyre</b> City of Barstow		X	X		X	X						
<b>Bill Jahn</b> City of Big Bear Lake	X	X	X	X	X	X						
<b>Dennis Yates</b> City of Chino	X	X	X	X	X	X						
<b>Ed Graham</b> City of Chino Hills	X	X	X	X	X	X						
<b>Frank Navarro</b> City of Colton	X	X	X	X	X	X						
<b>Michael Tahan</b> City of Fontana	X	X	X	X	X	X						
<b>Walt Stanckiewicz</b> City of Grand Terrace	X	X	X	X	X	X						
<b>Mike Leonard</b> City of Hesperia	X	X		X		X						
<b>Larry McCallon</b> City of Highland	X	X	X	X	X	X						

**BOARD OF DIRECTORS ATTENDANCE RECORD – 2013**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Rhodes 'Dusty' Rigbsby</b> City of Loma Linda	X	X	X	X	X	X						
<b>Paul Eaton</b> City of Montclair	X		X		X	X						
<b>Edward Paget</b> City of Needles	X	X	X	X	X	X						
<b>Alan Wapner</b> City of Ontario	X	X	X	*	X	X						
<b>L. Dennis Michael</b> City of Rancho Cucamonga		X	X	*	X	X						
<b>Pete Aguilar</b> City of Redlands	X	X	X	X	X	X						
<b>Deborah Robertson</b> City of Rialto	X	X	X	X	X	X						
<b>Patrick Morris</b> City of San Bernardino	X	X	X	X	X	X						
<b>Jim Harris</b> City of Twentynine Palms	X	X	X	X	X	X						
<b>Ray Musser</b> City of Upland	X	X		X	*	X						
<b>Ryan McEachron</b> City of Victorville	X	X	X		X	X						
<b>Dick Riddell</b> City of Yucaipa	X	X	X	X	X	X						
<b>George Huntington</b> Town of Yuca Valley	X	X	*	X	X	X						
<b>Basem Muallem</b> Ex-Official Member	Robert So	Syed Raza	X	Syed Raza	Syed Raza	X						

X = member attended meeting. \* = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

**BOARD OF DIRECTORS ATTENDANCE RECORD -- 2012**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Gary Ovitt</b> Board of Supervisors	X	X	X	X	X	X	X	X	X	X	X	
<b>Brad Mitzelfelt</b> Board of Supervisors	X	X		X	X	X	X	X			X	
<b>James Ramos</b> Board of Supervisors												X
<b>Janice Rutherford</b> Board of Supervisors	X	X	X	X	X	X	X	X	X	X	X	X
<b>Josie Gonzales</b> Board of Supervisors	X	X		X	X	X	X	X		X		X
<b>Neil Derry</b> Board of Supervisors	Self-Suspension as of 5/3/2011	X	X	X	X		X					
<b>Robert A. Lovingood</b> Board of Supervisors												X
<b>Cari Thomas</b> City of Adelanto	X	X	X	X	X	X	X	X	X	X	X	X
<b>Rick Roelle</b> Town of Apple Valley	*	X	X	X	X	X	X	X	X	X	*	*
<b>Julie McIntyre</b> City of Barstow	X	X	X		X	X	X	X	X	X	X	X
<b>Bill Jahn</b> City of Big Bear Lake	X	X	X	X	X			X		X		X
<b>Dennis Yates</b> City of Chino	X	X	X	X	X	X	X	X	X	X		X
<b>Ed Graham</b> City of Chino Hills	X	X	X	X	X	X	X	X	X	X	X	X
<b>Sarah Zamora</b> City of Colton	X	*	X	X	X	X	X	X	X	X	*	X
<b>Michael Tahan</b> City of Fontana	X	X		X	X	X		X	X	X	X	X
<b>Walt Stanckiewicz</b> City of Grand Terrace	X	X	X	X	X	X			X	X	X	X
<b>Mike Leonard</b> City of Hesperia	X	X	X	X	X	X	X	X		X	X	X

X = member attended meeting. \* = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

**BOARD OF DIRECTORS ATTENDANCE RECORD - 2012**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Larry McCallon City of Highland	X	X	X	X	X	X		X		X	X	*
Rhodes 'Dusty' Riggsby City of Loma Linda	X	X	X	X	X	X	X	X	X	X	X	X
Paul Eaton City of Montclair	X	X	X		X	X	X		X	X	X	X
Edward Paget City of Needles	X	X	X	X	X	X	X	X	X			X
Alan Wapner City of Ontario	X	X	X	X	X	X	X	X		X	X	X
L. Dennis Michael City of Rancho Cucamonga	X	X	X	*	X	X	X	X	X	*	X	X
Pete Aguilar City of Redlands	X	X	X	X	X	X	X	X	X	X	X	X
Ed Scott City of Rialto	X	X	X	X	X	X	X	X	X			
Patrick Morris City of San Bernardino	X	X	X	X	X	X		X	X	X	X	X
Jim Harris City of Twentymine Palms	X	X	X	X	X	X	X	X		X	X	X
Ray Musser City of Upland	X	X	X	X	X	X	X	X	X	X	X	X
Ryan McEachron City of Victorville	X	X		X	X	X		X	X	X	X	X
Dick Riddell City of Yucaipa	X	X	X	X	X	X	X	X	X	X	X	X
George Huntington Town of Yucca Valley	X	X	X	X	X	X	X	X	X	X	X	X
Ray Wolfe Ex-Official Member	X	X	X	X	X	X	X	X	X	X	X	X
Syed Raza Ex-Official Member					X							
Basem Muallem Ex-Official Member						X						
												Robert So

X = member attended meeting. \* = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.



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

*Minute Action*

AGENDA ITEM: 3

**Date:** July 10 2013  
**Subject:** May 2013 Procurement Report  
**Recommendation:** Receive May 2013 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 May 1, 2013. On February 6, 2013, the Board of Directors authorized the Executive Director, or designee, to approve: a) contracts and purchase orders up to \$100,000; b) amendments with a zero dollar value; c) amendments to exercise the option term if the option term was approved by the Board of Directors in the original contract; and d) amendments that cumulatively do not exceed 50% of the original contract value or \$100,000, whichever is less and to release Request for Proposal (RFP), Request for Quote (RFQ) and Invitation for Bid (IFB) for proposed contracts from which funding has been approved in San Bernardino Associated Governments (SANBAG's) Annual Budget, and which are estimated not-to-exceed \$1,000,000. SANBAG staff has compiled this report that summarizes all contract actions approved by the Executive Director, or designee.

On July 11, 2012, the Board of Directors authorized SANBAG's General Counsel to award and execute legal services contracts up to \$50,000 with outside counsel as needed on behalf of SANBAG and its authorities organized under the umbrella

Approved  
 Board of Directors

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.

BRD1307a-www

Attachment:

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1305/AgendaItems/BRD1307a1-www.docx>

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1305/AgendaItems/BRD1307a2-www.docx>

of the Council of Governments. Also, periodically notify the Board after exercising such authority.

A list of all Contracts and Purchase Orders that were executed by the Executive Director and/or General Counsel during the month of May is presented herein as Attachment A, and all RFPs and IFBs are presented in Attachment B.

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

**Reviewed By:** This item was received by the General Policy Committee on June 12, 2013.

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

## Attachment A

### May 1-28 Contract/Purchase Order Actions

**Contracts Executed:**

Contract No.	Description of Specific Services	Vendor Name	Dollar Amount	Description of Overall Program
None				
<b>Total</b>				<b>\$0</b>

**Contract Amendments Executed:**

Contract No. & Amendment No.	Reason for Amendment	Vendor Name	Dollar Amount of Amendment	Amended Contract Total
C05002 Amendment 4	Amend the term and increase contract amount	AT&T	\$98,000.00	\$977,426.00
C08165 Amendment 3	Increase the contract amount	Berg & Associates	\$50,000.00	\$4,444,989.00
C13047 Amendment 1	Increases SANBAG's Contribution for the project	City of Yucaipa	\$0.00	\$0.00
<b>Total Amount of Amendments</b>				<b>\$5,422,415.00</b>

**Attachment A**  
**May 1-28 Contract/Purchase Order Actions**

**Purchase Orders:**

PO No.	PO Issue Date	Vendor Name	Description of Services	Dollar Amount
4000993	05/02/13	G/M Business Interiors	Purchase two new L-shaped desk units including seating and accessory trays.	\$10,375.98
4000997	05/13/13	Mobility 21 Transportation, Coalition	Annual partner membership dues for 2013.	\$20,000.00
4000998	05/15/13	SELF-HELP Counties Coalition	Annual membership dues for Fiscal Year 2013/2014.	\$5,700.00
<i>*Note: Sole Source justification is noted in the Purpose statement, if applicable.</i>				<b>Total</b>
				<b>\$36,075.98</b>

**Attachment B**  
**May 1-28 RFPs and IFBs**

**Release of RFP's and IFB's**

Release Date	RFP/IFB No.	Description of Services	Anticipated Dollar Amount	Anticipated Award Date	Description of Overall Program and Program Budget
None					
				<b>Total</b>	<b>\$0</b>



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

***Minute Action***

AGENDA ITEM: 4

**Date:** July 10, 2013

**Subject:** Budget to Actual Report for third quarter ending March 31, 2013

**Recommendation:** Receive and file Budget to Actual Report for third quarter ending March 31, 2013.

**Background:** SANBAG's Budget for Fiscal Year 2012/2013 for new activity was adopted by the Board of Directors on June 6, 2012. This report provides a summary of program activity and task activity compared to budget. Budgetary information includes the original and revised budgets, and year to date expenditures.

**Financial Impact:** This item reports the status of expenditures against budget and imposes no financial impact on the Fiscal Year 2012/2013 Budget.

**Reviewed By:** This item was received by the General Policy Committee on June 12, 2013.

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

*Approved*  
*Board of Directors*

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.

BRD1307b-wws

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1302/AgendaItems/BRD1307b1-wws.xlsx>

**AIR QUALITY & TRAVELER SERVICES PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED			TASK		
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED	% OF BUDGET	
0102	Air Quality Activities	3,457,701	178,110	-	3,635,811	1,128,885	2,506,926	31.05%		
0406	Rideshare Management	2,224,957	19,375	6,443	2,250,775	672,970	1,577,805	29.90%		
0702	Call Box System	1,026,258	-	-	1,026,258	544,603	481,655	53.07%		
0704	Freeway Service Patrol/State	1,914,260	28,751	-	1,943,011	1,091,770	851,241	56.19%		
0706	Intelligent Transportation Systems	96,587	-	-	96,587	150	96,437	0.16%		
<b>TOTAL AIR QUALITY &amp; TRAVELER SERVICES PROGRAM</b>		<b>8,719,763</b>	<b>226,236</b>	<b>6,443</b>	<b>8,952,442</b>	<b>3,438,377</b>	<b>5,514,065</b>	<b>38.41%</b>		

**TRANSPORTATION PLANNING & PROGRAMMING PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED			TASK		
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED	% OF BUDGET	
0110	Regional Transportation Planning	489,687	68,400	-	558,087	284,509	273,578	50.98%		
0203	Congestion Management	100,865	-	-	100,865	44,255	56,610	43.88%		
0213	High Desert Corridor Studies	228,191	-	-	228,191	5,151	223,040	2.26%		
0373	Federal/State Fund Administration	979,994	-	34,160	1,014,154	576,645	437,509	56.86%		
0404	Subregional Transportation Planning	1,092,886	100,000	-	1,192,886	833,779	359,107	69.90%		
0500	Transportation Improvement Program	358,424	-	-	358,424	270,144	88,280	75.37%		
0609	Strategic Planning/Delivery Planning	365,824	-	7,760	373,584	97,751	275,833	26.17%		
0701	Valley Signal Coordination	1,478,995	-	-	1,478,995	210,920	1,268,075	14.26%		
0941	ML/Desert Planning & Project Development	227,201	-	-	227,201	98,943	128,258	43.55%		
<b>TOTAL TRANSPORTATION PLANNING &amp; PROGRAMMING PROGRAM</b>		<b>5,322,067</b>	<b>168,400</b>	<b>41,920</b>	<b>5,532,387</b>	<b>2,422,095</b>	<b>3,110,292</b>	<b>43.78%</b>		

**MAJOR PROJECT DELIVERY PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED			TASK		
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED	% OF BUDGET	
0803	SR 210 Baseline Road Interchange	-	320,000	-	320,000	-	320,000	0.00%		
0815	Measure I Program Management	5,120,049	(26,000)	62,249	5,156,298	2,366,961	2,789,336	45.90%		
0817	SR-60 Sound Wall	71,163	-	16,321	87,484	45,889	41,595	52.45%		
0819	Hwy 62 & Rotary Way Traffic Signal Project	450,000	-	-	450,000	-	450,000	0.00%		
0820	SR 210 Final Design	245,170	-	-	245,170	9,044	236,126	3.69%		
0822	SR 210 Right of Way Acquisition	3,298,494	-	-	3,298,494	(1,202,616) *	4,501,110	-36.46%		
0824	SR 210 Construction	8,947,468	-	-	8,947,468	3,503,818	5,443,650	39.16%		
0825	I-10 Corridor Project Development	4,123,966	-	-	4,123,966	2,840,152	1,283,814	68.87%		
0826	I-10 Citrus/Cherry Interchanges	71,708,739	(991,009)	-	70,717,730	19,324,513	51,393,217	27.33%		
0830	I-215 San Riv Project Development	15,804	-	-	15,804	-	15,804	0.00%		
0834	I-215 Final Design	366,579	-	-	366,579	15,748	350,831	4.30%		
0836	I-215 Right of Way Acquisition	2,901,919	75,000	-	2,976,919	313,283	2,663,636	10.52%		
0838	I-215 Construction	79,699,415	1,852,020	-	81,551,435	28,169,957	53,381,478	34.54%		
0839	I-215 Bi-County HOV Gap Closure Project	18,844,743	(1,000,000)	1,388	17,846,131	6,753,051	11,093,080	37.84%		
0840	I-215 Barton Road Interchange	10,771,111	-	-	10,771,111	268,025	10,503,086	2.49%		
0841	I-10 Riverside Interchange	3,200,247	-	-	3,200,247	573,416	2,626,831	17.92%		
0842	I-10 Tiptecance Interchange	39,604,394	450,000	-	40,054,394	3,385,310	36,669,084	8.45%		

MAJOR PROJECT DELIVERY PROGRAM, Continued

TASK#	TASK DESCRIPTION	BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
0845	Mt. Vernon/Washington Interchange	466,087	-	-	466,087	300,172	165,915	64.40
0850	Alternative Project Financing	3,661,056	-	-	3,661,056	1,182,663	2,478,393	32.30
0862	I-10 Westbound Lane Addition - Yucaipa	9,906,181	-	-	9,906,181	4,161,551	5,744,630	42.01
0869	Glen Helen Parkway Grade Separation	4,400,356	-	-	4,400,356	1,671,602	2,728,754	37.99
0870	Huitts Lane Grade Separation	12,584,715	1,147,980	-	13,732,695	6,503,973	7,228,722	47.36
0871	State St./University Parkway Grade Separation	328,306	-	-	328,306	8,420	319,886	2.56
0874	Palm Avenue Grade Separation	9,899,031	(47,000)	5,000	9,857,031	7,235,899	2,621,132	73.41
0876	South Milliken Avenue Grade Separation	6,840,456	-	-	6,840,456	3,660,562	3,179,894	53.51
0877	Vineyard Avenue Grade Separation	1,732,673	-	-	1,732,673	804,096	928,577	46.41
0879	Colton Crossing BNSF/UPRR Grade Separation	91,530,337	1,000	-	91,531,337	5,085,980	86,445,357	5.56
0880	I-15/I-215 Devore Interchange	22,086,076	-	14,085	22,100,161	2,911,017	19,189,144	13.17
0881	Lenwood Avenue Grade Separation	4,688,881	-	-	4,688,881	2,226,435	2,462,446	47.48
0882	North Milliken Avenue Grade Separation	17,119,616	(2,000)	8,011,113	25,128,729	7,042,080	18,086,650	28.02
0883	SR 210 Pepper Avenue Interchange	2,277,989	-	-	2,277,989	452,158	1,825,831	19.85
0884	Laurel Avenue Grade Separation	15,864,368	74,000	-	15,938,368	3,851,456	12,086,912	24.16
0885	9th Street Rail Improvements	4,216,173	(75,000)	-	4,141,173	140,753	4,000,420	3.40
0886	Colton Quiet Zone Project	3,147,427	-	-	3,147,427	44,814	3,102,613	1.42
0887	SR 210 Lane Addition	1,063,515	-	-	1,063,515	725,182	338,333	68.19
0888	I-15 La Mesa/Nisqualli Interchange	16,184,871	-	50,000	28,835,140	14,995,962	13,839,178	52.01
0889	Yucca Loma Bridge	7,062,129	12,600,269	-	20,662,398	-	7,062,129	0.00
0890	I-15 Rancho Interchange	13,351,699	65,757	-	13,417,456	5,467,690	7,949,766	40.75
0892	I-10 Baseline Interchange Improvement	-	100,000	-	100,000	652	99,348	0.65
0896	I-10 Pepper Avenue Interchange	-	400,000	-	400,000	-	400,000	0.00
0965	2012 A Sales Tax Revenue Bond	5,916,411	-	-	5,916,411	3,851,087	2,065,324	0.00
<b>TOTAL MAJOR PROJECT DELIVERY PROGRAM</b>		<b>503,697,614</b>	<b>14,945,017</b>	<b>8,160,156</b>	<b>526,802,786</b>	<b>138,690,751</b>	<b>388,112,035</b>	<b>26.33</b>

TRANSIT & PASSENGER RAIL PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL BUDGET	AMENDMENTS	ENCUMBRANCES	REVISED BUDGET	EXPENDITURES	TASK BALANCE	% OF BUDGET EXPENDED
0309	General Transit	872,459	210,915	7,333	1,090,707	819,943	270,764	75.18
0310	Transit Operating	8,823,072	154,600	-	8,977,672	5,566,164	3,411,508	62.00
0311	Transit Capital	5,332,307	5,032,135	-	10,364,442	2,850,822	7,513,620	27.51
0352	General Commuter Rail	800,797	-	187	800,984	315,285	485,699	39.36
0377	Commuter Rail Operating Expenses	12,133,858	(2,590,000)	18,312	9,562,170	6,557,084	3,005,086	68.57
0379	Commuter Rail Capital Expenses	23,416,568	15,480,896	57,247	38,954,711	18,387,844	20,566,867	47.20
0501	Federal Transit Act Programming	96,969	-	-	96,969	15,223	81,746	15.70
<b>TOTAL TRANSIT &amp; PASSENGER RAIL PROGRAM</b>		<b>51,476,030</b>	<b>18,288,546</b>	<b>83,079</b>	<b>69,847,655</b>	<b>34,512,363</b>	<b>35,335,292</b>	<b>49.41</b>

TRANSPORTATION FUND ADMINISTRATION PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL		REVISED			TASK		% OF BUDGET	
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED		
0502	TDA Administration	470,005	359,700	-	829,705	334,988	494,717	40.37%		
0504	Measure I Administration	426,634	-	-	426,634	249,168	177,466	58.40%		
0506	Local Transportation Fund	83,337,751	(800,000)	-	82,537,751	41,133,403	41,404,348	49.84%		
0507	State Transit Assistance Fund	26,330,985	(788,975)	-	25,542,010	11,908,901	13,633,109	46.62%		
0515	Measure I Valley Apportionment & Allocation	4,427,761	-	4,779,611	9,207,372	1,114,277	8,093,095	12.10%		
0516	Measure I Mountain/Desert Apportionment & Allocation	-	1,975,000	-	1,975,000	-	1,975,000	0.00%		
0610	Measure I 2010-2040 Project Advancement	16,846,857	-	655,517	17,502,374	8,378,138	9,124,236	47.87%		
0615	Measure I Local Stimulus	-	-	8,110,653	8,110,653	6,773,020	1,337,633	83.51%		
0918	Measure I Local Pass-through	34,453,800	-	-	34,453,800	22,001,086	12,452,714	63.86%		
<b>TOTAL TRANSPORTATION FUND ADMINISTRATION PROGRAM</b>		<b>166,293,793</b>	<b>745,725</b>	<b>13,545,781</b>	<b>180,585,299</b>	<b>91,892,981</b>	<b>88,692,318</b>	<b>50.89%</b>		

GENERAL - COUNCIL OF GOVERNMENTS SUPPORT PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL		REVISED			TASK		% OF BUDGET	
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED		
0104	Intergovernmental Relations	442,441	-	-	442,441	275,033	167,408	62.16%		
0490	Council of Governments New Initiatives	80,585	(16,678)	-	63,907	5,432	58,475	8.50%		
0492	Joint Solar Purchase Agreement	176,732	16,678	-	193,410	30,598	162,812	15.82%		
0495	Green House Gas	495,481	38,385	-	533,866	197,182	336,684	36.93%		
0503	Legislation	613,473	-	-	613,473	313,534	299,939	51.11%		
0601	County Transportation Commission-General	483,591	-	-	483,591	114,530	369,061	23.68%		
0605	Publications & Public Outreach	576,842	-	-	576,842	235,227	341,615	40.78%		
0708	Property Assessed Clean Energy	141,514	-	-	141,514	27,057	114,457	19.12%		
0805	Building Operations	89,115	-	-	89,115	30,253	58,862	33.95%		
0942	Financial Management	228,102	-	-	228,102	70,313	157,789	30.83%		
<b>TOTAL COUNCIL OF GOVERNMENTS SUPPORT PROGRAM</b>		<b>3,327,876</b>	<b>38,385</b>	<b>-</b>	<b>3,366,261</b>	<b>1,299,158</b>	<b>2,067,103</b>	<b>38.59%</b>		

GRAND TOTAL ALL PROGRAMS

738,837,143	34,412,309	21,837,379	795,086,830	272,255,727	522,831,104	34.24%
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CONSOLIDATED BY PROGRAM

PROGRAM DESCRIPTION	ORIGINAL		REVISED			PROGRAM		% OF BUDGET		
	BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED			
AIR QUALITY & TRAVELER SERVICES PROGRAM	8,719,763	226,236	6,443	8,952,442	3,438,377	5,514,065	38.41%			
TRANSPORTATION PLANNING & PROGRAMMING PROGRAM	5,322,067	168,400	41,920	5,532,387	2,422,095	3,110,292	43.78%			
MAJOR PROJECT DELIVERY PROGRAM	503,697,614	14,945,017	8,160,156	526,802,786	138,690,751	388,112,035	26.33%			
TRANSIT & PASSENGER RAIL PROGRAM	51,476,030	18,288,546	83,079	69,847,655	34,512,363	35,335,292	49.41%			
TRANSPORTATION FUND ADMINISTRATION PROGRAM	166,293,793	745,725	13,545,781	180,585,299	91,892,981	88,692,318	50.89%			
GENERAL - COUNCIL OF GOVERNMENTS SUPPORT PROGRAM	3,327,876	38,385	-	3,366,261	1,299,158	2,067,103	38.59%			
<b>GRAND TOTAL ALL PROGRAMS</b>		<b>738,837,143</b>	<b>34,412,309</b>	<b>21,837,379</b>	<b>795,086,830</b>	<b>272,255,727</b>	<b>522,831,104</b>	<b>34.24%</b>		

\* Expenditure amount is negative due to reimbursements from legal firm and insurance company for the Colonias lawsuit.



- 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:** July 10, 2013

**Subject:** Award Financial Advisor Services Contract

**Recommendation:** That the Board acting in its capacity as the San Bernardino County Transportation Authority award Contract No. C13109 to Montague DeRose and Associates, LLC for Financial Advisor Services for a five (5) year contract term with two (2) one-year options to extend for an amount not-to-exceed \$600,000 for the initial five (5) year term.

**Background:** The San Bernardino Associated Governments acting in its capacity as the San Bernardino County Transportation Authority (SANBAG) requires the services of a Financial Advisor. The Financial Advisor will be responsible for reviewing the existing strategic plan in association with SANBAG's staff and consultants, and recommending financial strategy revisions. The firm will balance short- and long-term financial needs to determine financing options, alternative debt structures, computer model support, and financing timetables. The firm will assist SANBAG in determining whether a competitive or negotiated bond sale would most benefit SANBAG.

The Financial Advisor will also provide advice on the appropriate time to enter the bond market, preparation of the Preliminary and Final Official Statement, bond credit rating presentations, and other supporting documentation.

*Approved  
 Board of Directors*

*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.*

BRD1307c-wws

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13109.docx>

On March 21, 2013, the SANBAG Board of Directors approved the release of a Request for Proposals (RFP) 13109 for Financial Advisor Services. The RFP was posted on SANBAG's website, published in the *Sun* newspaper and RFP notifications were sent to approximately one hundred twenty-three (123) vendors who specialize in these services. A pre-proposal meeting was conducted on March 26, 2013, and five (5) firms were in attendance. One (1) Addendum was issued to respond to questions received prior to the question deadline and during the pre-proposal meeting. On April 16, 2013, five (5) proposals were received by the date and time specified in the RFP. A responsive review was conducted for the five (5) proposals received on time. All of the proposals were found to be responsive to the RFP.

An Evaluation Committee consisting of staff members from City of Rialto, San Diego Associated Governments, and SANBAG's Chief Financial Officer and Accounting Manager reviewed the proposals. The proposals were evaluated based on the criteria identified in the RFP:

1. Qualifications of the firm
2. Related experience and client references
3. Qualifications and experience of the proposed staff
4. Work plan
5. Pricing

Four (4) firms demonstrated significant experience in providing financial advisor services to the public sector including transportation. The Evaluation Committee agreed to interview the four (4) firms (listed in alphabetical order):

FIELDMAN ROLAPP & ASSOCIATES  
KNN PUBLIC FINANCE  
MONTAGUE DEROSE AND ASSOCIATES, LLC  
THE PFM GROUP

On May 2, 2013, the Evaluation Committee conducted oral interviews with the four (4) firms. The interviews were allotted fifty (50) minutes and consisted of an opening presentation followed by thirty (30) minutes of questions and answers. Each firm had an overall understanding of SANBAG's scope of work and requirements.

The Evaluation Committee selected Montague DeRose and Associates LLC (MDA) due to extensive experience in transportation and public sector financing. This includes knowledge of self-help (sales tax) agencies, Transportation Infrastructure Finance and Innovation Act (TIFIA), Public-Private Partnership (P3) and toll revenue bond financing. MDA is also capable of assisting SANBAG

in selecting a finance team (investment bankers) for future revenue bond offerings.

The contract is for a five (5) year term with two (2) one-year options to extend. The initial cost for five (5) years is \$600,000 (based on an estimated amount for each year).

**Financial Impact:** This item is consistent with SANBAG's Fiscal Year 2013/2014 budget. Financial Advisor activities are budgeted under Capital Projects – Bond Funds, Task No. 0942 Financial Management. The costs of the Financial Advisor will be financed with future bond issuances.

**Reviewed By:** This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Contract.

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

## CONTRACT SUMMARY SHEET

Contract No. C 13109 Amendment No. \_\_\_\_\_

By and Between

SANBAG and Montague DeRose and Associates

Contract Description Financial Advisor Services

**Board of Director's Meeting Date:** 7/3/13

**Overview of BOD Action:** Award Contract No. C13109 to Montague DeRose and Associates, LLC for Financial Advisor Services for a five (5) year contract term with two (2) one-year options to extend for an amount not-to-exceed \$600,000 for the initial five (5) year term.

Is this a Sole-Source procurement?  Yes  No

### CONTRACT OVERVIEW

Original Contract Amount	\$	600,000	Original Contingency Amount	\$	0
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	0	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	0
Current Amendment Amount	\$	0	Contingency Amendment	\$	0
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>600,000</b>	<b>TOTAL CONTINGENCY VALUE</b>	<b>\$</b>	<b>0</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>					<b>\$ 600,000</b>

Contract Start Date 7/3/13	Current Contract Expiration Date 7/3/18	Revised Contract Expiration Date
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Has the contract term been amended?  No  Yes - please explain.

### FINANCIAL INFORMATION

Budget authority for this contract currently exists in Task No. 0942.

A Budget Amendment is required.

How are we funding current FY? FY 2013/14 Bond Funds

Federal Funds  State Funds  Local Funds  TDA Funds  Measure I Funds

*Provide Brief Overview of the Overall Funding for the duration of the Contract:*

MSI Valley Administration and Bond Funds

Payable  Receivable

### CONTRACT MANAGEMENT INFORMATION

**Check all applicable boxes:**

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

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

Hilda Flores  
Project Manager (Print Name)  
W. STAWARSKI  
Task Manager (Print Name)  
Andrea Zureick  
Dir. of Fund Admin. & Programming (Print Name)  
Jessy Hill  
Contract Administrator (Print Name)  
W. STAWARSKI  
Chief Financial Officer (Print Name)

<u>Hilda Flores</u> Signature	<u>5/13/13</u> Date
<u>[Signature]</u> Signature	<u>5/14/13</u> Date
<u>Andrea Zureick</u> Signature	<u>5/13/13</u> Date
<u>[Signature]</u> Signature	<u>5/8/13</u> Date
<u>[Signature]</u> Signature	<u>5/14/13</u> Date

**ATTACHMENT A – SCOPE OF WORK**

The Consultant shall provide the following services:

1. Review the existing strategic plan in association with SANBAG's staff and selected external consultants and make recommendations in revising the financial strategy, taking into account:
  - a) The short and long-term financial needs of SANBAG.
  - b) Financing options and alternative debt structures.
  - c) Needed computer model support.
  - d) Financing timetables.
  - e) Revenue forecast.
  - f) Current and projected interest rates.
2. For each bond sale, assist SANBAG in determining whether a competitive or negotiated bond sale would most benefit SANBAG.
3. Provide independent advice with respect to the appropriate time to enter the bond market.
4. Assist with preparation of the Preliminary and Final Official Statements.
5. Assist in presentations to the rating agencies.
6. For competitive bond sales:
  - a) Assist SANBAG and bond counsel with appropriate advertising and public notices for the sale.
  - b) Assist with the distribution of the Preliminary Official Statement to potential bidders and investors.
  - c) For refunding issues, provide the refunding analysis on which SANBAG will rely for the execution of the transaction, as well as structure the refunding escrow, if necessary, which will defease the refunded bonds.
  - d) Assist SANBAG with the acceptance and verification of competitive bids for the bonds.
7. Review the marketing and sale of any debt prior to, during, and after the pricing of the bonds, including the comparison of the interest rates, takedown expenses, underwriter's risk, and management fees of managing underwriters.
8. Assist in the evaluation of swaps and other derivative products that SANBAG may consider to meet its financing objectives. Assist SANBAG in the preparation, documentation, negotiation, bidding, execution, closing and monitoring of swaps and derivatives.
9. Assist investment banker(s) during the underwriting process.
10. Review and comment on follow-up analysis of the sale provided by the underwriter and the final terms of the bond sale.
11. Assist SANBAG in meeting SEC disclosure requirements.
12. As asked, from time to time or on a regular basis, render advice and/or formally issue opinions as to the propriety and legal adherence of acts and policies of SANBAG to the original Measure I and the Measure I extension and applicable state and federal statutes and case law, as well as generally accepted financial practices.



- 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:** July 10, 2013

**Subject:** SANBAG Initiatives and Action Plan for Fiscal Year 2013/2014

**Recommendation:**\* Receive and file the major initiatives and related action plan for SANBAG for the coming fiscal year.

**Background:** The Executive Director has prepared this table of major initiatives and related action plans for the coming fiscal year. These initiatives were developed with the input of each of the Department Directors and in response to policy direction provided by the Board of Directors. This document will serve to clearly set the expectations for the entire organization and the executive team in particular.

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

**Reviewed By:** This item was reviewed by the General Policy Committee on June 12, 2013.

**Responsible Staff:** Raymond Wolfe, Executive Director

\*

*Approved  
 Board of Directors*

*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.

BRD1307a-rw

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307A1-RW.docx>

**ATTACHMENT**  
**San Bernardino Associated Governments**  
**Fiscal Year 2013/2014 Initiatives and Action Plan**

<b>Initiative #1: Focus on creating and strengthening collaborative partnerships with governmental and business entities</b>						
<b>1.A</b>	<b>Division Strategy</b>	<b>Action Plan</b>	<b>Milestones</b>	<b>Primary Division</b>	<b>Support Division(s)</b>	<b>Timetable and Status</b>
	Create Vision in Action Awards to recognize "Business Friendly", "Cradle to Career", and regional collaboration. Make the awards part of the General Assembly.	Work with Vision Element Groups to identify exemplary programs for this year's awards. Develop full program of criteria and nomination process for next year. Business Friendly award can be similar to Orange County Business Council "Red Tape to Red Carpet" awards.	Identify award recipients in concert with Vision element groups.  Develop nomination submittal and vetting process in concert with Vision element groups for next year.	COG		
				COG		
<b>Status Notes</b>						
	Working with business leaders, County, education leaders and Vision element groups to initiate a reduced-order awards program for this year's General Assembly as a start to a broader program. IEEP stated recently that it is planning an awards program in September modeled after Orange County Business Council. We will work with IEEP as necessary to assist their efforts.					<b>Schedule Notes</b>
<b>1.B</b>	<b>Division Strategy</b>	<b>Action Plan</b>	<b>Milestones</b>	<b>Primary Division</b>	<b>Support Division(s)</b>	<b>Timetable and Status</b>
	Evolve General Assembly into a regional "must attend" destination event	Work closely with incoming Board President to set focus, and then secure support to deliver as appropriate	Outline plans including speaker by mid-January 2014 Coordinate external team by mid-January 2014 Secure facilities and speaker by early February	COG	Public Affairs/Legislative Affairs	

Fiscal Year 2013/2014 Work Goals

IB (Cont.)		Status Notes			Schedule Notes	
Division Strategy	Action Plan	Milestones	Primary Division	Support Division(s)	Timetable and Status	
Create regional forums to discuss issues of regional concern throughout the County	Actively seek issues of regional concern, coordinate meetings with key stakeholders including legislators	Conduct West Valley regional forum in Q1 Conduct East Valley regional forum by Q3 Conduct Mountain/Desert regional forum by Q4	COG	Legislative Affairs		
<p style="text-align: center;"><b>Status Notes</b></p> Currently planning for a May/June event in the Morongo Basin focused on court closures. The new County Sheriff will also be introduced. A May/June event may also occur in the West Valley regarding the proposed San Gabriel Mountains National Recreation Area.						
1D		Status Notes			Schedule Notes	
Division Strategy	Action Plan	Milestones	Primary Division	Support Division(s)	Timetable and Status	
Enhance COG role	Coordinate role in implementing Countywide Vision	Conduct meeting with school districts and other stakeholders to discuss the primary goal of "cradle to career" Participate in Vision Element Groups and integrate SANBAG as appropriate Develop "Business Friendly Best Practices" inventory	COG	Legislative Affairs/Public Affairs		
			COG	TBD		
			COG			

Fiscal Year 2013/2014 Work Goals

ID (Cont.)		Status Notes			Schedule Notes		
Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status		
Provide leadership and assistance to our members in implementing clean energy and energy conservation projects to reduce utility bills and greenhouse gas emissions.	Continue to work on providing information and regional programs to all SANBAG members that reduce utility bills and greenhouse gas through energy efficiency and clean energy.	<p>Conduct a joint Solar Power Procurement with cities that are interested in solar power for their facilities.</p> <p>Initiate a Property Assessed Clean Energy program for all of San Bernardino County so property owners can access capital to install energy conservation and clean energy projects.</p>	COG				
			COG				
		Status Notes			Schedule Notes		

<b>Initiative #2: Accelerate delivery of capital projects</b>						
2A	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
	Effectively advocate to maintain historic funding levels provided by state and federal governments	Work with regional and statewide entities to ensure that MAP-21 is implemented consistent with SANBAG's goals and policy priorities	Q2 - Primary Freight Network designations expected to be released Q2 - Passage of any state legislation in 2013, taking effect in 2014	Legislative Affairs		
			<b>Status Notes</b>			
			<b>Schedule Notes</b>			
2B	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
	Deliver all highway/interchange commitments listed in FY 2013/2014 budget	Commence construction of Lenwood Grade Separation	CTC allocation May 2013 Contract bid August 2013 Contract award October 2013	Major Projects		

Fiscal Year 2013/2014 Work Goals

2B (Cont.)	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
		Commence construction of Palm Avenue Grade Separation	CTC allocation March 2013 Contract bid July 2013 Contract award Sept. 2013	Major Projects		
		Commence construction of Baseline Avenue Interchange Improvement	CTC allocation June 2013 Contract bid Oct. 2013 Contract award December 2013	Major Projects		
		Commence construction of I-10 Tippecanoe, Phase II	Federal Allocation October 2013 Contract bid November 2013 Contract Award January 2014	Major Projects		
		Complete construction of La Mesa/Nisquali Interchange	Construction completion (open to traffic) Dec. 2013	Major Projects		
		Commence construction of Laurel Street Grade Separation	CTC allocation June 2013 Contract bid July 2013 Contract award Sept. 2013	Major Projects		
		Complete construction of La Mesa/Nisquali Interchange	Construction completion (open to traffic) July 2013	Major Projects		
		Complete I-215 Segments 1 & 2 construction	Construction completion (open to traffic) January 2014	Major Projects		

Fiscal Year 2013/2014 Work Goals

<i>2B (Cont.)</i>	<i>Division Strategy</i>	<i>Action Plan</i>	<i>Milestones</i>	<i>Primary Division</i>	<i>Support Division</i>	<i>Timetable and Status</i>
		Complete Northbound Milliken Grade Separation construction	Construction completion (open to traffic) July 2013	Major Projects		
		Complete alternatives analysis of I-10/I-15 Corridor improvements	Board decision on including Express Lanes as an alternative October 2013	Major Projects		
<i>Status Notes</i>						
<i>Schedule Notes</i>						
<i>2C</i>	<i>Division Strategy</i>	<i>Action Plan</i>	<i>Milestones</i>	<i>Primary Division</i>	<i>Support Division</i>	<i>Timetable and Status</i>
	Deliver all transit and rail project commitments listed in the FY 2013/2014 budget	Commence construction on Downtown San Bernardino Passenger Rail and Transit Center Projects Complete Redlands Rail PA&ED Study alternatives to provide Metrolink service into Ontario Airport	Award contract by beginning of Q3  Before the end of Q3 Develop and award RFP by end of Q2	Transit and Rail		

Fiscal Year 2013/2014 Work Goals

<i>2C (Cont.)</i>	<i>Division Strategy</i>	<i>Action Plan</i>	<i>Milestones</i>	<i>Primary Division</i>	<i>Support Division</i>	<i>Timetable and Status</i>
		On-Call RFP for Transit and Rail Services (Studies, Capital Projects and Operations) FTA Grantees	Develop and award RFP by end of Q1  Work with SANBAG departments to comply with FTA guidelines to submit to FTA by end of Q3	Transit and Rail  Transit and Rail	Fund Administration and Programming, Planning, Procurement, Legal, Legislative Affairs	
<i>Status Notes</i>						
<i>Schedule Notes</i>						
<i>2D</i>	<i>Division Strategy</i> Deliver the highest quality and most cost effective rail & transit projects and service possible in San Bernardino County	<i>Action Plan</i> Explore consolidation of various regional transit agencies to provide greater efficiencies and more coordinated service and project delivery	<i>Milestones</i> Study consolidation of Victor Valley Transit Agency (VVTA), Barstow Area Transit, Needles Area Transit to a single transit provider  Study consolidation of Omnitrans and SANBAG to a single transit agency  Study consolidation of Mountain Area Regional Transit Agency (MARTA) and Omnitrans	Primary Division  Transit and Rail  Transit and Rail	Support Division  Fund Administration and Programming, Legislative Affairs  Fund Administration and Programming, Legislative Affairs	Timetable and Status

Fiscal Year 2013/2014 Work Goals

2D (Cont.)		Status Notes			Schedule Notes		
Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status		
Manage TDA funds in accordance with SANBAG Board priorities	Complete Omnitrans COA	Work with joint ad hoc committee and SANBAG Board to resolve outstanding issues by Q2	Transit and Rail				
	Develop long-term plan to ensure cost projections do not exceed revenues for Valley Apportionment (this requires a review of Omnitrans as well as Metrolink expenditures)	Complete by April 2014	Transit and Rail	Fund Administration and Programming			
		Status Notes			Schedule Notes		

<b>Initiative #3: Maximize funding opportunities</b>						
<b>3A</b>	<b>Division Strategy</b>	<b>Action Plan</b>	<b>Milestones</b>	<b>Primary Division</b>	<b>Support Division</b>	<b>Timetable and Status</b>
	Use strategic programming to ensure that no funds are lost	Manage projects closely with Caltrans to ensure adequate review resources available when projects ready	May 1 is Caltrans' guaranteed access to federal OA June 30 is CTC deadline for project allocation or extension requests	Fund Administration and Programming	Major Projects/Transit and Rail	
<b>Status Notes</b>						
<b>Schedule Notes</b>						
<b>3B</b>	<b>Division Strategy</b>	<b>Action Plan</b>	<b>Milestones</b>	<b>Primary Division</b>	<b>Support Division</b>	<b>Timetable and Status</b>
	Protect San Bernardino County's equitable share of available state and federal funds	Develop funding strategies that result in opportunities to seize additional state and federal funds  Promote policies to garner more state and federal funding  Advocate legislation that protects and grows state and federal funds	Use more than 100% federal OA each fiscal year to be candidate for additional OA through August redistribution - Q4  Ongoing as issues arise	Fund Administration and Programming	Major Projects/Transit and Rail	
				Fund Administration and Programming	Legislative Affairs	
			Evaluate results of prior year advocacy efforts - Q2	Legislative Affairs	Fund Administration and Programming	
			Develop platform for next fiscal year - Q2	Legislative Affairs	Fund Administration and Programming	

Fiscal Year 2013/2014 Work Goals

3B (Cont.)		Status Notes			Schedule Notes	
3C	<p><b>Division Strategy</b> Develop long-term bonding needs to help leverage other funds and deliver projects</p> <p><b>Action Plan</b> Name financial advisor, bond and disclosure counsel, and investment bankers Establish 2014 sales tax revenue bond program</p> <p><b>Milestones</b> Completed by September 2013 Update Ten-Year Delivery Plan – Q2</p> <p><b>Primary Division</b> Finance Fund Administration &amp; Programming</p> <p><b>Support Division</b> Finance/Planning/Major Projects/Transit and Rail</p> <p><b>Timetable and Status</b></p>	<p><b>Status Notes</b> Finance team will be instrumental in developing bonding needs and in the sale of bonds. October 2013–March 2014</p>		<p><b>Schedule Notes</b></p>		
3D	<p><b>Division Strategy</b> Complete analysis of Valley freeway interchange phasing program</p> <p><b>Action Plan</b> Identify opportunities to meet current project goals with reduced project scoping Revise financial plan for interchange program by Q4</p> <p><b>Milestones</b> Devise phasing concepts by Q3 Revise financial plan for interchange program by Q4</p> <p><b>Primary Division</b> Planning Planning</p> <p><b>Support Division</b> Major Projects Fund Administration</p> <p><b>Timetable and Status</b></p>	<p><b>Status Notes</b> Analysis has been completed of existing conditions at selected interchanges. Phasing opportunities are being identified through collaboration with the Transportation Technical Advisory Committee and City/County Manager TAC.</p>		<p><b>Schedule Notes</b></p>		

<b>Initiative #4: Transparent and accountable allocation strategies</b>						
<b>4A</b>	<b>Division Strategy</b>	<b>Action Plan</b>	<b>Milestones</b>	<b>Primary Division</b>	<b>Support Division</b>	<b>Timetable and Status</b>
	Manage geographic equity in fund distribution across the County	Define equity, create tracking database, run through committee and Board, and post on external (Board) website	Develop policies to define geographic areas to be tracked and "equity" by fund source - Q1 Compile data that will allow for funds to be tracked per policy - Q2 Present findings to Committees/Board and provide link to real-time "dashboard" on external Board website - Q3	Fund Administration and Programming	Planning (database development)	
			<b>Status Notes</b>	<b>Schedule Notes</b>		
Staff has developed a spreadsheet that calculates distribution of STP, CMAQ, and STIP funds since 2009. Staff will work to develop an automated method of tracking funds that will provide the Board access to a real-time "dashboard" of fund distribution status.						
<b>4B</b>	<b>Division Strategy</b>	<b>Action Plan</b>	<b>Milestones</b>	<b>Primary Division</b>	<b>Support Division</b>	<b>Timetable and Status</b>
	Monitor SANBAG cash accounts	Reconcile various bank accounts with general ledger on a monthly basis	Q4 with annual audit report	Finance		
			<b>Status Notes</b>	<b>Schedule Notes</b>		

Fiscal Year 2013/2014 Work Goals

4C	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
	Monitor SANBAG fixed assets	Record fixed assets transactions and depreciation quarterly	Q4 with annual audit report	Finance		
		Develop Right-of-Way (ROW) asset management program		Finance	Rail and Transit	
Status Notes						
Schedule Notes						
<b>Initiative #5: Develop marketing strategies to highlight system use and Measure I successes</b>						
5A	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
	Broadcast Measure I project successes	Identify key local and regional projects Create media to display at the Depot, train and bus platforms, and in other media across the County Highlight projects and benefits of each in local and regional publications Leverage other social media resources to broadcast the message	Ongoing	Public Affairs	COG, Legislative Affairs	
Status Notes						
Schedule Notes						

Fiscal Year 2013/2014 Work Goals

5B	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
<p>Highlight transit options to key events across San Bernardino County</p>	<p>Identify events such as NASCAR at the Speedway, 66er's and Quakes games, Ontario Reign games, as well as events at the Orange Show and elsewhere across the County</p>	<ul style="list-style-type: none"> <li>As needed in advance of key events</li> <li>Consider participation in the MSRC's Major Event</li> </ul>	<p>Transportation Program to large events throughout San Bernardino County</p>	<p>Public Affairs</p>	<p>COG</p>	
		<p>Determine transit options to these events (work with Metrolink and local transit providers)</p>				
		<p>Create media to educate the public on alternative transportation options to attend events as well as promoting events themselves (work directly with event sponsors)</p>				
		<p>Status Notes</p>	<p>Schedule Notes</p>			

<b>Initiative #6: Engender public trust</b>						
<b>6A</b>	<b>Division Strategy</b>	<b>Action Plan</b>	<b>Milestones</b>	<b>Primary Division</b>	<b>Support Division</b>	<b>Timetable and Status</b>
	Continue working with Independent Taxpayer Oversight Committee (ITOC) to secure finding of compliance for Measure I	Provide ITOC with information and convene annual meetings with report out to the Board on findings	Annual	Administration		
<b>Status Notes</b>			<b>Schedule Notes</b>			
<b>6B</b>	Promote use of public transit by large employers and educational facilities	Identify large employers and educational facilities to participate in rail & transit pass programs	Work with Metrolink, Omnitrans and the other transit providers to explore options for developing an employer/educational rail & transit pass program	Rail and Transit	Public Affairs	
<b>Status Notes</b>			<b>Schedule Notes</b>			

Fiscal Year 2013/2014 Work Goals

6C	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
	Provide safe public transit facilities	Evaluate security at Metrolink stations and for future DSBPRP/RPRP. Educate SANBAG staff regarding safety around Santa Fe Depot	Through the on-call RFP, study possible consolidation of security for the existing seven Metrolink stations as well as for the San Bernardino Transit Center  Conduct training sessions at staff meetings and through other communications regarding safety around the Depot during construction of the DSBPRP and post construction.	Transit and Rail		
Status Notes						
Schedule Notes						
6D	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
	Secure an unqualified opinion of annual financial statements		Due Q4 annually	Finance		
Status Notes						
Schedule Notes						

Fiscal Year 2013/2014 Work Goals

6E	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
	Complete timely audits of all TDA recipients	<p>Manage audit consultant to ensure completion of all seven audits</p> <p>Educate transit operators on expectations for audits</p> <p>Provide update of audits to Board and local Transit Boards</p>	<ul style="list-style-type: none"> <li>Meet with Operators and Auditors to develop a time table and action plan for milestones</li> <li>Work closely with Operators and Auditors to ensure work begins quickly after the end of fiscal year</li> <li>Provide assistance and direction quickly on critical issues</li> </ul> <p>Due end of Q2 annually</p>	Transit and Rail	Finance	
<b>Status Notes</b>						
<b>Schedule Notes</b>						
6F	Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status
	Update SANBAG budget document	Evaluate current and future changes to budget document working in concert with ad hoc (need direction from ad hoc for changes by October Board meeting to implement in following FY budget)	<p>Review current budget document with to-date changes</p> <p>Identify short-term improvements and changes to current budget document</p> <p>Identify long-term structural improvements and changes to budget document</p>	Finance		

6F (Cont.)		Status Notes	Schedule Notes	
<b>Initiative #7: Develop information for 2015 re-evaluation of Measure I Expenditure Plan and to feed 2016 SCAG RTP/SCS</b>				
7A	Division Strategy	Action Plan	Milestones	
	Develop Countywide Transportation Plan (CTP)	Work with SCAG and local jurisdictions on 2040 growth forecasts.	Tentative city-level growth forecast by Q2	
		Identify transportation and land use scenarios for evaluation.	Tentative TAZ-level and adjusted city-level forecast by Q3 Develop base network by Q2 Develop scenarios for analysis by Q3	
<b>Status Notes</b>				
Scope of work for CTP was developed and existing conditions are being documented in FY 2012-2013. The Measure I 2010-2040 Ordinance states: "Beginning in 2015 and at least every ten years thereafter, the Authority shall review and, where necessary, propose revision to the Expenditure Plan." The purpose of this strategy is to lay the foundation for the re-evaluation of the Expenditure Plan required in 2015.				
7B	Division Strategy	Action Plan	Milestones	
	Identify issues and develop data for consideration in 2015 re-evaluation of the Measure I Expenditure Plan	Hold discussions with Board members and TACs regarding issues that should be addressed in re-evaluation. Provide analysis of issues and options for further review by Board.	Develop "Issues Paper" by Q2 and review with Board and TACs. Develop "Options Paper" by Q4	
		Primary Division	Support Division	Timetable and Status
		Planning	All	
<b>Status Notes</b>				
		Primary Division	Support Division	Timetable and Status
		Planning	All	

Fiscal Year 2013/2014 Work Goals

7B (Cont.)		Status Notes			Schedule Notes	
Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status	
Develop draft freight strategy for County	Collaborate with public agency partners and stakeholders from industry to identify freight mobility goals, strategies, and projects.	Conduct interviews with local government and industry stakeholders in Q1 Prepare "white paper" of current freight issues in Q2 Prepare draft freight strategy in Q3 Finalize freight strategy in Q4	Planning	Major Projects/Fund Administration, Legislative Affairs		
Status Notes						
7D		Status Notes			Schedule Notes	
Division Strategy	Action Plan	Milestones	Primary Division	Support Division	Timetable and Status	
Define a realistic strategy for sustainability in land use and development for the County, in the context of the SCAG RTP/SCS	Develop sustainability alternatives for consideration by jurisdictions and the Board	Document existing sustainability initiatives in Q1 Identify sustainability options by Q3	Planning	Transit and Rail		

Fiscal Year 2013/2014 Work Goals

		Status Notes		Schedule Notes		
7D (Cont.)	<p>SCAG, County Transportation Commissions, and local governments are responsible for implementing the 2012 RTP/SCS. SCAG has a working group to facilitate implementation regionally. This activity reflects SANBAG's role to facilitate and coordinate implementation at the county level, as appropriate.</p>					
7E	<p><b>Division Strategy</b></p> <p>Define San Bernardino County strategy for Active Transportation (AT)</p>	<p><b>Action Plan</b></p> <p>Develop alternatives and determine funding options</p>	<p><b>Milestones</b></p> <p>Define AT initiatives for FY 13-14 by Q1 Identify funding options by Q2 Define implementation strategy and update NMTP accordingly in Q3</p>	<p><b>Primary Division</b></p> <p>Planning</p>	<p><b>Support Division</b></p> <p>Transit and Rail/Major Projects/Fund Administration</p>	<p><b>Timetable and Status</b></p>
		Status Notes		Schedule Notes		
		<p>SANBAG previously developed and approved the Countywide Non-Motorized Transportation Plan (NMTP). This activity seeks to coordinate implementation of the NMTP and related active transportation strategies with local governments and other stakeholders.</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: 7

**Date:** July 10, 2013

**Subject:** San Bernardino County Regional Greenhouse Gas Inventory and Reduction Plan and Environmental Impact Report (EIR)

**Recommendation:**\* Receive information on the status of the San Bernardino County Regional Greenhouse Gas Inventory and Reduction Plan and Environmental Impact Report (EIR).

**Background:** In 2006, the California legislature passed Assembly Bill (AB) 32. The law establishes a limit on greenhouse gas (GHG) emissions for the state of California to reduce state-wide emissions to 1990 levels by 2020. The law directed the California Air Resources Board (CARB) to develop a plan (AB 32 Scoping Plan) that charts a path towards the GHG reduction goal using all technologically feasible and cost effective means. The AB 32 Scoping Plan recommends that California cities and counties seek to reduce their GHG emissions consistent with statewide reductions. Senate Bill (SB) 375, passed in 2008, requires regional transportation planning to promote reductions in passenger and light duty vehicle GHG emissions.

In response to these initiatives, an informal project partnership, led by SANBAG, is cooperating in compiling an inventory of GHG emissions and an evaluation of reduction measures that could be adopted by the 21 Partnership cities within San Bernardino County. The 21 cities participating in this project are Adelanto,

*Approved  
 Board of Directors*

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

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

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

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

COG	X	CTC		CTA		SAFE		CMA	
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Check all that apply.

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Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Hesperia, Highland, Loma Linda, Montclair, Needles, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Twentynine Palms, Victorville, Yucaipa, and Yucca Valley. There were a number of reasons for conducting this effort collaboratively for multiple cities, including the economies of scale as well as greater consistency in terminology and methodology among jurisdictions. Because SANBAG is leading this effort, SANBAG is serving as the Lead Agency under the California Environmental Quality Act (CEQA).

The County of San Bernardino (County) adopted a GHG Reduction Plan for unincorporated areas of San Bernardino County that includes a set of GHG inventories and reduction measures. This project builds upon the work completed by the County with specific GHG inventories and proposed reduction measures for the 21 participating cities. The consultant preparing the Reduction Plan is ICF Jones and Stokes, Inc. The EIR is being prepared by Atkins North America, Inc. These two firms were also involved in preparation of the GHG Plan for the County of San Bernardino.

Each of the 21 participating cities has worked extensively with the consulting team to craft a GHG reduction plan that is consistent with its local jurisdiction goals and policies. Each of the cities has identified its own GHG reduction target and GHG measures designed to reach that target. These are reflected in the SANBAG GHG Plan.

There are a number of benefits to local jurisdictions of preparing a greenhouse gas reduction plan, including the following:

- Assessment of all GHG emission sources comprehensively and consistently instead of individually for different projects.
- Economies of scale allowing comprehensive assessment of all GHG emission sources at significantly lower costs to each participating city.
- Streamlining of project approvals and CEQA by providing for “tiering” from a local reduction plan and its associated CEQA document.
- Strategic evaluation of overall GHG emissions reductions measures, including reduction effectiveness, costs and savings, and other community co-benefits, such as improved air quality.
- Selection of feasible and cost-effective means to reduce GHG emissions including many that can save money for municipal governments, businesses, individuals, and the community as a whole.
- Identification of the local role in reducing GHG emissions in light of larger state efforts.
- Identification of credit for prior and ongoing city actions.
- Local control of GHG emission reductions and CEQA thresholds

A Notice of Preparation (NOP) of the EIR for the GHG Reduction Plan was issued on November 9, 2012, and a public scoping meeting was held on November 28. The NOP is provided as an attachment to this agenda item and contains more information about the Plan. Each of the 21 cities has the option to use the information in the Plan and EIR to prepare its own Climate Action Plan (CAP), which it would develop and adopt subsequent to the completion of SANBAG's Plan and EIR.

A draft of the San Bernardino County Greenhouse Gas Inventory and Reduction Plan is scheduled for public release in late June 2013. The draft EIR is planned for public release in mid to late July. The release of the EIR will initiate a 45-day review and comment period, after which the EIR will be finalized and responses to comments will be prepared. SANBAG will adopt portions of the Plan that represent the agency's responsibilities and will certify the EIR. This action is projected to occur in Fall 2013, after which each jurisdiction will pursue the course it considers appropriate for its circumstances.

***Financial Impact:*** This item is consistent with the adopted FY 2012-2013 budget, Task 0495. The Greenhouse Gas Reduction Plan and EIR are being funded primarily from contributions from the 21 participating cities, Council of Governments dues, and Measure I 1990-2010 Transportation Management and Environmental Enhancement funds.

***Reviewed By:*** This item was received by the Board of Directors Metro Valley Study Session on June 13, 2013, and by the Mountain/Desert Committee on June 21, 2013. Material in this item has also been reviewed by the Planning and Development Technical Forum (Planning/Community Development Directors) on May 22, 2013 and by the City/County Manager Technical Advisory Committee on June 6, 2013.

***Responsible Staff:*** Steve Smith, Director of Planning



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

*Minute Action*

AGENDA ITEM: 8

**Date:** July 10, 2013

**Subject:** High Desert Corridor

**Recommendation:**\* Receive an update on the status of project development for the High Desert Corridor

**Background:** An update on the High Desert Corridor was last provided to the Mountain/Desert Committee on March 15, 2013. One of the purposes of that update was to replace the earmark funds originally programmed on the High Desert Corridor, but were programmed and reallocated to Victorville's Green Tree Boulevard Extension Project, which is part of the Yucca Loma Corridor. The SANBAG Board subsequently re-allocated \$3,947,535 in Measure I Major Local Highways Program (MLHP) originally designated for Green Tree Boulevard to the High Desert Corridor project development effort.

The purpose of this agenda item is to provide an update of progress on the High Desert Corridor project development effort, being managed by the Los Angeles County Metropolitan Transportation Authority (Metro), with work being performed under a contract with Caltrans. An update on the High Desert Corridor is being provided in June to the Metro board by their staff.

The environmental clearance of the 63-mile High Desert Corridor between State Route (SR) 14 in Los Angeles County and SR-18/Bear Valley Road in San Bernardino County is included in Metro's Long Range Transportation Plan (LRTP) and Southern California Association of Governments' (SCAG) Regional

\*

*Approved*  
*Board of Directors*

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

*Moved:*      *Second:*

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

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

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

BRD1307a-ss

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307a1-ss.pdf>

Transportation Plan (RTP). A conceptual diagram of the Corridor is provided in Attachment 1. The Project is also part of Metro's Measure R Accelerated Highway Program, from which funding is provided to the Project. The scope of the Project Approval and Environmental Document (PA & ED) work contained in the funding agreement between Metro and Caltrans includes a project report, alternative analyses, technical assessments, modeling, conceptual and preliminary engineering, and a Draft and Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR).

Thirteen partner agencies meet on a periodic basis for the development of the PA & ED. These partner agencies include Metro, Caltrans Districts 7 and 8, High Desert Corridor Joint Powers Authority (JPA), SANBAG, SCAG, Cities of Lancaster, Palmdale, Adelanto, Victorville, Town of Apple Valley, and the Counties of Los Angeles and San Bernardino. Supervisor Robert Lovingood and Victorville Mayor Pro Tem Ryan McEachron sit on the JPA Board for San Bernardino County.

Currently, the project has \$30 million in Measure R funds from Metro and \$15.5 million in grand-fathered Regional Improvement Program (RIP) funds from Caltrans District 7. The City of Victorville and the High Desert Corridor JPA were granted \$16.4 million in Federal Demonstration funds for the environmental clearance work. This includes the previously referenced \$3.9 in funds that has been provided from the San Bernardino County side.

The following items identify the recent activities and progress on the PA & ED for Project:

- In November and December 2012, Metro and Caltrans hosted two elected official briefings and four public meetings for the Project. A total of 334 attendees (in person and online) participated in the outreach meetings that covered communities in Los Angeles and San Bernardino Counties. The outreach meetings provided a Project update and introduced new Project components, including the incorporation of a high speed rail feeder system (Xpress West), a bike facility, and possible energy production/transmission facilities.
- Staff is preparing for public outreach meetings in July 2013 and will include updates to the Purpose and Need, alternatives, preliminary findings on the Rail Alternative Analysis, schedule and the environmental process.
- The Purpose and Need was updated to reflect the motion approved on March 22, 2012 for a Strategic Multipurpose Corridor.

- Metro staff facilitated a site visit for Karen Hedlund, Federal Railroad Administration (FRA)'s Deputy Administrator, and provided an overview of the Project's needs, objectives, constraints, and potential impacts. The FRA officially became a Cooperating Agency for the development of the EIS.
- Conceptual and preliminary engineering continues for a wye rail connection in the city of Palmdale, vehicle access from Palmdale Boulevard to the Project's highway alignment and the bicycle facility extending to the Palmdale Transportation Center.
- There is a continued effort for the development of the National Environmental Policy Act (NEPA) 404 Coordination which requires participation from the United States (US) Environmental Protection Agency, US Army Corps of Engineers and US Fish and Wildlife Services. The NEPA 404 Coordination includes on-going efforts for the development of the Purpose and Need, identification of alternatives, the preliminary least environmentally damaging practicable alternative and Conceptual Mitigation Plan.
- The project design team identified an alternative alignment around the Federal Correctional Institution in Victorville due to Right-of-Way (ROW) constraints between the prison and the Southern California Logistics Airport (SCLA) with the inclusion of the rail component. The proposed alternative would bypass the prison to the south and impact existing and future proposed development within the City of Victorville. Victorville expressed support for the original alignment along the existing Air Expressway corridor, and the project team has continued to refine the design to ensure the project could fit within the constrained ROW between the prison and SCLA. Metro and the project team continue to coordinate with the Victorville Federal Correctional Complex to ensure sufficient ROW clearance will be available along the proposed High Desert Corridor alignment. Improvements to existing prison access and relocation of infrastructure may be required to satisfy project ROW requirements.
- The project team continues to coordinate with the Xpress West High Speed Rail system with respect to connectivity to the proposed Victorville station and design considerations for extension of high speed rail westerly along the High Desert Corridor to Palmdale. Metro will be sharing the most recent rail alignment designs for local jurisdiction review in June. The design has considered ways to avoid interference with the rail spur to SCLA.
- The project team continues to evaluate potential archeological impacts between SCLA and the I-15 corridor.
- Tolling of the High Desert Corridor facility continues to be assumed west of US 395 to Palmdale. Local jurisdictions continue to support the assumption

that tolling will not occur east of US 395. Funding of these segments is acknowledged to be a major challenge.

- Efforts will be made to integrate the bike component of the High Desert Corridor project with the existing and proposed active transportation facilities in the Antelope and Victor Valleys.
- The current plan terminates the High Desert Corridor freeway facility east of I-15 at Choco Road in the Town of Apple Valley then transitioning to an at-grade expressway that will continue easterly to SR-18/Bear Valley Road. The objective is to maintain an expanded ROW for a future ultimate facility.
- A request was made at the April 10, 2013 High Desert Corridor JPA Board meeting to increase the environmental ROW clearance between SR-14 and 100<sup>th</sup> Street from 300' to 500'. Staff is working towards the necessary work to expand the ROW and analyze the potential effect to the budget and schedule. Coordination has also been initiated to obtain a commitment from Los Angeles World Airports for the additional environmental ROW clearance.
- Expansion of the environmental ROW clearance in the City of Palmdale will require an additional three months to conduct the necessary biological surveys and technical assessments. The additional three months have been included in the schedule below:
  - Rail Alternative Analysis – July 2013
  - Technical Studies – October 2013
  - Draft PA & ED – March 2014
  - Public Hearings – April 2014
  - Final PA & ED – December 2014

#### **NEXT STEPS**

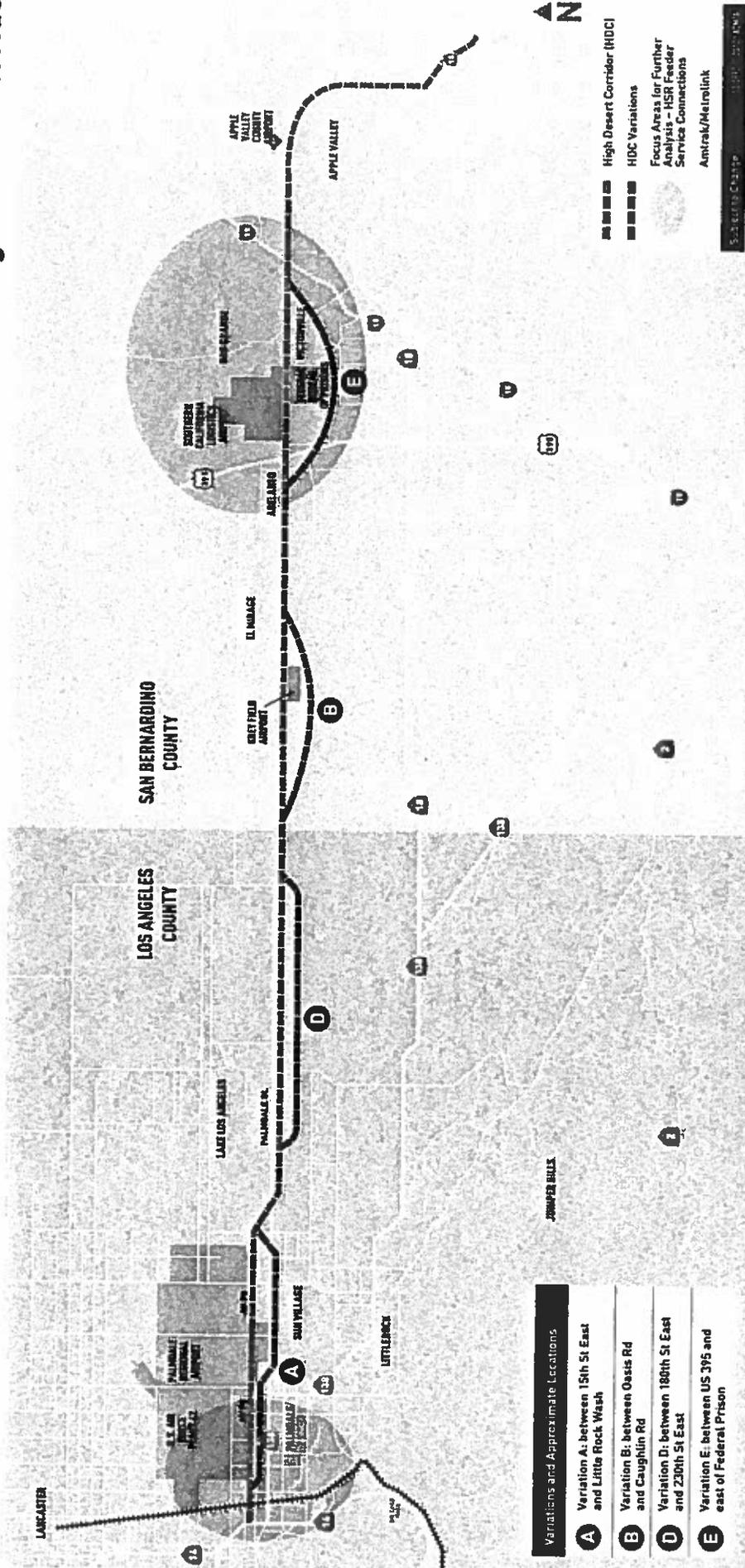
Metro and Caltrans staff will continue working on the environmental clearance for the Project. As work progresses on the Project, staff will provide updates to the Board periodically. The feasibility of the project will ultimately be determined by the willingness of the private sector to assume responsibility and risk for much of its construction under a Public/Private Partnership (P3).

***Financial Impact:*** This item has no impact to the SANBAG Fiscal Year 2012/2013 Budget.

***Reviewed By:*** This item was received by the Mountain/Desert Policy Committee on June 21, 2013.

***Responsible Staff:*** Steve Smith, Director of Planning

# High Desert Corridor





- 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:** July 10, 2013

**Subject:** Amendments to the Development Mitigation Nexus Study

**Recommendation:\*** That the Board of Directors, acting as the Congestion Management Agency (CMA), approve modifications to the development fair share percentages for the I-15/Duncan Canyon Road interchange contained in the Development Mitigation Nexus Study, as described in the Background section of this agenda item. The modifications reflect an annexation that has occurred in the interchange "traffic shed" over the last several years.

**Background:** A provision of the Measure I 2010-2040 Ordinance, approved by the voters of San Bernardino County on November 2, 2004, requires each local jurisdiction in the urbanized areas of San Bernardino County to adopt a development mitigation program that addresses regional transportation needs and complies with the San Bernardino County Congestion Management Program (CMP). The Development Mitigation Nexus Study has established development contribution fair share requirements for jurisdictions in the Valley and Victor Valley. The Nexus Study was originally approved by the SANBAG Board of Directors in October 2005 and updated every two years thereafter.

Since the approval of the Nexus Study, several annexation actions have occurred resulting in refinements to jurisdiction development contribution fair share percentages. As annexation occurs, the development contribution fair share

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*Approved  
 Board of Directors*

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

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

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

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

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

responsibilities shift from the County to the City in which the annexations occur. Jurisdictions are required to provide annexation information to SANBAG so that Nexus Study development contributions can be updated to reflect the annexation. This amendment is revising only development fair share percentages. Cost information in the Nexus Study will not be affected by this amendment. The Congestion Management Program (CMP) update scheduled for Fall 2013 will include project and program cost updates to reflect current cost estimates.

One interchange shed has been affected by a recent annexation: I-15/Duncan Canyon Road. The Nexus Study defines a “traffic shed” for each interchange. A traffic shed represents the geographic area around the interchange from which most of the traffic using that interchange is likely to be drawn.

*I-15/Duncan Canyon Road*

The City of Fontana annexed a large portion of the Duncan Canyon Road traffic shed immediately west of I-15. The annexation resulted in an approximate 18-acre remnant under County jurisdiction in the northeast portion of the traffic shed. The original Nexus Study development contribution fair-share for the County was 21% which was determined based on a traffic study that was prepared at the time the Nexus Study was developed. Based on the annexation, the share for the County has been recomputed to be 0.9%. The revised share is based on the 18-acre remnant remaining after annexation under County jurisdiction and general plan land use designations for the remnant parcel. The methodology to determine the refined share was presented at meetings with Fontana and County staff. The methodology applied to update the fair-share responsibilities is consistent with the methodology applied in the original development of the shares.

*Summary of Recommendation*

Approval is requested on the following amendments:

1. Adjust the fair share costs for the City of Fontana and the Fontana sphere of influence (County) as a result of the recent annexation of a portion of the City of Fontana sphere for the I-15/Duncan Canyon interchange. The changes are as follows:
  - a. City of Fontana – change the interchange fair share percentage from 79.0% to 99.1%
  - b. Fontana sphere (unincorporated area) – change the interchange fair share percentage from 21.0% to 0.9%

Table 4 from the Nexus Study indicates each jurisdiction’s development fair share percentage of interchange costs. This table will be revised within the Nexus Study upon the approval of the amendments listed above. Acceptance of the

above amendment is recommended in order to ensure that the most current information is used as the basis for assessing local jurisdiction compliance with the development mitigation program. Local jurisdictions are aware that annexations result in a shift in development fair share contributions and are required to adjust their local Development Impact Fee (DIF) programs sufficient to fund the shares and costs outlined in each update of the Nexus Study.

***Financial Impact:*** This item is consistent with the adopted FY 2012-2013 budget, Task 0203. The development mitigation program is an essential element of the funding estimates contained in the Expenditure Plan for Measure I 2010-2040.

***Reviewed By:*** This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013.

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



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

*Minute Action*

AGENDA ITEM: 10

**Date:** July 10, 2013

**Subject:** Transportation Development Act (TDA) Award of Article 3 Bicycle and Pedestrian Facilities and Transit Stop Access Improvement Projects

- Recommendation:**
1. Award TDA Article 3 funds for Bicycle and Pedestrian Facilities projects in the amount of \$3,069,621 as identified in Attachment A to this item.
  2. Award TDA Article 3 funds for Transit Stop Access Improvement projects in the amount of \$757,321 as identified in Attachment B to this item.

**Background:** On March 6, 2013 the SANBAG Board authorized the release of the TDA Article 3 Call for Projects for 1) Bicycle and Pedestrian Facilities projects and 2) Transit Access Improvement Projects. The amount of Article 3 funds anticipated to be available for award was \$3,069,621 and \$767,405 respectively for a total of \$3,837,026. In addition to the approval of the Call for Projects by the Board, staff discussed the Call with the Transportation Technical Advisory Committee (TTAC) on February 4, 2013 and on June 3, 2013. The closing date for the Call for Projects was May 8, 2013.

The TDA provides that 2% of the Local Transportation Funds (LTF) be made available to counties and cities for facilities for the exclusive use of bicyclists and pedestrians, known as TDA Article 3 Program. In August 1999 the SANBAG Board approved a policy that 20% of the Article 3 program would be made available for projects that improve access to transit stops for pedestrians and persons with disabilities. The remaining 80% would be available for bicycle and pedestrian projects.

*Approved*  
 Board of Directors

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

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

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

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

COG		CTC	X	CTA		SAFE		CMA	
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Check all that apply

BRD307a-teb

### Bicycle and Pedestrian Facilities Applications

In total, seventeen (17) Bicycle and Pedestrian Facilities project applications from twelve (12) jurisdictions were submitted for a total funding request of \$5,171,751.50. An evaluation panel comprised of representatives from SANBAG, the Inland Empire Biking Alliance, Riverside County Transportation Commission (RCTC), San Bernardino County Department of Public Works, the City of Hesperia, the City of Redlands, the City of Fontana and the City of Big Bear Lake scored the projects using the evaluation criteria below. The local jurisdiction representatives are generally rotated for each TDA Article 3 call for projects so that there is broad geographic representation over time.

Attachment A provides the Bicycle/Pedestrian Facilities scoring results in descending order and identifies eight projects as recommended for funding, sponsored by the Cities of Big Bear Lake, Rancho Cucamonga, Highland, Fontana, Redlands, Yucaipa, Town of Apple Valley, and Ontario. The Bicycle and Pedestrian Facilities project award recommendations that deviate from the applicant's request is the Town of Apple Valley's Ramona Road Class II Bikeway application and the City of Ontario G Street Crosstown Bike Route. The Town of Apple Valley application requested \$510,000 in TDA Article 3 funds for roadway reconstruction and widening to accommodate bike lanes. TDA funds must be used specifically for bicycle or pedestrian facilities and not utilized to supplement roadway improvements. A share of the total project cost commensurate with the proportional share of bike lane pavement to total roadway pavement was recommended by the evaluation panel for award (12 feet of bike lanes within total roadway width of 36 feet = 1/3 of total project cost). The remaining available funds are recommended for allocation to Ontario so that they may initiate work on the G Street Crosstown Bike Route.

In addition, the evaluation panel considered recommending that Fontana seek funding for the Juniper Avenue Metrolink At-Grade Crossing pedestrian safety project under the State's Highway Safety Improvement Program (HSIP) to maximize the potential for outside funding for San Bernardino County. This would have made room for the funding of additional projects further down the list. However, based on HSIP eligibility requirements it is not feasible to make the TDA Article 3 Bicycle and Pedestrian Facility award to Fontana contingent on not receiving HSIP funding for the Juniper Avenue Metrolink At-Grade Crossing project. The panel also recommended reconsidering whether railroad safety projects should be eligible to receive bicycle and pedestrian facility funding under the next call for projects. The criteria for the next call for projects will be discussed with the TTAC and SANBAG Board at a future date.

<b>Bicycle and Pedestrian Facilities Application Evaluation Criteria</b>	<b>Possible Score</b>
<b>Overall Quality of Application</b> – Up to ten points will be awarded based on the overall quality of the application submitted for a project.	10
<b>Potential Use</b> – Up to 10 points will be awarded based on the extent of the potential use of a bicycle or pedestrian facility. Provide socioeconomic data, ADT/trip generation information or other data to support the forecasted use and/or need for the project.	10
<b>Connectivity</b> – The relation of the proposed project to the regional and local systems. Proposed projects will receive 5 points if it is linked or connects to two or more existing regional facilities; 5 points if project involves more than one jurisdiction. Five points for Class I projects that are listed included in the list of backbone projects on page 7-2 of the Non-Motorized Transportation Plan and three points for connecting to one of the backbone projects listed on page 7-2.	15
<b>Destinations Served</b> – One point will be awarded for each destination served by the proposed project (e.g., employment center, school or college, retail center and/or downtown area, park and other recreational use, public building, including library, museum, government office) up to a maximum of ten points.	10
<b>Safety</b> – The extent to which the proposed project will increase safety for the non-motorized public. Consideration will be given to number of accidents in a project area, severity of accidents in an area and whether or not the project exceeds the minimum standards identified in the Caltrans Highway Design Manual.	10
<b>Local Matching Funds</b> – Proposed projects will receive the following points based upon the extent of local match provided: 5 points for 15-24%; 10 points for 25-34%; 15 points for 35-49%; and 20 points for 50% or greater.	20
<b>Intermodal Access</b> – Five points will be awarded to proposed projects connecting to park-and-ride lots, major existing intermodal transit stations (bus and rail), and regional airports. Three points will be awarded to proposed projects connecting to future park-and-ride lots, major existing intermodal transit stations (bus and rail), and regional airports and one point will be awarded to proposed projects including an existing bus stop within its limits.	5
<b>Project readiness/Cost Effectiveness</b> – Five points will be awarded where existing roadways, pavement conditions, intersection signalization and other existing infrastructure accelerate project development. Ten points will be awarded where project design and environment clearances are complete and can be verified.	15
<b>Timeliness of Prior Project Completion</b> – Five points will be awarded if the project proponent delivered the project within the two year timeline the last time the agency was awarded TDA funding.	5
<b>Total Possible Score</b>	100

**Transit Stop Access Improvement Applications**

In addition, eleven (11) agencies submitted project applications to improve access to over 150 bus stops as part of the Transit Stop Access Improvement projects for a total funding request of \$790,236.28. Three specific bus stop locations that were submitted for funding consideration were eliminated from consideration due to funds awarded for the same location in the previous cycle of TDA Article 3 grant awards by SANBAG in December 2011. These stops include:

- Rancho Cucamonga – 4<sup>th</sup> Street west of Barrington Avenue
- Omnitrans – 4<sup>th</sup> Street at Baker Street
- Omnitrans – Euclid Avenue at 5<sup>th</sup> Street

The evaluation panel (same panel as for the Bicycle/Pedestrian Facilities projects) scored the Transit Stop Access Improvement projects using the evaluation criteria below.

<b>Transit Stop Access Improvement Application Evaluation Criteria</b>	<b>Possible Score</b>
Project addresses identified access issues at existing bus stops or fills a gap in available accessibility information to users of a transit system.	25
Project is for access to a new bus stop location.	15
Cost Effectiveness – Shall include consideration of project cost divided by daily boardings and alightings and/or complementary paratransit cost avoidance achieved by making the bus stop location accessible to individuals with disabilities.	20
Matching funds from applicant – Proposed projects will receive the following points based upon the extent of match provided: 5 points for 10-19%; 10 points for 20-29%; 15 points for 30-49%; and 25 points for 50% or greater.	25
Project connects to/or interacts with projects identified in the 2011 Non-Motorized Transportation Plan.	10
Timeliness of Prior Project Completion	5

Attachment B provides the scoring results in descending order and identifies that all requested projects are recommended for funding with the exception of the Bus Stop Virtual Tour project submitted by the Morongo Basin Transit Authority and the three stops noted above.

If approved, the jurisdictions and transit agencies will have three years to spend the awarded grant funds. Jurisdictions and agencies with project awards in excess of \$250,000 may bill SANBAG for progress payments until \$250,000 remains on the allocation. The final payment would then be provided to the agency following documented completion of the project. Jurisdictions with project awards less than \$250,000 will be provided with cost reimbursement following documented completion of the project.

**Financial Impact:**

The administration of TDA funds is the responsibility of SANBAG. Expenses associated with this responsibility are included in the adopted budget under Task 0502 – TDA Administration. The funding source is Local Transportation Fund – Administration. The award of \$3,069,621 for Pedestrian and Bicycle Facilities projects and \$757,321 for Transit Stop Access Improvement projects is consistent with the amount of Article 3 funds held in Task 0506 – Local Transportation Funds – Pass Through.

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July 10, 2013  
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***Reviewed By:*** This item was reviewed and recommended for approval by the General Policy Committee on June 12, 2013. The material in this item was also presented to the Transportation Technical Advisory Committee on June 3, 2013.

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

Attachment A  
 Bicycle/Pedestrian Facilities Projects

Jurisdiction	Project	Total Project Cost	Local Match	TDA Request Amount	Local Match %	Average Score	TDA Recommended Award	Cumulative Award Total
Big Bear	Knickerbocker Channel Trail	\$1,370,452	\$860,226	\$510,226	63%	80.6	\$510,226	\$510,226
Rancho Cucamonga	Pacific Electric Trail Connection	\$115,302	\$28,826	\$86,476	25%	69.6	\$86,476	\$596,702
Highland	Base Line Ped Improvements	\$397,600	\$99,400	\$298,200	25%	66.4	\$298,200	\$894,902
Fontana	Juniper Ave @ Metrolink At-Grade Crossing	\$1,000,000	\$250,000	\$750,000	25%	64.4	\$750,000	\$1,644,902
Redlands	Orange Blossom Trail - Mtn View to Calif	\$1,080,850	\$162,128	\$918,722	15%	64.3	\$918,722	\$2,563,624
Yucaipa	Historic Uptown Ped/Bicycle Improvements	\$300,120	\$150,060	\$150,060	50%	61.8	\$150,060	\$2,713,684
Apple Valley <sup>1</sup>	Ramona Road Class II Bikeway	\$850,000	\$340,000	\$510,000	40%	61.6	\$283,333	\$2,997,017
Ontario	G Street, Crosstown Bike Route	\$325,000	\$32,500	\$292,500	10%	60.5	\$72,604	\$3,069,621
Yucaipa	California Street Ped/Bicycle Improvements	\$97,608	\$48,804	\$48,804	50%	59.3	\$0	-----
Chino Hills	Grand Avenue Bike Lane Improvements	\$125,000	\$18,750	\$106,250	15%	59.1	\$0	-----
Rialto	Randall Avenue Sidewalk	\$468,467	\$274,279	\$194,188	59%	58.8	\$0	-----
Highland	Sterling Avenue Sidewalk	\$99,200	\$24,800	\$74,400	25%	58.4	\$0	-----
Redlands	Bike Lane Upgrade Project	\$330,000	\$165,000	\$165,000	50%	57.9	\$0	-----
Hesperia	Bear Valley Road Bicycle Bypass - Phase II	\$133,279	\$13,328	\$119,951	10%	57.4	\$0	-----
San Bernardino County	Trona Class I Repair/Connection	\$524,500	\$52,450	\$472,050	10%	46.8	\$0	-----
Rialto	Etiwanda Safety Corridor	\$356,311	\$56,311	\$300,000	16%	45.4	\$0	-----
Rialto <sup>2</sup>	Linden Avenue Sidewalk	\$432,635	\$257,710	\$174,925	60%	N/A	\$0	-----
<b>TOTALS</b>		<b>\$8,006,324</b>	<b>\$2,834,572</b>	<b>\$5,171,752</b>			<b>\$3,069,621</b>	

Notes:

1. TDA Recommended Award amount adjusted from requested amount by evaluation panel to be commensurate with bike lane component of street project
2. Application does not satisfy criteria due to sidewalk fronting undeveloped land exceeding 15% of total project length

**Attachment B**  
**Transit Stop Access Improvement Projects**

Agency	Project	Project Cost	Local Match	Request Amount	Local Match %	Average Score	TDA Recommended Award	Cumulative Award Total
Chino Hills	11 Citywide Bus Stop Locations	\$82,180	\$24,655	\$57,525	30%	70.8	\$57,525	\$57,525
Fontana	28 Citywide Bus Stop Improvements	\$73,314	\$14,663	\$58,651	20%	64.8	\$58,651	\$116,176
Omnitrans	48 Stop Improvements	\$211,042	\$43,299	\$168,852	20%	64.4	\$168,852	\$285,028
Highland	Palm Ave Sidewalk Gap Closure	\$80,000	\$16,000	\$64,000	20%	59.3	\$64,000	\$349,028
Rancho Cucamonga	22 Citywide Bus Stop Improvements	\$93,238	\$18,637	\$74,601	20%	57.9	\$74,601	\$423,629
Chino	Central/7th St Sidewalk Improvements	\$156,280	\$28,632	\$127,648	18%	57.5	\$127,648	\$551,277
Upland	Access Improvements to 3 stops	\$77,250	\$15,450	\$61,800	20%	56.4	\$61,800	\$613,077
Victor Valley Transit Authority	Powhattan @ Navajo, Apple Valley	\$35,000	\$10,500	\$24,500	30%	55.0	\$24,500	\$637,577
Yucaipa	7 Citywide Bus Stop Improvements	\$20,040	\$4,438	\$15,602	22%	52.0	\$15,602	\$653,179
Redlands	10 Citywide Bus Stop Improvements	\$43,692	\$8,742	\$34,950	20%	51.9	\$34,950	\$688,129
Morongo Basin Transit Authority	6 Bus Stop Improvements	\$86,490	\$17,298	\$69,192	20%	49.3	\$69,192	\$757,321
Morongo Basin Transit Authority	Bus Stop Virtual Tours Project	\$20,066	\$2,007	\$18,059	10%	38.1	-----	
<b>Total</b>		<b>\$978,592</b>	<b>\$204,320</b>	<b>\$775,381</b>	<b>21%</b>		<b>\$757,321</b>	



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

*Minute Action*

AGENDA ITEM: 11

**Date:** July 10, 2013

**Subject:** Agreement with San Bernardino County for the Collection of Special Taxes, Fees and Assessments, and Memorandum of Understanding for the Electronic Recording of Documents Related to the Home Energy and Renovation Opportunity (HERO) Program

- Recommendation:\***
1. Approve Agreement C13157 with San Bernardino County for the collection of special taxes, fees and assessments.
  2. Approve Memorandum of Understanding (MOU) C13156 with San Bernardino County for the electronic recording of documents.

**Background:** On March 6, 2013, the SANBAG Board of Directors held a public hearing and then adopted Resolution 13-044 creating the HERO Program that 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 affixed to the property. SANBAG loans the property owner the funds for the improvements. 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. SANBAG gets the funds to loan by selling bonds to private investors secured by the property tax assessments paid by the property owners.

\*

*Approved  
Board of Directors*

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

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

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

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

COG	X	CTC		CTA		SAFE		CMA	
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Check all that apply.  
 BRD1307b-dab

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13156.pdf>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13157.pdf>

Agreement C13157 is required by the County before the County will collect the voluntary contractual assessment from property owners as required for the HERO Program.

MOU C13156 is required to allow SANBAG and its agents to electronically record the necessary documents. The MOU sets out the procedures that must be used to record documents electronically in San Bernardino County.

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

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item, the contract and Memorandum of Understanding.

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

## CONTRACT SUMMARY SHEET

Contract No. C 13157 Amendment No. \_\_\_\_\_

By and Between

SANBAG and County of San Bernardino

Contract Description Agreement for Hero Program for Collection of Special Taxes

**Board of Director's Meeting Date:** July 3, 2013  
**Overview of BOD Action:** That the Committee recommend the Board approve the following related to the HERO Program:  
Agreement C13157 with San Bernardino County for the collection of special taxes,  
 Is this a Sole-Source procurement?  Yes  No fees and assessments.

CONTRACT OVERVIEW					
Original Contract Amount	\$	0.00	Original Contingency Amount	\$	
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	
Current Amendment Amount	\$		Contingency Amendment	\$	
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>		<b>TOTAL CONTINGENCY VALUE</b>	<b>\$</b>	
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>					<b>\$ 0.00</b>

Contract Start Date <u>7/3/2013</u>	Current Contract Expiration Date <u>Until terminated July 2018</u>	Revised Contract Expiration Date
Has the contract term been amended? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please explain.		

**FINANCIAL INFORMATION**

Budget authority for this contract currently exists in Task No. 0708.  
 A Budget Amendment is required.  
 How are we funding current FY?

Federal Funds  
  State Funds  
  Local Funds  
  TDA Funds  
  Measure I Funds

*Provide Brief Overview of the Overall Funding for the duration of the Contract:*  
 No dollar contract covering the terms for the County to collect assessments for the HERO program.  
 Payable    Receivable

**CONTRACT MANAGEMENT INFORMATION**

Check all applicable boxes:

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

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

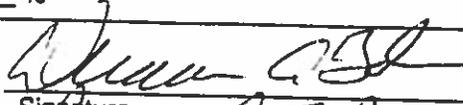
Duane A. Baker  
Project Manager (Print Name)

Duane A. Baker  
Task Manager (Print Name)

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

Jeffery Hill  
Contract Administrator (Print Name)

W. STARSIR  
Chief Financial Officer (Print Name)

	<u>5-23-13</u>
Signature	Date
	<u>5-23-13</u>
Signature	Date
	<u>5/24/13</u>
Signature	Date
	<u>5/29/13</u>
Signature	Date
	<u>4/3/13</u>
Signature	Date

AGREEMENT FOR COLLECTION OF SPECIAL  
TAXES, FEES, AND ASSESSMENTS

THIS AGREEMENT is made and entered into this 10th day of July, 2013 by and between the COUNTY OF SAN BERNARDINO, hereinafter referred to as "County" and the San Bernardino Associated Governments, hereinafter referred to as "District".

WITNESSETH:

WHEREAS, Government Code Sections 29304 and 51800 authorize the County to recoup its collection costs when the County collects taxes, fees, or assessments for any school district, special district, zone or improvement district thereof; and

WHEREAS, the District and County have determined that it is in the public interest that the County, when requested by District, collect on the County tax rolls the special taxes, fees, and assessments for District.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. County agrees, when requested by District as hereinafter provided to collect on the County tax rolls the special taxes, fees, and assessments of District, and of each zone or improvement District thereof.
2. When County is to collect District's special taxes, fees, and assessments, District agrees to notify in writing the Auditor-Controller/Treasurer/Tax Collector (222 W. Hospitality Lane, San Bernardino, CA 92415) of the County on or before the 10<sup>th</sup> day of August of each fiscal year of the Assessor's parcel numbers and the amount of each special tax, fee, or assessment to be so collected. Any such notice, in order to be effective, must be received by the Auditor-Controller by said date.
3. County may charge District an amount per parcel for each special tax, fee, or assessment that is to be collected on the County tax rolls by the County for the District, not to exceed County's actual cost of collection.
4. District warrants that the taxes, fees, or assessments imposed by District and collected pursuant to this Agreement comply with all requirements of state law, including but not limited to, Articles XIIC and XIID of the California Constitution (Proposition 218).
5. District hereby releases and forever discharges County and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of

action, and judgments, in any manner arising out of District's responsibility under this agreement, or other action taken by District in establishing a special tax, fee, or assessment and implementing collection of special taxes, fees or assessments as contemplated in this agreement.

6. The County Auditor/Controller has not determined the validity of the taxes or assessments to be collected pursuant to this contract, and the undersigned District hereby assumes any and all responsibility for making such a determination. The undersigned District agrees to indemnify, defend and hold harmless the County and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this contract or the imposition of the taxes or assessments collected pursuant to this contract, and for any costs or expenses incurred by the County on account of any claim therefore, except where such indemnification is prohibited by law. If any judgment is entered against County or any other indemnified party as a result of action taken to implement this Agreement, District agrees that County may offset the amount of any judgment paid by County or by any indemnified party from any monies collected by County on District's behalf, including property taxes, special taxes, fees, or assessments. County may, but is not required to, notify District of its intent to implement any offset authorized by this paragraph.

7. District agrees that its officers, agents and employees will cooperate with County by answering inquiries made to District by any person concerning District's special tax, fee, or assessment, and District agrees that its officers, agents and employees will not refer such individuals making inquiries to County officers or employees for response.

8. District shall not assign or transfer this agreement or any interest herein and any such assignment or transfer or attempted assignment or transfer of this agreement or any interest herein by District shall be void and shall immediately and automatically terminate this agreement

9. This agreement shall be effective for the 2013-14 fiscal year and shall be automatically renewed for each fiscal year thereafter unless terminated as hereinafter provided.

10. Either party may terminate this agreement for any reason upon thirty days written notice to the other party. The County Auditor-Controller/Treasurer/Tax Collector shall have the right to exercise County's right and authority under this contract including the right to terminate the contract.

11. County's waiver of breach of any one term, covenant, or other provision of this agreement, is not a waiver of breach of any other term, nor subsequent breach of the term or provision waived.

12. Each person signing this agreement represents and warrants that he or she has been fully authorized to do so.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

District: \_\_\_\_\_

By: \_\_\_\_\_

Printed or typed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

SAN BERNARDINO COUNTY  
AUDITOR-CONTROLLER/TREASURER/TAX COLLECTOR  
Property Tax Division

By: *Larry Walker*

Printed or typed Name: Larry Walker

Title: Auditor-Controller/Treasurer/Tax Coll

Date: 6/13/13

## CONTRACT SUMMARY SHEET

Contract No. C 13156 Amendment No. \_\_\_\_\_

By and Between

County of San Bernardino and SANBAG

Contract Description HERO Electronic Recording Delivery Systems with County of San Bernardino

**Board of Director's Meeting Date:** July 3, 2013  
**Overview of BOD Action:** That the Committee recommend the Board approve the following related to the HERO program: Memorandum of Understanding (MOU) C13156 with San Bernardino County for the electronic recording of documents.  
**Is this a Sole-Source procurement?**  Yes  No

CONTRACT OVERVIEW			
Original Contract Amount	\$	0.00	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$		Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>		<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			<b>\$ 0.00</b>

Contract Start Date 7/3/13	Current Contract Expiration Date Until terminated July 2018	Revised Contract Expiration Date
Has the contract term been amended? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please explain.		

**FINANCIAL INFORMATION**

Budget authority for this contract currently exists in Task No. 0708.  
 A Budget Amendment is required.  
 How are we funding current FY?  
 Federal Funds  State Funds  Local Funds  TDA Funds  Measure I Funds

*Provide Brief Overview of the Overall Funding for the duration of the Contract:*  
 This is a no cost contract and provides only for the requirements necessary for SANBAG to file HERO Program assessments electronically.  
 Payable  Receivable

**CONTRACT MANAGEMENT INFORMATION**

Check all applicable boxes:  
 Retention? If yes, indicate % \_\_\_\_\_.  
 Disadvantaged Business Enterprise (DBE) Goal \_\_\_\_ %

Duane A. Baker  
 Project Manager (Print Name)  
Duane A. Baker  
 Task Manager (Print Name)  
Andrea Zunic  
 Dir. of Fund Admin. & Programming (Print Name)  
Jeffery Hill  
 Contract Administrator (Print Name)  
W. Stumowski  
 Chief Financial Officer (Print Name)

Duane A. Baker 5-23-13  
 Signature Date  
Duane A. Baker 5-23-13  
 Signature Date  
Andrea Zunic 5/24/13  
 Signature Date  
Jeffery Hill 5/29/13  
 Signature Date  
W. Stumowski 6/3/13  
 Signature Date

1 MEMORANDUM OF UNDERSTANDING BETWEEN  
2 THE COUNTY OF SAN BERNARDINO AND

3 San Bernardino Associated Governments

4 THIS MEMORANDUM OF UNDERSTANDING (hereinafter "MOU") is made and  
5 executed as of this 10th day of July, <sup>2013</sup>~~2012~~, by and between the  
6 COUNTY OF SAN BERNARDINO (hereinafter referred to as "RECORDER"), and  
7 San Bernardino Associated Governments (hereinafter referred to as "SENDER").

8 The purpose of this MOU is to outline the agreement and procedures required to  
9 record documents electronically in RECORDER's County (the "COUNTY"). The  
10 responsibilities established by this MOU are intended to assure that the Electronic  
11 Recording Delivery System ("ERDS"), as implemented and maintained by the California  
12 Electronic Recording Transaction Network Authority ("CERTNA") is secure and that  
13 ERDS operating procedures are sufficient to assure the continuing security and lawful  
14 operation of the ERDS as provided for in the Electronic Recording Delivery Act of 2004  
15 ("ERDA"), set forth at California Government Code section 27390 et seq., and  
16 regulations promulgated thereunder, set forth at California Code of Regulations  
17 ("CCR"), Title 11, Division 1, Chapter 18, Articles 1 through 9.

18 NOW, THEREFORE, RECORDER and SENDER hereby agree as follows:

19 ARTICLE I -- DEFINITIONS

20 Terms defined in Government Code Section 27390 and/or California Code of  
21 Regulations Section 999.108 shall have the same meaning when used in this MOU.

22 ARTICLE II – GENERAL DUTIES AND RESPONSIBILITIES

23 A. SENDER acknowledges that it is a voluntary participant in ERDS.

24 B. If SENDER is one of the types of entities described in Government  
25 Code section 27391(b), or an authorized agent of such an entity, then SENDER is  
26 authorized under this MOU to deliver to RECORDER for recording, and return to the  
27  
28

1 party requesting recording, a digitized electronic record that is an instrument affecting a  
2 right, title, or interest in real property.

3 C. If SENDER is one of the types of entities described in Government  
4 Code section 27397.5(b), or an authorized agent of such an entity, then SENDER is  
5 authorized under this MOU to deliver to RECORDER for recording, and return to the  
6 party requesting recording, a digital or digitized electronic record that is an instrument of  
7 reconveyance, substitution of trustee, or assignment of deed of trust.

8 D. SENDER is wholly responsible for the scanning, transmission, and  
9 submission of documents. SENDER agrees to abide by the procedures for ERDS as set  
10 forth by CERTNA and RECORDER. RECORDER shall provide a copy of the current  
11 procedures to SENDER. CERTNA and RECORDER each reserve the right to modify  
12 its own procedures at any time, and a copy of any revised procedures will be provided  
13 to SENDER.

14 E. SENDER shall mail recorded documents to applicable parties together  
15 with a copy of a recorded electronic document to the address specified in the  
16 instructions for mailing upon completion of recording pursuant to Government Code  
17 Section 27391(d).

18 F. All hardware and software used by SENDER in the ERDS scanning and  
19 submitting process and any additional uses for the scan/submit stations must be  
20 approved by RECORDER prior to installation.

21 G. SENDER shall provide to RECORDER guidelines for any specific  
22 software/hardware configuration required to install ERDS on SENDER's network. The  
23 SENDER shall provide, at no cost to RECORDER or CERTNA, any and all specific  
24 software/hardware identified as required by SENDER.

25 H. Access to the ERDS software, scan, and transmission process shall be  
26 governed by an authentication system approved by CERTNA and RECORDER. All  
27 administrative access to the authentication system shall be restricted to RECORDER

1 employees and CERTNA employees only. SENDER and any agents of SENDER shall  
2 not perform any authentication administration.

3 I. SENDER agrees to notify RECORDER of system users who leave  
4 employment of SENDER or who change office locations. RECORDER shall delete or  
5 modify security access for those individuals.

6 J. SENDER-controlled remote access to the ERDS system shall be  
7 provided to CERTNA and RECORDER for system administration and maintenance  
8 purposes.

9 K. SENDER shall provide CERTNA and RECORDER with physical access  
10 during normal business hours to all of SENDER'S hardware and software interacting  
11 with the ERDS system.

12 L. SENDER shall provide first-level technical support to its users for the  
13 ERDS hardware and software. SENDER agrees to perform basic maintenance of its  
14 hardware on a regular basis.

15 M. CERTNA retains ownership of the ERDS software and is responsible  
16 for any modifications, upgrades, or enhancements. RECORDER shall provide  
17 SENDER access to ERDS on an as-is basis. SENDER may remit suggestions for  
18 enhancements to CERTNA or RECORDER for consideration. CERTNA alone has final  
19 authority on the functionality, enhancements, or upgrades of the ERDS software.

20 N. SENDER is expressly prohibited from making any software/hardware  
21 modification to the ERDS system without written consent of CERTNA.

22 O. CERTNA or RECORDER may terminate access to ERDS, or any part  
23 thereof, or may terminate access of any authorized submitter, or any authorized staff, at  
24 any time it deems it necessary to protect ERDS, to protect the public interest, to protect  
25 the integrity of public records, or to protect homeowners or real property owners from  
26 financial harm. No cause of action or liability against the RECORDER or CERTNA or  
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28

1 any government agency shall arise from any decision of the RECORDER or CERTNA  
2 to terminate or deny access of any person or entity to ERDS.

3 P. SENDER and Agent, if any, shall be limited to those privileges granted  
4 by RECORDER. The SENDER and Agent are strictly prohibited from submitting ERDS  
5 payloads on behalf of another SENDER or Agent except as provided for in this MOU. In  
6 no event shall shared user accounts be issued or ERDS authentication credentials be  
7 shared. In the event that RECORDER or CERTNA determines that any provisions or  
8 procedures have been or are imminently in danger of being violated, RECORDER or  
9 CERTNA may revoke immediately and without prior notice all electronic submission  
10 privileges of SENDER and Agent.

### 11 ARTICLE III – TECHNICAL REQUIREMENTS

12 A. SENDER and Agent (if any) hereby certify that all users, equipment  
13 (owned by Sender or Agent), and software interacting with the ERDS shall meet all  
14 requirements as set forth in the ERDA and associated regulations, including but not  
15 limited to the followings:

16 1. Scanner Requirements

- 17 i. See county-specific requirements set forth in guidelines provided by  
18 RECORDER.

19 2. Payloads

- 20 i. Type 1 and Type 2 Instruments.  
21  
22 ii. The ERDA refers to two types of instruments that may be delivered  
23 and, when applicable, returned as digital electronic records and/or  
24 digitized electronic records. For the purposes of an ERDS, these  
25 instruments are categorized as "Type 1" and "Type 2." As defined  
26 in Cal. Code of Regs. § 999.109(26), a "Type 1" instrument is an  
27 instrument affecting a right, title, or interest in real property, and a  
28

1 "Type 2" instrument is an instrument of reconveyance, substitution  
2 of trustee, or assignment of deed of trust. Type 1 and Type 2  
3 documents shall NOT be mixed within a single payload.

4 iii. The content of Type 1 and Type 2 instruments shall be as follows:

5 1. Type 1 Instruments: those affecting a right, title, or interest in  
6 real property, shall be delivered as digitized electronic  
7 records.

8 2. Type 2 Instruments: instruments of reconveyance,  
9 substitution of trustee, or assignment of deed of trust, shall  
10 be delivered as digitized electronic records or digital  
11 electronic records.  
12

13 B. Additional specifications shall be set forth in Attachment A hereto,  
14 which is hereby incorporated by reference. Attachment A shall include specifications for  
15 the following:

- 16 1. File Type
- 17 2. DPI
- 18 3. Index Information
- 19 4. Priority Levels Available
- 20 5. Submission Cut-Off Times
- 21 6. Support Procedure and Contact Information

22 In the event Attachment A does not list File Type, the File Type is assumed to be TIFF.

23 In the event Attachment A does not list DPI, the DPI is assumed to be 300.  
24

#### 25 ARTICLE IV – MANDATORY PROVISIONS PER CCR

26 A. Pursuant to CCR 999.138, RECORDER shall ensure that all endpoints  
27 are secure. Workstations used to submit, retrieve, or, when applicable, return ERDS  
28

1 payloads shall be protected from unauthorized use and access. At a minimum,  
2 SENDER's and/or SENDER's Agents' workstations shall meet all of the following  
3 requirements:

- 4 1. Anti-malware software configured to start on system boot-up.
- 5 2. Operating system software with the most up-to-date patches and  
6 hot-fixes.
- 7 3. Host based firewall configured to restrict inbound and outbound  
8 connections.

9 Installed applications shall be limited to the purpose of performing the necessary  
10 operational needs of the recording process as defined by RECORDER. SENDER shall  
11 ensure that all of SENDER's Agents comply with the provisions of this paragraph A.

12 B. Pursuant to CCR 999.131 and 999.146(b), RECORDER shall establish  
13 ERDS operating procedures.

14 C. Pursuant to CCR 999.142, ERDS access shall be controller by  
15 RECORDER using a role-based access control system. RECORDER shall also be  
16 responsible for controlling the assignment of user accounts and identity credentials.

#### 17 ARTICLE V – GENERAL PROVISIONS

18 A. In the performance of the MOU, SENDER shall act in an independent  
19 capacity and not as an officer, employee, or agent of RECORDER or CERTNA.

20 B. SENDER or designee (AGENT) must respond to RECORDER or  
21 CERTNA inquiries within one (1) business hour.

22 C. No AGENT shall be a computer security auditor or a vendor of ERDS  
23 or any other electronic recording delivery system.

24 D. SENDER shall notify the COUNTY in writing, of any change in mailing  
25 address within ten (10) business days of the change.

26 E. SENDER shall not enter into any subcontract for services covered by  
27 this MOU without first obtaining written approval from RECORDER. Any subcontract  
28

1 shall be subject to the same terms and conditions as this MOU. SENDER shall be fully  
2 responsible for the performance and payment of any subcontractor's contract.

3 F. Without the prior written consent of the RECORDER, this MOU shall  
4 not be assigned by SENDER either in whole or in part.

5 G. This MOU is intended by the parties hereto as a final expression of  
6 their understanding with respect to the subject matter hereof and supersedes any and  
7 all prior or contemporaneous MOUs or understandings or contracts. This MOU may be  
8 changed or modified only upon the written consent of the parties hereto. Any alteration,  
9 variation, modification, amendment or waiver of the provisions of this MOU shall be  
10 valid only when reduced to writing and signed by the parties hereto.

11 H. SENDER shall ensure that it has all necessary licenses and permits  
12 required by applicable federal, state, and local laws, ordinances, rules and regulations.  
13 The SENDER shall maintain these licenses and permits in effect for the duration of this  
14 MOU. SENDER will notify RECORDER immediately of any loss or suspension of any  
15 such licenses and permits. Failure of SENDER to maintain all required licenses and  
16 permits constitutes a material breach of this MOU and in the event of any such failure  
17 RECORDER may immediately terminate this MOU and pursue all other available  
18 remedies.

19 I. In the event of a problem or potential problem that could impact the  
20 quality or quantity of work, services, or the level of performance under this MOU, the  
21 SENDER shall notify the RECORDER within one (1) working day, in writing and by  
22 telephone.

23 J. SENDER shall not offer (either directly or through an intermediary) any  
24 improper consideration such as, but not limited to, cash, discounts, service, the  
25 provision of travel or entertainment, or any items of value to any officer, employee or  
26 agent of RECORDER or CERTNA in an attempt to secure favorable treatment  
27 regarding this MOU. The RECORDER, by written notice, may immediately terminate  
28

1 any MOU if it determines that any improper consideration as described in this paragraph  
2 was offered to any officer, employee or agent of the RECORDER or CERTNA with  
3 respect to the proposal and award process. This prohibition shall apply to any  
4 amendment, extension or evaluation process once an MOU has been awarded.  
5 SENDER shall immediately report any attempt by a RECORDER officer, employee or  
6 agent to solicit (either directly or through an intermediary) improper consideration from  
7 SENDER. The report shall be made to CERTNA or to the supervisor or manager  
8 charged with supervision of the employee or to the RECORDER's County  
9 Administrative Office.

10 K. No news releases, advertisements, public announcements or  
11 photographs arising out of this MOU or the SENDER's relationship with RECORDER  
12 may be made or used without prior written approval of the RECORDER.

13 L. This MOU shall be governed by the laws of the State of California.

14 M. The RECORDER and CERTNA shall each have the absolute right to  
15 review and audit any aspect of the ERDS system, security, all records, books, papers,  
16 documents, and other pertinent items as requested, and shall have absolute right to  
17 monitor the performance of SENDER in the delivery of services provided under this  
18 MOU. SENDER shall give full cooperation, in any auditing or monitoring conducted.  
19 SENDER shall cooperate with RECORDER and CERTNA in the implementation,  
20 monitoring and evaluation of this MOU and comply with any and all reporting  
21 requirements established by RECORDER and CERTNA. All records pertaining to  
22 services under this MOU shall be available for examination and audit by RECORDER  
23 and CERTNA representatives for a period of one year.

24 N. The SENDER agrees to indemnify, defend and hold harmless  
25 RECORDER and CERTNA, their authorized officers, employees, agents and volunteers  
26 from any and all claims, actions, losses, damages and/or liability arising from  
27 SENDER's acts, errors or omissions and for any costs or expenses incurred by  
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1 RECORDER or CERTNA on account of any claim therefor, except where such  
2 indemnification is prohibited by law.

3 O. SENDER is responsible for the accuracy and completeness of the  
4 recording transactions. RECORDER and CERTNA are expressly not liable for damages  
5 resulting from the recording or ERDS transactions or processes.

6 P. SENDER shall carefully monitor and control use of the system,  
7 ensuring compliance with procedural safeguards. SENDER assumes full responsibility  
8 for any malicious act that harms, damages or has a damaging effect to the  
9 RECORDER's system or databases. RECORDER and CERTNA assume no liability for  
10 electronically transmitted records that do not adhere to Government Code section  
11 27201. RECORDER and CERTNA assume no liability for any information transmitted  
12 electronically by a SENDER.

13 Q. RECORDER and CERTNA assume no liability for any breach of  
14 security, fraud, or deceit as a result of ERDS. In the event of fraud impacting the value  
15 of or title to real estate, SENDER bears the financial responsibility for transactions in  
16 which the SENDER engages. This responsibility lies with the SENDER notwithstanding  
17 contrary waiver and/or disclaimer language that may be present in any title insurance  
18 policy, escrow instruction, or other document pertaining to the real estate transaction  
19 associated with said fraud.

20 ARTICLE VI – NOTICES AND REPORTS

21 Any notice or report desired to be served by either party upon the other  
22 shall be addressed, personally delivered, or mailed to the respective parties as set forth  
23 below:

24  
25 RECORDER:

Dennis Draeger  
San Bernardino County  
Assessor-Recorder-Clerk  
222 W. Hospitality Lane  
San Bernardino, CA 92415-0022

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SENDER:

Duane Baker

CONTACT NAME

San Bernardino Associated Governments

Company Name

1170 W. 3rd Street

Street/ Mailing Address

San Bernardino, CA 92410-1715

City, ST Zip

AGENT (if any):

Andrea Roess

CONTACT NAME

David Taussig & Associates, Inc.

Company Name

5000 Birch Street, Suite 6000

Street/ Mailing Address

Newport Beach, CA 92660

City, ST Zip

ARTICLE VII – TERM AND TERMINATION

A. This MOU shall take effect on the date it is signed by the RECORDER and shall continue in force and effect until terminated hereunder.

B. Either party may terminate this MOU for any reason by serving the other party with prior written notice of at least fifteen (15) business days.

C. Upon termination, all ERDS software and/or equipment owned by RECORDER or CERTNA must be returned to its owner within thirty (30) days of termination.

D. In addition to other termination provisions contained herein, in the event that RECORDER determines that SENDER'S performance of its duties or other terms of

1 this MOU are deficient in any manner, RECORDER may notify SENDER of such  
2 deficiency in writing or orally, provided written confirmation is provided five (5) days  
3 thereafter. SENDER shall remedy any deficiency within forty-eight (48) hours of such  
4 notification, or RECORDER may, at its option, terminate this MOU immediately upon  
5 written notice.

6 IN WITNESS WHEREOF, the parties hereto have executed this MOU as  
7 of the day and year first above written.

8  
9 RECORDER

10  
11 By: \_\_\_\_\_  
12 Dan Harp  
13 Assistant Assessor Recorder

14 SENDER:  
15  
16 BY: \_\_\_\_\_  
17 Bill Jahn  
18 President

19 Agent (if any):  
20 Name of Agent:

21  
22 BY: \_\_\_\_\_  
23 Andrea Roess  
24 David Taussig & Associates, Inc.

25  
26  
27  
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- 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: 12

**Date:** July 10, 2013

**Subject:** Legislative Update

- Recommendations:**
1. Receive State Update and adopt the following position on State Legislation:
    - a. Support AB 1081 (Medina, D-Riverside)
  2. Receive Federal Update and adopt the following positions on Federal Legislation:
    - a. Support H.R. 974, the MOVE Freight Act of 2013 (Rep. Sires, D-New Jersey)
    - b. Support H.R. 2084, Partnership to Build America Act (Rep. Delaney, D-MD)

**Background:** State Update

Legislation recommended for consideration

*AB 1081 Economic Development: goods-movement-related-infrastructure (Medina, D-Riverside)*

*Recommend: Support*

AB 1081 (Medina, D-Riverside) would require the State's 5 year infrastructure plan to specifically address goods movement related infrastructure needs and

*Approved  
Board of Directors*

*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.

BRD1307a-wvs

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307a1-wvs.docx>

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307a2-wvs.docx>

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307a3-wvs.doc>

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307a4-wvs.pdf>

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307a5-wvs.pdf>

includes air, water, land, and sea port of entry facilities, as well as roads, rail, and other projects related to goods movement. The plan would be required to address existing projects in need of improvement or upgrade, as well as new projects and facilities. AB 1081 also would require the infrastructure plan to include recommendations for bringing private sector financing options to the table.

SANBAG is also presently underway or will soon be underway on \$1.03 billion in goods movement related projects include 8 grade separations, 4 goods movement related interchanges, 1 major highway project, and a major rail-to-rail grade separation project. To the extent AB 1081 can help provide justification for an increased state funding role or provide the information necessary to advocate for an enhanced federal funding role, this would be beneficial to SANBAG.

Staff recommends that the Board of Directors adopt a "Support" position. This recommendation is consistent with SANBAG's 2013-2014 adopted State Legislative Platform under the provision, "Support legislation that reduces freight-related impacts to San Bernardino County, including disparate impacts to disadvantaged communities."

An analysis of this bill is provided in Attachment 1.

A matrix of legislation of interest to SANBAG is also included as Attachment 2. Bills that have not met the appropriations and house of origin deadlines, with the exception of those bills with a SANBAG position, are not shown.

#### San Bernardino County Delegation Special Election

On May 14, 2013, then-Assembly Member Norma Torres (D-Pomona) was elected to the State Senate District 32 seat in a special election. This seat was left vacant by Gloria Negrete McLeod following her election to Congress in November 2012. An election has been set for July 23, 2013 for the now vacant Assembly seat. A runoff for this seat, if needed, would be on September 24, 2013.

#### California Environmental Quality Act (CEQA) Reform Update

The 2013 legislative session began with over two dozen CEQA reform bills. After the May appropriations and house of origin deadlines, less than a handful remain under consideration. On May 29, 2013, the State Senate passed SB 731 (Steinberg, D-Sacramento). SB 731 is largely considered the primary bill under consideration for reforms to CEQA. The bill will now move to the Assembly for consideration. The latest amendments to SB 731 still do not achieve the kind of sweeping reform initially hoped for early in the session. Transit priority project

areas were established under SB 375 (Chapter 728, Statutes of 2008) and were given special streamlining provisions under that legislation. SB 731 expands the reforms for these areas including setting thresholds for noise and traffic as well as limiting lawsuits based on aesthetic issues. The bill also establishes new requirements for noticing and the preparation of the administrative record, streamlined processes for clean energy projects, requires an annual report on CEQA related lawsuits, and other minor modifications. SB 731 is far from the reforms originally discussed and it remains to be seen if additional changes will be made as the bill moves through the Assembly. SB 731 is currently supported by CalChamber and has been publicly supported by Governor Brown. State Budget Negotiations Underway.

#### Federal Update

##### Update on Panel on 21st Century Infrastructure

In May, the House Transportation and Infrastructure Committee's (T&I) Panel on 21st Century Freight Transportation held two meetings, a roundtable discussion titled "Coordinating Federal Efforts to Improve Freight Transportation" and a hearing in San Bernardino entitled "How Southern California's freight challenges impact the nation"

The roundtable discussion mainly focused on freight investments through the Transportation Investment Generating Economic Recovery (TIGER) grant program, how the Department of Transportation can work to reduce project delivery time, how state freight plans will feed into the development of the national freight plan, and how the National Freight Network will be designated. In Moving Ahead for Progress in the 21st Century (Map-21), the designation of the network is limited to 27,000 centerline miles and in Southern California, the parallel highway networks may not be captured appropriately. The Panel noted the need to address this issue going forward.

The hearing in San Bernardino focused on the particular needs in the Southern California region, the need for a federal government role in building freight capacity and mitigation, potential revenue sources for a dedicated freight trust fund, and project prioritization.

With respect to funding, a variety of potential sources were discussed, noting that Congress needs to focus on who benefits versus who pays. They also discussed streamlining project delivery, remaining competitive in a global market, and the need to include input from environmental stakeholders.

#### Update on Transportation Secretary Confirmation

On May 22, 2013, the Senate Commerce, Science, and Transportation held a hearing regarding the nomination of Anthony Foxx for Transportation Secretary. If confirmed, Mr. Foxx, the current Mayor of Charlotte, North Carolina, will replace current Secretary Ray LaHood. Mr. Foxx's comments centered mainly around the safety, efficiency, and performance of the nation's transportation system and the need to continue building an infrastructure system for the future. The next step will be a hearing before the Senate Environment and Public Works Committee.

#### Federal Streamlining Initiatives

On May 17, 2013 President Obama issued a Presidential Memorandum which is intended to build upon efficiencies being achieved by Executive Order 13604 issued on March 22, 2012. Together, the White House anticipates federal infrastructure permitting process times can be cut by as much as half for major infrastructure projects. The newly issued memorandum requires specific federal agencies to prioritize and create a plan to implement efforts identified through the previous Executive Order. These initiatives include early coordination and project review, evaluation of innovative project mitigation mechanisms, and increased use of technology to speed project review time.

Map-21 also included a number of provisions designed to streamline the project approval process. A memo regarding the status of the implementation of these provisions prepared by our Federal Advocate, Van Scoyoc Associates, is attached for information as Attachment 3. As the document outlines, only 5 of the streamlining initiatives have been completed, with 34 underway, and 3 yet to have begun. Many of the programs underway have estimated completion times of Summer/Fall 2013 to June 2014.

#### Federal legislation recommended for consideration

*Multimodal Opportunities Via Enhanced Freight Act of 2013 (H.R. 974) (Sires, D-New Jersey)*

*Recommend: Support*

H.R. 974, the Multimodal Opportunities Via Enhanced Freight Act of 2013 (MOVE Freight Act of 2013), defines the "national freight network" as a network composed of highways, railways, navigable waterways, seaports, airports, freight intermodal connectors, and urban transportation systems most critical to the multimodal movement of freight.

The bill would:

- Re-characterize the primary freight network as multimodal corridors, including critical rail corridors, critical intermodal connections, and critical inland port, seaport, and airport infrastructure.
- Require state freight plans to consider multistate network continuity and connectivity.
- Establish a competitive grant program. This grant program would limit the federal share of the project's capital costs to 80% and would require a project management plan and/or annual financial plan depending on project size.

Defining the primary freight network in terms of corridors benefits the Southern California region where multiple transportation networks exist in close proximity to one another. In addition, Southern California projects are likely to compete well nationally given the volume of freight moving through the region onto the rest of the nation. Clarifications are needed to ensure that grade separation projects are eligible and should be included in any final version of the language.

Staff's support recommendation is consistent with SANBAG's 2013-2014 adopted Federal Platform under the provision, "Support development of a national/regional freight movement plan with clearly defined ports and corridors and inland improvement needs to provide for timely, reliable freight transport, timely implementation of freight-related strategies needed for attainment of federal health-based air quality standards and mitigation of freight-related impacts in communities". This bill is included as Attachment 4. Representatives Janice Hahn (D-CD 44), Grace Napolitano (D-CD 32), Alan Lowenthal (D-CD 47), John Garamendi (D-CD 3), Gloria Negrete McLeod (D-CD 35), and Adam Schiff (D-CD 28) are listed co-sponsors from California.

*Partnership to Build America Act (H.R. 2084) (Delaney, D-Maryland)*  
*Recommendation: Support*

H.R. 2084 proposes to create a \$50 billion dollar infrastructure loan program that is stated to be able to leverage up to \$750 billion for projects. This fund will be initially created with the sale of 50-year bonds to private entities with a 1% interest rate return. These bonds would not be guaranteed by the Federal government. The program is designed to incentivize the return of overseas earnings to the U.S. by allowing corporations to repatriate a specified amount of overseas earnings tax-free for every \$1 they invest in the bonds. The fund will then provide loans or loan guarantees to state and local governments to finance

transportation, energy, communications, water, and education infrastructure projects.

Staff participated in a conference call with the Coalition for America's Gateways and Trade Corridors and Representative Delany's office. On the call Rep. Delaney expressed the bill aims to create a large-scale infrastructure finance authority with no federal appropriations, pre-fund the program upfront, and allow the private sector to engage more in infrastructure financing. The bill is co-sponsored by 13 Republicans and 13 Democrats, including Ami Bera (D-CD 7) and Scott Peters (D-CD 52) from California.

Staff's recommendation is consistent with SANBAG's 2013-2014 adopted Federal Platform under the provision, "SANBAG will advocate for the protection of current transportation revenues and accelerated national investment in infrastructure". This bill is included as Attachment 5.

***Financial Impact:*** This item has no fiscal impact on the FY2013/2014 SANBAG Budget.

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013.

***Responsible Staff:*** Wendy Strack, Director of Legislative Affairs



## Bill Analysis

Bill Number: AB 1081	Author: Medina (D-Riverside)
Title: Economic development: goods-movement-related infrastructure	

Summary

Current law requires that the Governor, in conjunction with the release of the Governor's budget, submit a five-year infrastructure plan to the Legislature for consideration. This plan is to designate priorities for funding and outline the state's infrastructure needs. Infrastructure needed by state agencies; transportation projects included in the State Transportation Improvement Program; K-12 infrastructure needs; and projects needed for the Community College, California State University, and University of California systems are presently included in the State's 5 year infrastructure plan.

AB 1081 would require this plan to specifically address goods movement related infrastructure needs and includes air, water, land, and sea port of entry facilities, as well as roads, rail, and other projects related to goods movement. The plan would address existing projects in need of improvement or upgrade, as well as new projects and facilities. AB 1081 also would require the infrastructure plan to include recommendations for bringing private sector financing options to the table.

Impact on SANBAG

With 40% of nation's containerized goods coming through the Ports of Los Angeles and Long Beach and 80% of those coming through San Bernardino County, this region is uniquely impacted by goods movement. Southern California also will need to reduce NOx emissions by two-thirds by 2023 and three-quarters by 2032 to meet federal ozone standards, with projected emissions by goods movement sources alone exceeding those standards. Without a state and federal role in regulating, funding, and facilitating goods movement projects, the currently overburdened system will increasingly impact local communities.

SANBAG is also presently underway or will soon be underway on \$1.03 billion in goods movement related projects include 8 grade separations, 4 goods movement related interchanges, 1 major highway project, and a major rail-to-rail grade separation project. To the extent AB 1081 can help provide justification for an increased state funding role or provide the information necessary to advocate for an enhanced federal funding role, this would be beneficial to SANBAG.

Recommendation: SUPPORT

Staff recommends that the Board of Directors adopt a "Support" position. This recommendation is consistent with SANBAG's 2013-2014 adopted State Legislative Platform under the provision, "Support legislation that reduces freight-related impacts to San Bernardino County, including disparate impacts to disadvantaged communities."

Attachment #1

Bill History
Introduced: February 22, 2013
Amended: April 3, 2013 May 24, 2013
Current Disposition: Pending Committee assignment in the Senate Passed Assembly Floor, 78-0 Passed Assembly Appropriations Committee, 17-0 Passed Assembly Transportation Committee, 15-0 Passed Assembly Jobs, Economic Development, and the Economy Committee, 9-0

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**CA AB 14**

**AUTHOR:** Lowenthal B (D)  
**TITLE:** State Freight Plan  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/06/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:** Requires the Transportation Agency to prepare a state freight plan with specified elements to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. Requires the agency to establish a freight advisory committee.  
**STATUS:** 06/18/2013 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS. (10-0)

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**CA AB 21**

**AUTHOR:** Alejo (D)  
**TITLE:** Safe Drinking Water Small Community Grant Fund  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 02/14/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Health Committee  
**HEARING:** 06/26/2013 1:30 pm, Burton Hearing Room (4203)  
**SUMMARY:** Authorizes the assessment of a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and the deposit of that money into the Safe Drinking Water State Small Community Emergency Grant Fund. Authorizes the expending of the money in the fund for grants for specified water projects that serve disadvantaged and severely disadvantaged communities.  
**STATUS:** 06/12/2013 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on HEALTH. (9-0)

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**CA AB 39**

**AUTHOR:** Skinner (D)  
**TITLE:** Proposition 39: Implementation  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Education Committee  
**HEARING:** 06/26/2013 9:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Requires that of the revenues deposited into the Clean Energy Job Creation Fund, a percentage of those revenues be provided to eligible institutions for grants for eligible

Attachment #2

projects; requires the State Department of Education to administer a percentage of those revenues for local educational agencies for the purposes of eligible projects; provides moneys for job training, workforce development and public-private partnerships to be available from the Clean Energy Job Creation Fund.

**STATUS:** 06/13/2013 To SENATE Committees on EDUCATION and ENERGY, UTILITIES AND COMMUNICATIONS.

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**CA AB 114**

**AUTHOR:** Salas (D)  
**TITLE:** Proposition 39: Implementation: Workforce Development

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 01/14/2013

**LAST AMEND:** 05/08/2013

**DISPOSITION:** Pending

**COMMITTEE:** Senate Energy, Utilities and Communications Committee

**HEARING:** 07/02/2013 9:30 am, Room 3191

**SUMMARY:** Requires the Labor and Workforce Development Agency to develop and implement the Clean Energy Jobs and Workforce Development Program to award grants for projects to provide job training on energy efficiency and clean energy projects that are located in economically disadvantaged communities. Requires a review and evaluation of the program and to develop improvement solutions. Provides for a specified percentage of the Clean Energy Job Creation Fund be made available for purposes of providing grants.  
06/12/2013 From SENATE Committee on LABOR AND INDUSTRIAL

**STATUS:** RELATIONS: Do pass to Committee on ENERGY, UTILITIES & COMMUNICATIONS. (4-0)

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**CA AB 164**

**AUTHOR:** Wieckowski (D)  
**TITLE:** Infrastructure Financing

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** no

**INTRODUCED:** 01/23/2013

**LAST AMEND:** 06/05/2013

**DISPOSITION:** Pending

**FILE:** 105

**LOCATION:** Senate Consent Calendar - Second Legislative Day

**SUMMARY:** Requires a lease agreement between a governmental agency undertaking an infrastructure project and a private entity to include performance bonds as security to ensure the completion of the construction of the facility and payment bonds to secure the payment of claims of laborers, mechanics, and materials suppliers employed on the work under contract.

**STATUS:** 06/13/2013 In SENATE. Read second time. To Consent Calendar.

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**CA AB 179**

**AUTHOR:** Bocanegra (D)  
**TITLE:** Electronic Transit Fare Collection Systems

**FISCAL COMMITTEE:** yes

**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**01/24/2013  
**LAST AMEND:** 06/19/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Judiciary Committee  
**HEARING:** 06/25/2013 1:30 pm, Room 112  
**SUMMARY:** Amends existing law that prohibits a transportation agency from selling or providing personally identifiable information to a person through the person's participation in an electronic toll collection system or use of a toll facility that uses such system and requires the discarding of such information within a specified time period. Makes these and other provisions applicable to an agency that uses such system for payment of transit fares.  
06/19/2013 From SENATE Committee on JUDICIARY with author's amendments.  
**STATUS:** 06/19/2013 In SENATE. Read second time and amended. Re-referred to Committee on JUDICIARY.

**CA AB 195**

**AUTHOR:** Hall (D)  
**TITLE:** Counties: Construction Projects: Design-Build  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**01/28/2013  
**LAST AMEND:** 05/20/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 06/24/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Extends provisions of existing law that authorizes counties to use alternative procedures, known as design-build, for bidding on specified types of construction projects in the county in excess of a specified amount, in accordance with specified procedures, and provides that the procedures include a requirement for contracts awarded after a certain date that a county board of supervisors pay a fee into the State Public Works Enforcement Fund.  
06/12/2013 From SENATE Committee on GOVERNANCE AND FINANCE: Do  
**STATUS:** pass to Committee on APPROPRIATIONS. (6-0)

**CA AB 205**

**AUTHOR:** Pan (D)  
**TITLE:** Public Employees' Retirement: Pension Fund  
**FISCAL**  
**COMMITTEE:** no  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**01/30/2013  
**DISPOSITION:** Pending  
**FILE:** 51  
**LOCATION:** Senate Third Reading File  
**SUMMARY:** Extends the authorization to prioritize investment in an in-state infrastructure project to the board of retirement or the board of investments of a retirement system established pursuant to the County Employees Retirement Law of 1937.  
06/12/2013 In SENATE. Read second time. To third reading.

**CA AB 229**

**AUTHOR:** Perez J (D)  
**TITLE:** Infrastructure and Revitalization Financing Districts  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**02/04/2013  
**LAST AMEND:**06/11/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 06/24/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases.  
**STATUS:** 06/11/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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**CA AB 243**

**AUTHOR:** Dickinson (D)  
**TITLE:** Local Government: Infrastructure Financing Districts  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**02/06/2013  
**LAST AMEND:**06/18/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:** Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases if special conditions are met. Authorizes a district to fund various projects, including watershed land used for the collection and treatment of water for urban uses, flood management, open space, habitat restoration and development purposes.  
**STATUS:** 06/18/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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**CA AB 250**

**AUTHOR:** Holden (D)  
**TITLE:** State Innovation Initiatives  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**02/06/2013  
**LAST AMEND:**05/24/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Business, Professions & Economic Development Committee  
**HEARING:** 06/24/2013 10:00 am, Room 3191

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**SUMMARY:** Creates the State Innovation Hub Program, which requires the Governor's Office of Business and Economic Development to designate Innovation Hubs. Authorizes the office to use vacant or underused state-owned or leased property that is controlled by the Department of General Services. Authorizes specified state property, when authorized by law, to be used as matching funds to meet federal funding requirements. Requires the office to issue a request for proposals. Relates to iHub partnerships.

**STATUS:** 06/13/2013 To SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT.

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**CA AB 266**

**AUTHOR:** Blumenfield (D)  
**TITLE:** Vehicles: High-Occupancy Vehicle Lanes  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/07/2013  
**LAST AMEND:** 04/09/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee

**SUMMARY:** Extends the operation of existing law that authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles, which lanes may also be used by certain low-emission or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane for certain low-emission vehicles, and extends those provisions for other specified low-emission vehicles or, in either case, until a specified notice is received.

**STATUS:** 05/30/2013 To SENATE Committee on TRANSPORTATION AND HOUSING.

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**CA AB 268**

**AUTHOR:** Holden (D)  
**TITLE:** Transit: Metro Gold Line Extension  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/07/2013  
**LAST AMEND:** 04/16/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Rules Committee

**SUMMARY:** States the intent of the Legislature to enact legislation that would enable the Metro Gold Line extension to be completed at the terminus of Ontario Airport with intermediate stops in San Dimas, La Verne, Pomona, Claremont, and Montclair, and for regional cooperation to continue.

**STATUS:** 04/18/2013 Re-referred to ASSEMBLY Committee on RULES.

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**CA AB 380**

**AUTHOR:** Dickinson (D)  
**TITLE:** California Environmental Quality Act: Notice  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/14/2013

Attachment #2

**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Environmental Quality Committee  
**SUMMARY:** Amends the California Environmental Quality Act. Requires that notices regarding environmental impact reports filed by lead agencies need to be filed with the Office of Planning and Research and the county clerk and posted by the clerk for public review. Provides notice requirements for projects that are determined to be exempted from the Act.  
**STATUS:** 06/13/2013 To SENATE Committee on ENVIRONMENTAL QUALITY.

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**CA AB 392**

**AUTHOR:** Jones-Sawyer (D)  
**TITLE:** State Mandates: Prorated Claims  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/15/2013  
**LAST AMEND:** 06/05/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 06/24/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Amends existing law requiring the Controller to prorate mandated claims, including school claims, if the amount appropriated for reimbursement is not sufficient to pay all of the claims approved by the Controller, and requiring the controller to report to the Department of Finance when it is necessary to prorate claims. Deletes that reporting requirement. Requires the Controller to determine the most cost-effective allocation method if a specified amount is appropriated. Makes a conforming statutory change.  
**STATUS:** 06/12/2013 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS. (6-0)

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**CA AB 405**

**AUTHOR:** Gatto (D)  
**TITLE:** High-Occupancy Vehicle Lanes: County of Los Angeles  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/15/2013  
**LAST AMEND:** 04/18/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Transportation and Housing Committee  
**HEARING:** 06/25/2013 1:30 pm, Burton Hearing Room (4203)  
**SUMMARY:** Prohibits the establishment of any high-occupancy lane on specified state highway routes in the County of Los Angeles, unless the lane is established as such lane only during the hours of heavy commuter traffic. Requires any such lane to be modified to conform to those requirements. Authorizes the Department of Transportation to reinstate 24-hour high-occupancy vehicle lanes on the specified portions of these routes if the department makes a specified determination. Requires a related report.  
**STATUS:** 06/13/2013 To SENATE Committee on TRANSPORTATION AND HOUSING.

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**CA AB 431**

**AUTHOR:** Mullin (D)  
**TITLE:** Transportation: Sustainable Communities: Funding

**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/15/2013  
**LAST AMEND:** 04/15/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:** Authorizes a transportation planning agency that is designated as a metropolitan planning organization to impose a transactions and use tax at a rate that is no more than a specified percentage, if certain requirements are met. Require a related ordinance to contain a specified expenditure plan to be spent on each of three categories of transportation, affordable housing, and parks and open space, with remaining net revenues to be spent to attain sustainable communities strategy.  
**STATUS:** 04/15/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

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**CA AB 466**

**AUTHOR:** Quirk-Silva (D)  
**TITLE:** Federal Transportation Funds  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/19/2013  
**LAST AMEND:** 03/14/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 06/24/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Requires the Department of Transportation to allocate federal transportation funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population and pollution in a given area.  
**STATUS:** 06/11/2013 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS. (11-0)

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**CA AB 481**

**AUTHOR:** Lowenthal B (D)  
**TITLE:** High-Speed Rail.  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/19/2013  
**LAST AMEND:** 06/12/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:** Enacts exceptions and authorizations relative to real property obtained for high-speed rail purposes by the High-Speed Rail Authority. Enacts new provisions governing acquisition or disposal of right-of-way property by the authority. Requires payments for leases, sales or other conveyances of property controlled by the authority to be deposited in the High-Speed Rail Property Fund created by the bill. Provide that the funds shall be available to the authority upon appropriation for specified purposes.

**STATUS:** 06/12/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**CA AB 493**

**AUTHOR:** Daly (D)  
**TITLE:** Toll Facilities  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2013  
**LAST AMEND:** 04/17/2013  
**DISPOSITION:** Pending  
**FILE:** 31  
**LOCATION:** Senate Third Reading File  
**SUMMARY:** Authorizes operators of toll facilities on federal-aid highways to fully implement technologies or business practices that provide for the interoperability of electronic toll collection programs on and after the date specified in the Moving Ahead for Progress in the 21st Century Act. Limits the information that may be disclosed through participation in an interoperability program.  
**STATUS:** 06/05/2013 In SENATE. Read second time. To third reading.

**CA AB 528**

**AUTHOR:** Lowenthal B (D)  
**TITLE:** State Rail Plan and High-Speed Rail Authority  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2013  
**LAST AMEND:** 06/04/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 06/24/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Revises certain items required to be in the elements of the State Rail Plan and the business plan. Eliminates the current timeframe for the plan. Provides for the submission of the rail plan to specified transportation agencies, the Legislature, and the Governor. Requires the rail plan to be updated periodically. Relates to the submission of the High-Speed Rail Authority business plan. Repeals provisions regarding identifying certain AMTRAK related decrepit intercity rail passenger stations.  
**STATUS:** 06/11/2013 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS. (10-0)

**CA AB 564**

**AUTHOR:** Mullin (D)  
**TITLE:** Community Redevelopment: Successor Agencies  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/20/2013  
**LAST AMEND:** 03/12/2013  
**DISPOSITION:** Pending

Attachment #2

**COMMITTEE:** Senate Governance and Finance Committee

**HEARING:** 06/26/2013 9:30 am, Room 112

**SUMMARY:** Amends existing law that dissolved redevelopment agencies and community development agencies and provides for the designation of successor agencies. Prohibits the Department of Finance from taking any future action to modify the enforceable obligations described in existing law following the effective date of the approval of those obligations after review by an oversight board and the department, and from taking action to modify the transfer of property, if the transfer is in an approved transfer plan.

**STATUS:** 06/13/2013 To SENATE Committee on GOVERNANCE AND FINANCE.

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**CA AB 662**

**AUTHOR:** Atkins (D)

**TITLE:** Local Government: Infrastructure Financing Districts

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:**02/21/2013

**LAST AMEND:** 06/11/2013

**DISPOSITION:** Pending

**COMMITTEE:** Senate Appropriations Committee

**HEARING:** 06/24/2013 10:00 am, Burton Hearing Room (4203)

**SUMMARY:** Deletes a prohibition on the inclusion of redevelopment project areas in infrastructure financing districts. Relates to the dissolution of redevelopment and community development agencies and designation of successor agencies. Authorizes a successor agency to enter into contracts, make land use decisions, and administer certain projects if the project will not commit new tax funds or affect the flow of tax increment to taxing agencies. Relates to obligation payments. Regards highway improvement contracts.

**STATUS:** 06/11/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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**CA AB 701**

**AUTHOR:** Perez J (D)

**TITLE:** California Infrastructure and Economic Development Bank

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:**02/21/2013

**LAST AMEND:** 06/03/2013

**DISPOSITION:** Pending

**COMMITTEE:** Senate Appropriations Committee

**HEARING:** 06/24/2013 10:00 am, Burton Hearing Room (4203)

**SUMMARY:** Relates to the Infrastructure and Economic Development Bank and board of directors. Adds a Member of the Assembly, or a designee of the member, and a Member of the Senate, or designee of the member, as advisory members of the board. Requires the bank to serve as the primary state agency for purposes of developing an application for any federal infrastructure bank or financing authority. Incorporates additional changes made by the Governor's Reorganization Plan.

**STATUS:** 06/12/2013 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS. (4-1)

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**CA AB 749**

**AUTHOR:** Gorell (R)  
**TITLE:** Public-Private Partnerships  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/21/2013  
**LAST AMEND:** 04/11/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:** Amends existing law that authorizes the State Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users tolls and user fees and calls those arrangements public-private partnerships. States the intent of the Legislature for a project developed under these provisions to have specified characteristics.  
**STATUS:** 04/29/2013 In ASSEMBLY Committee on TRANSPORTATION: Not heard.

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**CA AB 797**

**AUTHOR:** Gordon (D)  
**TITLE:** Transit Districts: Contracts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/21/2013  
**LAST AMEND:** 04/15/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 06/24/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Authorizes the Santa Clara County Valley Transportation Authority and the San Mateo County Transit District to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within their jurisdictions. Requires the Authority or the district to reimburse the Department of Industrial Relations for costs of performing wage monitoring and enforcement on projects using such contracting methods. Requires those funds to be for enforcement of prevailing wage requirements.  
**STATUS:** 06/11/2013 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS. (11-0)

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**CA AB 863**

**AUTHOR:** Torres (D)  
**TITLE:** Transit Projects: Environmental Review Process  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:** Authorizes the Department of Transportation to assume responsibilities for federal review and clearance under the National Environmental Policy Act for a transit project that is subject to the act. Provides that the state consents to the jurisdiction of the federal courts in that regard, and provides that the department may not assert immunity from suit under the U.S. Constitution with regard to actions brought relative to those responsibilities under

**STATUS:** federal law.  
03/04/2013 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.

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**CA AB 906**

**AUTHOR:** Pan (D)  
**TITLE:** Personal Services Contracts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Governmental Organization Committee  
**HEARING:** 06/25/2013 9:30 am, Burton Hearing Room (4203)  
**COMMITTEE:** Senate Public Employment and Retirement Committee  
**HEARING:** 06/24/2013 2:00 pm, Rose Ann Vuich Hearing Room (2040)  
**SUMMARY:** Relates to the State Civil Service Act and personal services contracts. Limits the term of certain personal services contracts. Prohibits a contracting agency from executing certain contracts until the State Personnel Board has contacted all organizations that represent state employees who perform the type of work to be contracted.  
**STATUS:** 06/13/2013 To SENATE Committees on PUBLIC EMPLOYMENT AND RETIREMENT and GOVERNMENTAL ORGANIZATION.

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**CA AB 1046**

**AUTHOR:** Gordon (D)  
**TITLE:** Department of Transportation: Innovative Delivery  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 03/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
 Authorizes the Department of Transportation's District 4 director to direct existing district resources to the Innovative Delivery Team Demonstration Program. Authorizes department staff to perform reimbursed work for projects on and off the state highway system within the boundaries of the County of Santa Clara pursuant to the master agreement and accompanying work programs.  
**SUMMARY:** department staff to perform reimbursed work for projects on and off the state highway system within the boundaries of the County of Santa Clara pursuant to the master agreement and accompanying work programs.  
**STATUS:** 05/23/2013 To SENATE Committee on TRANSPORTATION AND HOUSING.

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**CA AB 1070**

**AUTHOR:** Frazier (D)  
**TITLE:** California Transportation Financing Authority  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 04/03/2013  
**DISPOSITION:** Pending

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**LOCATION:** Senate Environmental Quality Committee  
**SUMMARY:** Relates to the Transportation Financing Authority Act and the Transportation Financing Authority. Provides for the roles of the authority and an issuer of bonds under the act if the project sponsor, rather than the authority, is the issuer of bonds.  
**STATUS:** 06/18/2013 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on GOVERNANCE AND FINANCE. (10-0)

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**CA AB 1080**

**AUTHOR:** Alejo (D)  
**TITLE:** Community Revitalization & Investment Authorities  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 05/20/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Second Reading File  
**SUMMARY:** Authorizes certain public entities of a community revitalization and investment area to form a community revitalization plan within a community revitalization and investment authority to carry out the Community Redevelopment Law in a specified manner. Requires the authority to adopt a community revitalization plan for a community revitalization and investment area and authorizes the authority to include in that plan a provision for the receipt of tax increment funds.  
**STATUS:** 06/19/2013 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass as amended to Committee on TRANSPORTATION AND HOUSING. (4-1)

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**CA AB 1081**

**AUTHOR:** Medina (D)  
**TITLE:** Economic Development: Goods-Movement Infrastructure  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Transportation and Housing Committee  
**HEARING:** 07/02/2013 1:30 pm, Burton Hearing Room (4203)  
**SUMMARY:** Amends existing law that requires the Governor to submit to the Legislature a proposed infrastructure plan containing specified information concerning infrastructure needed by specified entities and a proposal for funding the needed infrastructure. Requires the plan to include information related to infrastructure identified by state and federal transportation authorities and a recommendation for public sector financing.  
**STATUS:** 06/13/2013 To SENATE Committee on TRANSPORTATION AND HOUSING.

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**CA AB 1140**

**AUTHOR:** Daly (D)  
**TITLE:** Public Works: Prevailing Wages  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no

**CLAUSE:**  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Labor and Industrial Relations Committee  
**HEARING:** 06/26/2013 9:30 am, Rose Ann Vuich Hearing Room (2040)  
**SUMMARY:** States that if the Director of Industrial Relations determines, within a semiannual period, that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works. Authorizes any contractor, awarding body, or representative affected by a change in rates to file with the director a verified petition to review the determination of that rate. Requires the initiation of an investigation or hearing to make a final determination.  
**STATUS:** 06/13/2013 To SENATE Committee on LABOR AND INDUSTRIAL RELATIONS.

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**CA AB 1194**

**AUTHOR:** Armmiano (D)  
**TITLE:** Safe Routes to School Program  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:** Requires a specified percent of Safe Routes to School Program to be used for noninfrastructure activities to encourage walking and bicycling to school. Authorizes the transfer of the responsibility for selecting projects and awarding grants from the Department of Transportation to the State Transportation Commission.  
**STATUS:** 06/13/2013 To SENATE Committee on TRANSPORTATION AND HOUSING.

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**CA AB 1290**

**AUTHOR:** Perez J (D)  
**TITLE:** Transportation Planning  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 04/23/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:** Provides for 2 additional voting members of the State Transportation Commission to be appointed by the Legislature. Provides for the Secretary of the Transportation Agency, the Chairperson of the State Air Resources Board, and the Director of Housing and Community Development to serve as ex officio members without a vote. Requires the Governor to make sure the transportation community is represented on the board with future appointments.  
**STATUS:** 06/13/2013 To SENATE Committee on TRANSPORTATION AND HOUSING.

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**CA ACA 1**

**AUTHOR:** Donnelly (R)

Attachment #2

**TITLE:** Administrative Regulations: Legislative Approval  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**12/03/2012  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Accountability and Administrative Review Committee  
Requires an administrative agency to submit all regulations to the Legislature for approval.  
**SUMMARY:** Authorizes the Legislature, by means of a concurrent resolution, to approve a regulation adopted by an administrative agency of the state.  
**STATUS:** 05/01/2013 In ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Failed passage.

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**CA ACA 3**

**AUTHOR:** Campos (D)  
**TITLE:** Local Government Finance: Public Safety Services  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:**01/22/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Local Government Committee  
Authorizes the imposition, extension, or increase of a special tax for funding fire, emergency response, police, or sheriff services, upon the approval of 55% of the voters voting. Creates an additional exception to the 1% limit for a rate imposed by a city, county, or special district to service bonded indebtedness incurred to fund certain fire, emergency response, police, or sheriff buildings or facilities, and equipment that is approved by 55% of the voters of the city, county, or special district.  
**SUMMARY:**  
**STATUS:** 04/04/2013 To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.

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**CA ACA 8**

**AUTHOR:** Blumenfield (D)  
**TITLE:** Local Government Financing: Voter Approval  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/13/2013  
**LAST AMEND:** 04/04/2013  
**DISPOSITION:** Pending  
**LOCATION:** SENATE  
Proposes an amendment to the Constitution to create an additional exception to the 1% limit for an ad valorem tax rate imposed by a city, county, city and county, or special district, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district.  
**SUMMARY:**  
**STATUS:** 06/15/2013 In ASSEMBLY. Read third time. Adopted by ASSEMBLY. \*\*\*\*\*To SENATE. (54-25)

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**CA SB 1**

**AUTHOR:** Steinberg (D)  
**TITLE:** Sustainable Communities Investment Authority  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/02/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Housing and Community Development Committee  
**SUMMARY:** Authorizes certain public entities of a Sustainable Communities Investment Area to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law. Provides for tax increment funding receipt under certain economic development and planning criteria. Establishes prequalification requirements for receipt of funding. Requires monitoring and enforcement of prevailing wage requirements within the area.  
**STATUS:** 06/14/2013 To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and LOCAL GOVERNMENT.

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**CA SB 11**

**AUTHOR:** Pavley (D)  
**TITLE:** Alternative Fuel: Vehicle Technologies: Funding Program  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** yes  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/28/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Transportation Committee  
**HEARING:** 07/01/2013 1:30 pm, Room 4202  
**SUMMARY:** Provides the State Air Resources Board has no authority regarding publicly available hydrogen fueling stations. Requires funding for such stations. Provides loan and grant preferences. Requires hydrogen fueling network loans and grants. Relates to the smog abatement fee, the state tire fee, and vehicle registration charge in a specified county. Expands the state air quality standards program to fund a broader range of projects.  
**STATUS:** 06/14/2013 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.

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**CA SB 33**

**AUTHOR:** Wolk (D)  
**TITLE:** Infrastructure Financing Districts: Voter Approval  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 03/06/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:** Revises provisions governing infrastructure financing districts. Eliminates the requirement of voter approval for creation of the district and for bond issuance, and authorizes the

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legislative body to create the district subject to specified procedures. Authorizes the creation of such district subject to specified procedures. Authorizes a district to finance specified actions and project. Prohibits the district from providing financial assistance to a vehicle dealer or big box retailer.

**STATUS:** 06/12/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS. (5-2)

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**CA SB 64**

**AUTHOR:** Corbett (D)  
**TITLE:** Global Warming Solutions: Clean Technology Investment

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 01/10/2013

**LAST AMEND:** 06/14/2013

**DISPOSITION:** Pending

**LOCATION:** Assembly Natural Resources Committee

**SUMMARY:** Creates the Clean Technology Investment Account within the Greenhouse Gas Reduction Fund. Requires appropriations of moneys in the fund or other funds to the account in the Budget Act. Makes such funds available for grants to nonprofit public benefit corporations and regional technology alliances to design and implement program that accelerate the development, demonstration, and deployment of technologies that would reduce greenhouse gas emissions and foster job creation in the state.

06/14/2013 To ASSEMBLY Committees on NATURAL RESOURCES and UTILITIES AND COMMERCE.

**STATUS:** 06/14/2013 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.

06/14/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

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**CA SB 110**

**AUTHOR:** DeSaulnier (D)  
**TITLE:** Oakland Bay Bridge Safety Review Task Force

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 01/14/2013

**LAST AMEND:** 06/11/2013

**DISPOSITION:** Pending

**LOCATION:** Assembly Transportation Committee

**SUMMARY:** Establishes the East Span, San Francisco-Oakland Bay Bridge Safety Review Task Force to access the anticipated seismic structural performance of the East Span of the bridge by conducting a series of specified reviews.

**STATUS:** 06/17/2013 Re-referred to ASSEMBLY Committees on TRANSPORTATION and JUDICIARY.

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**CA SB 133**

**AUTHOR:** DeSaulnier (D)  
**TITLE:** Redevelopment  
**FISCAL** yes

**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:**01/28/2013  
**LAST AMEND:** 06/10/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Housing and Community Development Committee  
 Amends the Community Redevelopment Law. Requires a redevelopment agency to include additional information relating to any major audit violations, any corrections of those violations, and planning and general administrative expenses of the Low and Moderate Income Housing Fund. Authorizes quality control reviews by the Controller and the publishing of those reviews. Requires audits of such agencies to ensure compliance with the law. Relates to funding for housing construction and/or rehabilitation.  
**SUMMARY:**  
**STATUS:** 06/17/2013 Re-referred to ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and LOCAL GOVERNMENT.

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**CA SB 142**

**AUTHOR:** DeSaulnier (D)  
**TITLE:** Public Transit  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:**01/30/2013  
**LAST AMEND:** 05/07/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Transportation Committee  
**HEARING:** 07/01/2013 1:30 pm, Room 4202  
 Repeals existing law providing for creation of one or more special benefit districts within a transit or rapid transit district regarding issuance of bonds to be repaid through special assessments levied on property within the special benefit district. Amends district areas.  
**SUMMARY:** Enacts provisions authorizing a transit district, municipal operator, other other public agency operating or contracting for the operation of transit, commuter rail, or intercity rail service to create one or more special districts.  
**STATUS:** 06/10/2013 To ASSEMBLY Committees on TRANSPORTATION and LOCAL GOVERNMENT.

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**CA SB 176**

**AUTHOR:** Galgiani (D)  
**TITLE:** Administrative Procedures  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:**02/06/2013  
**LAST AMEND:** 06/18/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Accountability and Administrative Review Committee  
 Requires the Office of Administrative Law to allow electronic submission to the office by a state agency of notices required to be published and information required to be submitted pursuant to specified provisions of existing law. Expands the public discussion required described in existing law to require a state agency proposing to adopt regulations, prior to publication of a notice of proposed adoption, amendment, or repeal, to involve parties that would be subject to the regulations in such discussions.  
**SUMMARY:**

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06/18/2013 From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW with author's amendments.  
**STATUS:** 06/18/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.

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**CA SB 286**

**AUTHOR:** Yee (D)  
**TITLE:** Vehicles: High-Occupancy Vehicle Lanes  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/14/2013  
**LAST AMEND:** 06/11/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Second Reading File  
**SUMMARY:** Extends the operation of existing law that authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles, which lanes may also be used by certain low-emission or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane. Permits the department to issue a valid identifier to a vehicle that meets the state's transitional zero emission standard. Repeals and deletes related provisions.  
**STATUS:** 06/17/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass as amended to Committee on APPROPRIATIONS. (13-1)

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**CA SB 328**

**AUTHOR:** Knight (R)  
**TITLE:** Counties: Public Works Contracts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/19/2013  
**LAST AMEND:** 04/09/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:** Authorizes a county to utilize construction manager at-risk construction contracts for the erection, construction, alteration, repair, or improvement of any building owned or leased by the county. Provides that a construction manager at-risk contract may be awarded using the lowest responsible bidder or the best value method. Requires subcontractors not listed as partners, general partners, or association members be awarded certain work by the construction manager at-risk.  
**STATUS:** 06/19/2013 From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Do pass to Committee on APPROPRIATIONS. (12-0)

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**CA SB 425**

**AUTHOR:** DeSaulnier (D)  
**TITLE:** Public Works: the Public Works Peer Review Act of 2013  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no

**CLAUSE:**

**INTRODUCED:**02/21/2013

**LAST AMEND:** 05/07/2013

**DISPOSITION:** Pending

**LOCATION:** Assembly Accountability and Administrative Review Committee

**SUMMARY:** Allows a public agency, principally tasked with administering, planning, developing, and operating a public works project, to establish a specified peer review group. Requires the administering agency, if a peer group is established, to draft a charter, published on the agency's Internet Web site, related to the duties of the peer review group.

**STATUS:** 06/17/2013 To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.

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**CA SB 436**

**AUTHOR:** Jackson (D)

**TITLE:** California Environmental Quality Act: Notice

**FISCAL COMMITTEE:** yes

**URGENCY:** no

**CLAUSE:**

**INTRODUCED:**02/21/2013

**LAST AMEND:** 04/03/2013

**DISPOSITION:** Pending

**COMMITTEE:** Assembly Natural Resources Committee

**HEARING:** 06/24/2013 1:30 pm, Room 447

**SUMMARY:** Relates to the California Environmental Quality Act. Requires a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. Revises the meeting notice requirements to requires the notice be given to a list of specified parties including the State Clearinghouse and project applicants.

**STATUS:** 06/14/2013 To ASSEMBLY Committee on NATURAL RESOURCES.

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**CA SB 454**

**AUTHOR:** Corbett (D)

**TITLE:** Public Resources: Electric Vehicle Charging Stations

**FISCAL COMMITTEE:** yes

**URGENCY:** no

**CLAUSE:**

**INTRODUCED:**02/21/2013

**LAST AMEND:** 05/24/2013

**DISPOSITION:** Pending

**COMMITTEE:** Assembly Transportation Committee

**HEARING:** 07/01/2013 1:30 pm, Room 4202

**SUMMARY:** Creates the Electric Vehicle Charging Stations Open Access Act. Prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station. Prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station. Requires the total actual charges for the use of a station to be disclosed at the point of sale. Requires a provider of certain equipment or a station to disclose certain information.

**STATUS:** 06/17/2013 To ASSEMBLY Committee on TRANSPORTATION.

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**CA SB 513**

**AUTHOR:** Hancock (D)

**TITLE:** Diversion Programs: Sealed Records  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/21/2013  
**LAST AMEND:** 04/01/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Public Safety Committee  
**HEARING:** 06/25/2013 9:00 am, Room 126  
**SUMMARY:** Provides that in any case where a person is arrested and successfully completes a diversion program administered by a prosecuting attorney in lieu of filing an accusatory pleading, the person may petition the Superior Court that would have had jurisdiction over the matter for an order to seal the records of the arresting agency and related court files and records, and the court may issue that order if the court finds that doing so will be in furtherance of justice.  
**STATUS:** 06/14/2013 To ASSEMBLY Committee on PUBLIC SAFETY.

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**CA SB 557**

**AUTHOR:** Hill (D)  
**TITLE:** High-Speed Rail  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 05/02/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Transportation Committee  
**HEARING:** 07/01/2013 1:30 pm, Room 4202  
**SUMMARY:** Relates to existing law that appropriates specified funds from the High Speed Passenger Train Bond Fund and from federal funds for high-speed rail and connecting rail projects. Adds detail to provisions governing the expenditure of certain of those appropriated funds. Specifies that of the moneys appropriated for early high-speed rail improvement projects in the Budget Act of 2012, a specified amount shall be allocated solely for purposes of specified memoranda of understanding.  
**STATUS:** 06/17/2013 To ASSEMBLY Committee on TRANSPORTATION.

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**CA SB 628**

**AUTHOR:** Beall (D)  
**TITLE:** Infrastructure Financing: Transit Priority Projects  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 06/17/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Local Government Committee  
**HEARING:** 06/26/2013 1:30 pm, Room 444  
**SUMMARY:** Eliminates the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit priority project. Requires a specified percentage of the revenue for increasing, improving, and preserving the supply of lower and moderate-income housing.

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Requires a low-income housing replacement ordinance.

**STATUS:** 06/17/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.  
06/17/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

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**CA SB 731**

**AUTHOR:** Steinberg (D)  
**TITLE:** Environment: California Environmental Quality Act  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:** Relates to the state environmental quality act. Provides that aesthetic impacts of a residential, mixed-use residential, or employment center project within a transit priority area shall not be considered significant impacts on the environment. Requires guidelines for thresholds of significance and the transportation and parking impacts to be made available to the public. Requires preparation of environmental impact reports. Extends tolling agreements for judicial actions and mitigation measures.  
**STATUS:** 06/17/2013 To ASSEMBLY Committees on NATURAL RESOURCES and LOCAL GOVERNMENT.

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**CA SB 751**

**AUTHOR:** Yee (D)  
**TITLE:** Meetings: Publication of Action Taken  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 06/17/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Local Government Committee  
**HEARING:** 06/26/2013 1:30 pm, Room 444  
**SUMMARY:** Amends the Ralph M. Brown Act that requires all meetings of the legislative body of a local agency to be open and public and prohibits that body from taking action by secret ballot, whether preliminary or final. Requires that the legislative body of a local agency to publicly report any action taken and the vote or abstention of that action of each member present for the action.  
**STATUS:** 06/17/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.  
06/17/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

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**CA SB 788**

**AUTHOR:** Senate Transportation and Housing Committee  
**TITLE:** Transportation  
**FISCAL** yes

**COMMITTEE:****URGENCY**

no

**CLAUSE:****INTRODUCED:**02/22/2013**LAST AMEND:** 06/10/2013**DISPOSITION:** Pending**LOCATION:** Assembly Natural Resources Committee

**SUMMARY:** Defines the term highway for these exemption purposes under the CEQA. Relates to the prepayment of retail sales tax on aircraft jet fuel. Authorizes relinquishment of certain highways. Modifies bikeway provisions. Revises the definition of logging dolly, logging vehicle, station wagon, and schoolbus accident. Relates to Olympic and veterans' associations license plates. Revises provisions governing commercial driver's licensing.

**STATUS:** 06/17/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on NATURAL RESOURCES. (15-0)

**CA SB 811****AUTHOR:** Lara (D)**TITLE:** State Highway Route 710**FISCAL****COMMITTEE:** yes**URGENCY**

no

**CLAUSE:****INTRODUCED:**02/22/2013**LAST AMEND:** 05/28/2013**DISPOSITION:** Pending**COMMITTEE:** Assembly Transportation Committee**HEARING:** 07/01/2013 1:30 pm, Room 4202

**SUMMARY:** Imposes various requirements on the Department of Transportation with respect to the I-710 expansion project in the County of Los Angeles. Requires the lead agency to consider, within the environmental review process for the process, alternatives to address the air quality, public health, and mobility impacts the project will have on neighboring communities. Requires the EIR to contain information on investments in mitigation for those communities and the Los Angeles River.

**STATUS:** 06/17/2013 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.

**CA SCA 3****AUTHOR:** Leno (D)**TITLE:** Taxation: Educational Entities: Parcel Tax**FISCAL****COMMITTEE:** no**URGENCY**

no

**CLAUSE:****INTRODUCED:**12/03/2012**LAST AMEND:** 05/21/2013**DISPOSITION:** Pending**LOCATION:** Senate Rules Committee

**SUMMARY:** Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a parcel tax by a school district, community college district, or county office of education upon the approval of voters if the proposition meets specified requirements.

**STATUS:** 06/18/2013 From SENATE Committee on ELECTIONS AND CONST. AMENDMENTS: Be adopted to Committee on RULES. (3-0)

**CA SCA 4**

**AUTHOR:** Liu (D)  
**TITLE:** Local Government Transportation Project: Voter Approval  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:** Proposes an amendment to the Constitution to provide the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of a related proposition that includes certain requirements. Prohibits the local government from expending any revenues derived from a special transportation tax approved by the voters at any time prior to the completion of a identified capital project funded by specified revenues.  
**STATUS:** 05/29/2013 Re-referred to SENATE Committee on TRANSPORTATION AND HOUSING.

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**CA SCA 8**

**AUTHOR:** Corbett (D)  
**TITLE:** Transportation Projects: Special Taxes: Voter Approval  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/14/2012  
**LAST AMEND:** 05/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:** Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition includes certain requirements.  
**STATUS:** 05/29/2013 Re-referred to SENATE Committee on TRANSPORTATION AND HOUSING.

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**CA SCA 9**

**AUTHOR:** Corbett (D)  
**TITLE:** Local Government: Economic Development: Special Taxes  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/18/2012  
**LAST AMEND:** 05/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Rules Committee  
**SUMMARY:** Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects requires the approval of a specified percentage of its voters voting on the proposition, if the proposition contains specified

Attachment #2

**STATUS:** requirements.  
06/18/2013 From SENATE Committee on ELECTIONS AND CONST.  
AMENDMENTS: Be adopted to Committee on RULES. (3-0)

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**CA SCA 11**

**AUTHOR:** Hancock (D)  
**TITLE:** Local Government: Special Taxes: Voter Approval  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/25/2013  
**LAST AMEND:** 05/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Rules Committee  
**SUMMARY:** Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition, if the proposition proposing the tax contains specified requirements.  
**STATUS:** 06/18/2013 From SENATE Committee on ELECTIONS AND CONST.  
AMENDMENTS: Be adopted to Committee on RULES. (3-0)

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**TO:** Ray Wolfe  
**FROM:** Steve Palmer, Jackie Schmitz, and David Haines  
**DATE:** May 31, 2013  
**SUBJECT:** Status of Environmental Streamlining Provisions in MAP-21

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This memo is intended to provide an overview of the status of key environmental streamlining and project expediting provisions included in MAP-21 to give a full picture of DOT's implementation work.

### **Overview of DOT's Implementation Progress**

The Department of Transportation has developed a 42-part action plan to implement the full requirements of Subtitle C of MAP-21, regarding the acceleration of project delivery. As of March 27, 2013, five of the 42 actions had been completed, 34 actions are underway, and three actions are not yet underway. For the major provisions that require rulemakings, they will not be in effect until the rulemaking process is complete.

The five completed actions include completing rulemaking on the use of categorical exclusions after a disaster or other emergency; issuing question and answer guidance on innovations to improve project delivery; conducting a survey and report to Congress on the use of categorical exclusions; completing interim guidance on accelerated decision making for environmental reviews; and publishing an initial report to Congress on the status of environmental studies.

### **Status of Key Project Expediting Provisions**

#### **NEPA delegation**

**Summary:** The bill makes permanent the ability of the Secretary to delegate NEPA authority to States, and removes the limitation that only five States may receive this authority. This authority is expanded to transit, rail, and multi-modal projects, but provides the option for transit agencies to request a waiver to the Secretary. The bill does not allow for reciprocity between NEPA and State environmental processes.

**Status:** FHWA is required to do a rulemaking to implement this provision by the end of June, 2013. FHWA will not meet this deadline, and is anticipating a final rule by the end of September, 2013. There will also be guidance issued, for which there is not a current timeframe.

### **Advance Acquisition of Real Property Interests**

**Summary:** Right-of-way can be acquired prior to the completion of NEPA, provided that it does not have an adverse environmental impact, limit the choice of alternatives, or prevent the lead agency from making impartial decisions. The land cannot be developed prior to the completion of NEPA, and if the land is purchased with federal funds and is not used for a federal transportation projects, the State will refund FHWA from its apportionments.

**Status:** FHWA is in the early stages of drafting both guidance and a proposed rulemaking to implement this provision. It anticipated a Notice of Proposed Rulemaking will be issued in October of 2013.

### **Letting of Contracts**

**Summary:** State DOTs can award a two-phase contract to a construction manager or general contractor for preconstruction and construction services, and this may be done prior to the completion of NEPA.

**Status:** FHWA is currently drafting a proposed rulemaking to implement this provision. FHWA anticipates a Notice of Proposed Rulemaking will be issued in August of 2013.

### **Innovative Project Delivery**

**Summary:** For projects funded under the National Highway Performance Program, the Surface Transportation Program, and the Metropolitan Planning Program, the State may choose a 100 percent federal share for projects with activities that speed construction and project delivery, including 3-D modeling technology. The Secretary must approve activities to qualify and the federal share increase can only equal up to 5 percent of the project cost. The State may only apply this increased share for ten percent of the total funds in the three affected programs.

**Status:** This provision is in effect and DOT completed guidance as part of its "Q&A" documentation in October of 2012.

### **Efficient Environmental Reviews for Project Decision-making**

**Summary:** This section of the bill allows DOT to use programmatic approaches to environmental reviews, in order to minimize repeated discussions of the same topic. It also allows DOT to select a single DOT modal agency to serve as lead agency for environmental review of projects where multiple modes are involved. The provision also requires concurrence of participating agencies for environmental review schedules developed by DOT.

**Status:** FHWA is required by law to undertake a rulemaking to implement this section, and also plans to create three separate guidance documents. FHWA is still determining whether the rulemaking should be a standalone rule, or incorporated into a broader rulemaking. At this time, FHWA anticipates a Notice of Proposed Rulemaking will not be issued until June of 2014. There is no scheduled timeframe for the three guidance documents, but they are each in various stages of drafting and review.

### **Accelerated Decision-making**

**Summary:** The bill includes new environmental dispute resolution authority for the Secretary. It also includes financial penalties for any agency that does not approve permits or licenses within a certain period of time.

**Status:** This section requires that DOT report to Congress every 120 days on major projects that require a financial plan—DOT has implemented this and issued its first report in February of 2013. DOT also plans to issue guidance on dispute resolutions—this guidance has been drafted and is currently in review. Finally, DOT may also issue a formal rule on dispute resolution. This rule may be packaged with the rulemaking noted in the previous section on Efficient Environmental Reviews, with an estimated Notice of Proposed Rulemaking being issued in June of 2014.

### **Limitations on Claims**

**Summary:** The bill shortens the window when legal disputes may be brought against a project from 180 days to 150 days.

**Status:** FHWA will issue a rulemaking, which may be part of the previously noted broader package of rulemaking with an estimated Notice of Proposed Rulemaking planned for June of 2014. There will also be guidance issued, for which there is not a current timeframe.

### **Acceleration of Completion of Complex Projects**

**Summary:** The bill requires the Secretary to complete complex projects within four years, and includes financial penalties for a failure to meet this deadline.

**Status:** FHWA will issue a rulemaking, which may be part of the previously noted broader package of rulemaking with an estimated Notice of Proposed Rulemaking being issued in June of 2014. There will also be guidance issued, for which there is not a current timeframe.

### **Categorical Exclusions for Projects**

BRD1307a3-wvs

**Summary:** The bill would categorically exclude from NEPA a number of types of projects, including: projects within the operational right-of-way, those impacted by emergencies and disasters, projects with less than \$5 million in federal funds, and projects with total project costs of less than \$30 million with less than 15 percent federally funded.

**Status:** FHWA completed rulemaking in February of 2013 on creating CEs for projects impacted by emergencies or disasters. FHWA was required to create CEs for projects operating within the right-of way and projects with limited federal assistance by the end of March 2013; in February of 2013 they issued a Notice of Proposed Rulemaking on these new CEs and do not have an estimated timeframe for the final rule.

### **Survey of Categorical Exclusions**

**Summary:** The Secretary is directed to consult with transportation and transit agencies at all levels to make recommendations on new activities to be categorically excluded.

**Status:** FHWA conducted a review of how existing CEs are used and solicited suggestions for new CEs, completing their report in December of 2012. FHWA was required to issue a notice of proposed rulemaking by January of 2013, but is behind schedule and estimates an NPRM will be issued in August of 2013.

### **Accelerated Decision-making in Environmental Reviews**

**Summary:** This provision allows for the use of errata sheets to correct minor errors in the Final Environmental Impact Statement, rather than necessitating the rewriting of the Draft Environmental Impact Statement. It also calls for the consolidation of the Final Environmental Impact Statement and the Record of Decision when possible.

**Status:** FHWA and FTA completed joint guidance on this topic in January of 2014. FHWA may issue a rulemaking, which may be part of the previously noted broader package of rulemaking with an estimated Notice of Proposed Rulemaking being issued in June of 2014.

113TH CONGRESS  
1ST SESSION

# H. R. 2084

To establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and non-profit infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2013

Mr. DELANEY (for himself, Mr. BARR, Mr. BERA of California, Mr. CARNEY, Mr. COLE, Mr. CONNOLLY, Mr. RODNEY DAVIS of Illinois, Mr. FITZPATRICK, Ms. GABBARD, Mr. GARCIA, Mr. GIBSON, Mr. JOHNSON of Ohio, Mr. JOYCE, Mr. KENNEDY, Mr. KIND, Mr. KINZINGER of Illinois, Mr. MESSER, Mr. MORAN, Mr. MURPHY of Florida, Mr. PETERS of California, Mr. PITTENGER, Mr. POLIS, Mr. RUPPERSBERGER, Ms. SINEMA, Mr. STIVERS, Mr. TURNER, and Mr. YOHO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and non-profit infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Partnership to Build  
5 America Act of 2013”.

6 **SEC. 2. AMERICAN INFRASTRUCTURE FUND.**

7 (a) AMERICAN INFRASTRUCTURE FUND.—

8 (1) IN GENERAL.—There is established a wholly  
9 owned Government corporation to be called the  
10 American Infrastructure Fund (“AIF”)—

11 (A) which shall be headed by the Board of  
12 Trustees established under subsection (b);

13 (B) which may have separate sub-accounts  
14 or subsidiaries for funds used to make loans,  
15 bond guarantees, and equity investments under  
16 this section and funds used to make bond guar-  
17 antees under this section;

18 (C) which shall be available to the AIF to  
19 pay for the costs of carrying out this section,  
20 including the compensation of the Board and  
21 other employees of the AIF; and

22 (D) the funds of which may be invested by  
23 the Board in such manner as the Board deter-  
24 mines appropriate.

1           (2) DEPOSITS TO AIF.—All funds received from  
2           bond issuances, loan payments, bond guarantee fees,  
3           and any other funds received in carrying out this  
4           section shall be held by AIF.

5           (3) LIMITATIONS.—The charter of the AIF  
6           shall limit its activities to those activities described  
7           as the mission of the Board under subsection (b)(2).

8           (4) OVERSIGHT.—The AIF shall register with  
9           the Securities and Exchange Commission and the  
10          Secretary shall report to Congress annually as to  
11          whether the AIF is fulfilling the mission of the  
12          Board under subsection (b)(2).

13          (5) TREATMENT OF AIF.—Title 31, United  
14          States Code, is amended in each of sections  
15          9107(c)(3) and 9108(d)(2)—

16                 (A) by inserting “the American Infrastruc-  
17                 ture Fund,” after “the Regional Banks for Co-  
18                 operatives,”; and

19                 (B) by striking “those banks” and insert-  
20                 ing “those entities”.

21          (b) BOARD OF TRUSTEES.—

22                 (1) IN GENERAL.—There is established a Board  
23                 of Trustees of the AIF (the “Board”), which shall  
24                 be composed of 11 members, of which at least 4  
25                 must be risk management experts, as certified by

1 the Board, having substantial experience in bond  
2 guarantees or municipal credit.

3 (2) MISSION.—The Mission of the Board is—

4 (A) to operate the AIF and its subsidiaries  
5 to be a low cost provider of bond guarantees,  
6 loans, and equity investments to State and local  
7 governments and non-profit infrastructure pro-  
8 viders for both urban and rural non-profit in-  
9 frastructure projects that provide a positive eco-  
10 nomic impact and to meet such other standards  
11 as the Board may develop;

12 (B) to operate the AIF in a self-sustaining  
13 manner so as to allow the AIF to repay its in-  
14 frastructure bonds when due;

15 (C) to not have a profit motive, but seek  
16 at all times to pursue its mission of providing  
17 low cost bond guarantees and loans while cov-  
18 ering its costs, reserves as may be needed, and  
19 applying prudent underwriting standards;

20 (D) to only consider projects put forth by  
21 State and local governments and not to seek  
22 projects directly;

23 (E) to at all times make clear that no tax-  
24 payer money supports the AIF or ever will; and

1 (F) to engage in no other activities other  
2 than those permitted under this section.

3 (3) MEMBERSHIP.—

4 (A) PRESIDENTIALLY-APPOINTED MEM-  
5 BERS.—Except as provided under subparagraph  
6 (C), 4 members of the Board shall be appointed  
7 by the President, by and with the advice and  
8 consent of the Senate, and serve for a term of  
9 7 years.

10 (B) ADDITIONAL MEMBERS.—Except as  
11 provided under subparagraph (C), 7 members  
12 of the Board shall be appointed by the current  
13 members of the Board appointed pursuant to  
14 this subparagraph or subparagraph (C)(ii), and  
15 serve for a term of 7 years.

16 (C) INITIAL MEMBERS.—The Board shall  
17 initially consist of the following members, who  
18 shall be appointed not later than the end of the  
19 60-day period beginning on the date that bonds  
20 are issued under subsection (e):

21 (i) Four members, appointed by the  
22 President, by and with the advice and con-  
23 sent of the Senate.

24 (ii) Seven additional members, ap-  
25 pointed one each by the seven entities pur-

1           chasing the largest amount of bonds (by  
2           aggregate face amount of bonds pur-  
3           chased) under subsection (e).

4           (D) STAGGERED TERMS.—The members of  
5           the Board shall serve staggered terms, with 2  
6           each of the initial members of the Board serv-  
7           ing for terms of 4, 5, 6, 7, and 8 years, respec-  
8           tively, and the initial Chair selected under sub-  
9           paragraph (E) serving for 9 years. The decision  
10          of which Board members, other than the Chair,  
11          serve for which initial terms shall be made by  
12          the members of the Board drawing lots.

13          (E) CHAIR.—The members of the Board  
14          shall choose 1 member to serve as the Chair of  
15          the Board for a term of 7 years, except that the  
16          initial Chair shall serve for a term of 7 years,  
17          as described under subparagraph (D).

18          (F) VACANCIES.—Any member of the  
19          Board appointed to fill a vacancy occurring be-  
20          fore the expiration of the term to which that  
21          member's predecessor was appointed shall be  
22          appointed only for the remainder of the term.

23          (G) CONTINUATION OF SERVICE.—Each  
24          member of the Board may continue to serve  
25          after the expiration of the term of office to

1           which that member was appointed until a suc-  
2           cessor has been appointed.

3           (H) CONFLICTS OF INTEREST.—No mem-  
4           ber of the Board may have a financial interest  
5           in, or be employed by, a Qualified Infrastruc-  
6           ture Project (“QIP”) related to assistance pro-  
7           vided under this section or any entity that has  
8           purchased bonds under subsection (e). Owning  
9           municipal credit of any State or local govern-  
10          ment or owning the securities of a diversified  
11          company that engages in infrastructure activi-  
12          ties, provided those activities constitute less  
13          than 20 percent of the company’s revenues, or  
14          investing in broadly held investment funds shall  
15          not be deemed to create a conflict of interest.  
16          The Board may issue regulations to define  
17          terms used under this subparagraph.

18          (4) COMPENSATION.—The members of the  
19          Board shall be compensated at an amount to be set  
20          by the Board, but under no circumstances may such  
21          compensation be higher than the rate prescribed for  
22          level IV of the Executive Schedule under section  
23          5315 of title 5, United States Code.

24          (5) STAFF.—The Board shall employ and set  
25          compensation for such staff as the Board determines

1 as is necessary to carry out the activities and mis-  
2 sion of the AIF, and such staff may be paid without  
3 regard to the provisions of chapter 51 and sub-  
4 chapter III of chapter 53, United States Code, relat-  
5 ing to classification and General Schedule pay rates.

6 (6) PROCEDURES.—The Board shall establish  
7 such procedures as are necessary to carry out this  
8 section.

9 (7) CORPORATE GOVERNANCE STANDARDS.—

10 (A) BOARD COMMITTEES GENERALLY.—

11 The Board shall maintain all of the committees  
12 required to be maintained by the board of direc-  
13 tors of an issuer listed on the New York Stock  
14 Exchange as of the date of the enactment of  
15 this section.

16 (B) RISK MANAGEMENT COMMITTEE.—The  
17 Board shall maintain a risk management com-  
18 mittee, which shall—

19 (i) consist of 4 members of the Board,  
20 with the initial 4 members consisting of 2  
21 members appointed under paragraph  
22 (3)(C)(i) and 2 members appointed under  
23 paragraph (3)(C)(ii);

24 (ii) employ additional staff who are  
25 certified by the Board as having significant

1 and relevant experience in insurance un-  
2 derwriting and credit risk management;  
3 and

4 (iii) establish the risk management  
5 policies used by the Board.

6 (C) STANDARDS.—The Board shall, to the  
7 extent practicable, follow all standards with re-  
8 spect to corporate governance that are required  
9 to be followed by the board of directors of an  
10 issuer listed on the New York Stock Exchange  
11 as of the date of the enactment of this section.

12 (e) INFRASTRUCTURE INVESTMENT.—

13 (1) IN GENERAL.—The AIF shall provide bond  
14 guarantees to debt issued by State and local govern-  
15 ments and non-profit infrastructure providers, make  
16 loans to States, local governments, and non-profit  
17 infrastructure providers, and make equity invest-  
18 ments in projects sponsored by State and local gov-  
19 ernments and non-profit infrastructure provider to  
20 help Qualified Infrastructure Projects (“QIPs”).  
21 The AIF may not make any loans or provide bond  
22 guaranties to for-profit entities.

23 (2) QUALIFIED INFRASTRUCTURE PROJECTS.—

24 A project qualifies as a QIP under this section if—

1 (A) the project involves the construction,  
2 maintenance, improvement, or repair of a trans-  
3 portation, energy, water, communications, or  
4 educational facility; and

5 (B) the recipient of bond guarantees,  
6 loans, equity investments, or any other financ-  
7 ing technique authorized under this Act pro-  
8 vides written assurances prescribed by the AIF  
9 that the project will be performed in compliance  
10 with the requirements of all Federal laws that  
11 would otherwise apply to similar projects to  
12 which the United States is a party.

13 (3) APPLICATION FOR ASSISTANCE.—

14 (A) IN GENERAL.—A State or local gov-  
15 ernment that wishes to receive a loan or bond  
16 guarantee under this section shall submit an  
17 application to the Board in such form and man-  
18 ner and containing such information as the  
19 Board may require.

20 (B) REQUIREMENT FOR NON-PROFIT IN-  
21 FRASTRUCTURE PROVIDERS TO APPLY  
22 THROUGH STATE OR LOCAL GOVERNMENTS.—A  
23 non-profit infrastructure provider may only re-  
24 ceive a bond guarantee, loan, or equity invest-  
25 ment under this section if the State or local

1 government for the jurisdiction in which the  
2 non-profit infrastructure provider is located  
3 submits an application pursuant to subpara-  
4 graph (A) on behalf of such non-profit infra-  
5 structure provider.

6 (4) LIMITATIONS ON SINGLE STATE AWARDS.—

7 (A) ANNUAL LIMITATION.—The Board  
8 shall set an annual limit, as a percentage of  
9 total assistance provided under this section dur-  
10 ing a year, on the amount of assistance a single  
11 State (including local governments and other  
12 non-profit infrastructure providers within such  
13 State) may receive in assistance provided under  
14 this section.

15 (B) CUMULATIVE LIMITATION.—The  
16 Board shall set a limit, as a percentage of total  
17 assistance provided under this section out-  
18 standing at any one time, on the amount of as-  
19 sistance a single State (including local govern-  
20 ments and other non-profit infrastructure pro-  
21 viders within such State) may receive in assist-  
22 ance provided under this section.

23 (5) LOAN SPECIFICATIONS.—Loans made under  
24 this section shall have such maturity and carry such  
25 interest rate as the Board determines appropriate.

1           (6) BOND GUARANTEE.—The Board shall  
2 charge such fees for Bond guarantees made under  
3 this section as the Board determines appropriate.

4           (7) EQUITY INVESTMENTS.—With respect to a  
5 QIP, the amount of an equity investment made by  
6 the AIF in such QIP may not exceed 20 percent of  
7 the total cost of the QIP.

8           (8) PUBLIC-PRIVATE PARTNERSHIP REQUIRE-  
9 MENTS.—At least 25 percent of the assistance pro-  
10 vided under this section shall be provided to QIPs  
11 for which at least 20 percent of the financing for  
12 such QIPs comes from private debt or equity.

13           (9) PROHIBITION ON PRINCIPAL FORGIVE-  
14 NESS.—With respect to a loan made under this sec-  
15 tion, the Board may not forgive any amount of prin-  
16 cipal on such loan.

17           (d) AMERICAN INFRASTRUCTURE BONDS.—

18           (1) IN GENERAL.—The Secretary shall, not  
19 later than the end of the 90-day period following the  
20 date of the enactment of this section and acting  
21 through the AIF, issue bonds, to be called “Amer-  
22 ican Infrastructure Bonds”, the proceeds from which  
23 shall be deposited into the AIF.

24           (2) FORMS AND DENOMINATIONS; INTEREST.—  
25 American Infrastructure Bonds shall—

1 (A) be in such forms and denominations as  
2 determined by the Secretary, and shall have a  
3 50-year maturity; and

4 (B) bear interest of 1 percent.

5 (3) NO FULL FAITH AND CREDIT.—Interest  
6 and principal payments paid to holders of American  
7 Infrastructure Bonds shall be paid from the AIF, to  
8 the extent funds are available, and shall not be  
9 backed by the full faith and credit of the United  
10 States.

11 (4) AMOUNT OF BONDS.—The aggregate face  
12 amount of the bonds issued under this subsection  
13 shall be \$50,000,000,000.

14 (5) SALE OF AMERICAN INFRASTRUCTURE  
15 BONDS.—

16 (A) COMPETITIVE BIDDING PROCESS.—  
17 The Secretary shall sell the \$50,000,000,000 of  
18 American Infrastructure Bonds—

19 (i) through a competitive bidding  
20 process that encourages aggressive bidding;

21 (ii) in a manner so as to ensure that  
22 there are at least 7 different un-affiliated  
23 purchasers; and

24 (iii) with prospective purchasers bid-  
25 ding on how low of a multiplier they will

1 accept (for purposes of subsection (b)(1) of  
2 section 966 of the Internal Revenue Code  
3 of 1986) when purchasing the American  
4 Infrastructure Bonds, for purposes of ap-  
5 plying the foreign earnings exclusion de-  
6 scribed under that section.

7 (B) LIMITATION.—The multiplier de-  
8 scribed under subparagraph (A)(iii) may not be  
9 greater than 6.

10 (6) REIMBURSEMENT OF COSTS.—The Board  
11 shall repay the Secretary, from funds in the AIF, for  
12 the costs to the Secretary in carrying out this sub-  
13 section.

14 (e) ADDITIONAL BONDS.—

15 (1) IN GENERAL.—The Board may issue such  
16 other bonds as the Board determines appropriate,  
17 the proceeds from which shall be deposited into the  
18 AIF.

19 (2) NO FULL FAITH AND CREDIT.—Interest  
20 and principal payments paid to holders of bonds  
21 issued pursuant to paragraph (1) shall be paid from  
22 the AIF, to the extent funds are available, and shall  
23 not be backed by the full faith and credit of the  
24 United States.

25 (f) DEFINITIONS.—For purposes of this section:

1           (1) BOND GUARANTEE.—The term “bond guar-  
2           antee” has the meaning given the term “loan guar-  
3           antee” under section 502 of the Federal Credit Re-  
4           form Act of 1990 (2 U.S.C. 661a).

5           (2) COST.—With respect to a loan or a bond  
6           guarantee, the term “cost” has the meaning given  
7           such term under section 502 of the Federal Credit  
8           Reform Act of 1990 (2 U.S.C. 661a).

9           (3) NON-PROFIT INFRASTRUCTURE PRO-  
10          VIDER.—The term “non-profit infrastructure pro-  
11          vider” means a non-profit entity that seeks to fi-  
12          nance a QIP.

13          (4) LOAN.—The term “loan” has the meaning  
14          given the term “direct loan” under section 502 of  
15          the Federal Credit Reform Act of 1990 (2 U.S.C.  
16          661a).

17          (5) SECRETARY.—The term “Secretary” means  
18          the Secretary of the Treasury.

19          (6) STATE.—The term “State” means each of  
20          the several States, the District of Columbia, any ter-  
21          ritory or possession of the United States, and each  
22          federally recognized Indian tribe.

1 **SEC. 3. FOREIGN EARNINGS EXCLUSION FOR PURCHASE OF**  
 2 **INFRASTRUCTURE BONDS.**

3 (a) **IN GENERAL.**—Subpart F of part III of sub-  
 4 chapter N of chapter 1 of the Internal Revenue Code of  
 5 1986 is amended by adding at the end the following new  
 6 section:

7 **“SEC. 966. FOREIGN EARNINGS EXCLUSION FOR PURCHASE**  
 8 **OF INFRASTRUCTURE BONDS.**

9 “(a) **EXCLUSION.**—In the case of a corporation which  
 10 is a United States shareholder and for which the election  
 11 under this section is in effect for the taxable year, gross  
 12 income does not include an amount equal to the qualified  
 13 cash dividend amount.

14 “(b) **QUALIFIED CASH DIVIDEND AMOUNT.**—For  
 15 purposes of this section, the term ‘qualified cash dividend  
 16 amount’ means an amount of the cash dividends which  
 17 are received during a taxable year by such shareholder  
 18 from controlled foreign corporations equal to—

19 “(1) the multiplier determined under section  
 20 2(d)(5) of the Partnership to Build America Act of  
 21 2013 for such shareholder, multiplied by

22 “(2) the face amount of qualified infrastructure  
 23 bonds acquired at its original issue (directly or  
 24 through an underwriter) by such shareholder.

25 “(c) **LIMITATIONS.**—

1           “(1) IN GENERAL.—The amount of dividends  
2 taken into account under subsection (a) for a tax-  
3 able year shall not exceed the lesser of—

4                   “(A) the cash dividends received by the  
5 taxpayer for such taxable year, or

6                   “(B) the amount shown on the applicable  
7 financial statement as earnings permanently re-  
8 invested outside the United States.

9           “(2) DIVIDENDS MUST BE EXTRAORDINARY.—  
10 The amount of dividends taken into account under  
11 subsection (a) shall not exceed the excess (if any)  
12 of—

13                   “(A) the cash dividends received during  
14 the taxable year by such shareholder from con-  
15 trolled foreign corporations, over

16                   “(B) the annual average for the base pe-  
17 riod years of the cash dividends received during  
18 each base period year by such shareholder from  
19 controlled foreign corporations.

20           “(3) REDUCTION OF BENEFIT IF INCREASE IN  
21 RELATED PARTY INDEBTEDNESS.—The amount of  
22 dividends which would (but for this paragraph) be  
23 taken into account under subsection (a) shall be re-  
24 duced by the excess (if any) of—

1           “(A) the amount of indebtedness of the  
2           controlled foreign corporation to any related  
3           person (as defined in section 954(d)(3)) as of  
4           the close of the taxable year for which the elec-  
5           tion under this section is in effect, over

6           “(B) the amount of indebtedness of the  
7           controlled foreign corporation to any related  
8           person (as so defined) as of the close of the pre-  
9           ceding taxable year.

10          All controlled foreign corporations with respect to  
11          which the taxpayer is a United States shareholder  
12          shall be treated as 1 controlled foreign corporation  
13          for purposes of this subsection. The Secretary may  
14          prescribe such regulations as may be necessary or  
15          appropriate to prevent the avoidance of the purposes  
16          of this subsection, including regulations which pro-  
17          vide that cash dividends shall not be taken into ac-  
18          count under subsection (a) to the extent such divi-  
19          dends are attributable to the direct or indirect trans-  
20          fer (including through the use of intervening entities  
21          or capital contributions) of cash or other property  
22          from a related person (as so defined) to a controlled  
23          foreign corporation.

24          “(d) DEFINITIONS AND SPECIAL RULES.—For pur-  
25          poses of this section—

1           “(1) QUALIFIED INFRASTRUCTURE BONDS.—

2           The term ‘qualified infrastructure bond’ means a  
3           bond issued under section 2(d) of the Partnership to  
4           Build America Act of 2013.

5           “(2) APPLICABLE FINANCIAL STATEMENT.—

6           The term ‘applicable financial statement’ means,  
7           with respect to a taxable year—

8                   “(A) with respect to a United States  
9                   shareholder which is required to file a financial  
10                  statement with the Securities and Exchange  
11                  Commission (or which is included in such a  
12                  statement so filed by another person), the most  
13                  recent audited annual financial statement (in-  
14                  cluding the notes which form an integral part  
15                  of such statement) of such shareholder (or  
16                  which includes such shareholder)—

17                           “(i) which was so filed for such tax-  
18                           able year, and

19                           “(ii) which is certified as being pre-  
20                           pared in accordance with generally accept-  
21                           ed accounting principles, and

22                           “(B) with respect to any other United  
23                           States shareholder, the most recent audited fi-  
24                           nancial statement (including the notes which  
25                           form an integral part of such statement) of

1 such shareholder (or which includes such share-  
2 holder)—

3 “(i) which is certified as being pre-  
4 pared in accordance with generally accept-  
5 ed accounting principles, and

6 “(ii) which is used for the purposes of  
7 a statement or report—

8 “(I) to creditors,

9 “(II) to shareholders, or

10 “(III) for any other substantial  
11 nontax purpose.

12 “(3) BASE PERIOD YEARS.—

13 “(A) IN GENERAL.—The base period years  
14 are the 3 taxable years—

15 “(i) which are among the 5 most re-  
16 cent preceding taxable years ending before  
17 the taxable year, and

18 “(ii) which are determined by dis-  
19 regarding—

20 “(I) 1 taxable year for which the  
21 amount described in subsection  
22 (c)(2)(B) is the largest, and

23 “(II) 1 taxable year for which  
24 such amount is the smallest.

1           “(B) SHORTER PERIOD.—If the taxpayer  
2           has fewer than 5 taxable years ending before  
3           the taxable year, then in lieu of applying sub-  
4           paragraph (A), the base period years shall in-  
5           clude all the taxable years of the taxpayer end-  
6           ing before such taxable year.

7           “(C) MERGERS, ACQUISITIONS, ETC.—

8           “(i) IN GENERAL.—Rules similar to  
9           the rules of subparagraphs (A) and (B) of  
10          section 41(f)(3) shall apply for purposes of  
11          this paragraph.

12          “(ii) SPIN-OFFS, ETC.—If there is a  
13          distribution to which section 355 (or so  
14          much of section 356 as relates to section  
15          355) applies during the 5-year period re-  
16          ferred to in subparagraph (A)(i) and the  
17          controlled corporation (within the meaning  
18          of section 355) is a United States share-  
19          holder—

20                  “(I) the controlled corporation  
21                  shall be treated as being in existence  
22                  during the period that the distributing  
23                  corporation (within the meaning of  
24                  section 355) is in existence, and

1           “(II) for purposes of applying  
2           subsection (c)(2) to the controlled cor-  
3           poration and the distributing corpora-  
4           tion, amounts described in subsection  
5           (c)(2)(B) which are received or includ-  
6           ible by the distributing corporation or  
7           controlled corporation (as the case  
8           may be) before the distribution re-  
9           ferred to in subclause (I) from a con-  
10          trolled foreign corporation shall be al-  
11          located between such corporations in  
12          proportion to their respective interests  
13          as United States shareholders of such  
14          controlled foreign corporation imme-  
15          diately after such distribution.

16          Subclause (II) shall not apply if neither  
17          the controlled corporation nor the distrib-  
18          uting corporation is a United States share-  
19          holder of such controlled foreign corpora-  
20          tion immediately after such distribution.

21          “(4) DIVIDEND.—The term ‘dividend’ shall not  
22          include amounts includible in gross income as a divi-  
23          dend under section 78, 367, or 1248. In the case of  
24          a liquidation under section 332 to which section  
25          367(b) applies, the preceding sentence shall not

1 apply to the extent the United States shareholder  
2 actually receives cash as part of the liquidation.

3 “(5) COORDINATION WITH DIVIDEND RECEIVED  
4 DEDUCTION.—No deduction shall be allowed under  
5 section 243 or 245 for any dividend which is ex-  
6 cluded from income by subsection (a).

7 “(6) CONTROLLED GROUPS.—All United States  
8 shareholders which are members of an affiliated  
9 group filing a consolidated return under section  
10 1501 shall be treated as one United States share-  
11 holder.

12 “(7) REPORTING.—The Secretary shall require  
13 by regulation or other guidance the reporting of  
14 such information as the Secretary may require to  
15 carry out this section.

16 “(e) DENIAL OF FOREIGN TAX CREDIT; DENIAL OF  
17 CERTAIN EXPENSES.—

18 “(1) FOREIGN TAX CREDIT.—

19 “(A) IN GENERAL.—No credit shall be al-  
20 lowed under section 901 for any taxes paid or  
21 accrued (or treated as paid or accrued) with re-  
22 spect to the excluded portion of any dividend.

23 “(B) DENIAL OF DEDUCTION OF RELATED  
24 TAX.—No deduction shall be allowed under this

1 chapter for any tax for which credit is not al-  
2 lowable by reason of the preceding sentence.

3 “(2) EXPENSES.—No deduction shall be al-  
4 lowed for expenses directly allocable to the exclud-  
5 able portion described in paragraph (1).

6 “(3) EXCLUDABLE PORTION.—For purposes of  
7 paragraph (1), unless the taxpayer otherwise speci-  
8 fies, the excludable portion of any dividend or other  
9 amount is the amount which bears the same ratio to  
10 the amount of such dividend or other amount as the  
11 amount excluded from income under subsection (a)  
12 for the taxable year bears to the amount described  
13 in subsection (c)(2)(A) for such year.

14 “(4) COORDINATION WITH SECTION 78.—Sec-  
15 tion 78 shall not apply to any tax which is not allow-  
16 able as a credit under section 901 by reason of this  
17 subsection.

18 “(f) ELECTION TO HAVE SECTION APPLY.—A tax-  
19 payer may elect to have this section apply for any taxable  
20 year.”.

21 (b) CLERICAL AMENDMENT.—The table of sections  
22 for subpart F of part III of subchapter N of chapter 1  
23 of such Code is amended by adding at the end the fol-  
24 lowing new item:

“Sec. 966. Foreign earnings exclusion for purchase of infrastructure bonds.”.

1       (c) **EFFECTIVE DATE.**—The amendments made by  
2 this section shall apply to dividends received for taxable  
3 years ending after the date of the enactment of this Act.

○

113TH CONGRESS  
1ST SESSION

# H. R. 974

To amend titles 23 and 49, United States Code, to establish national policies and programs to strengthen freight-related infrastructure, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2013

Mr. SIRES (for himself, Mr. SMITH of Washington, Mr. BLUMENAUER, Ms. HAIN, Ms. BROWN of Florida, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend titles 23 and 49, United States Code, to establish national policies and programs to strengthen freight-related infrastructure, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Multimodal Opportunities Via Enhanced Freight Act of  
6 2013” or the “MOVE Freight Act of 2013”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for  
8 this Act is as follows:

Sec. 1. Short title; table of contents.  
 Sec. 2. Findings.

TITLE I—NATIONAL AND STATE FREIGHT POLICY AND  
 PLANNING

Sec. 101. National freight policy.  
 Sec. 102. State freight plans.

TITLE II—NATIONAL FREIGHT INFRASTRUCTURE INVESTMENT

Sec. 201. National freight infrastructure investment grants.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The rapid and cost efficient movement of  
 4 goods throughout the United States supply chain,  
 5 and particularly through United States trade gate-  
 6 ways and corridors, is vital to securing the Nation's  
 7 economic future and maintaining the Nation's com-  
 8 petitiveness in world markets.

9 (2) More than \$16 trillion worth of freight was  
 10 moved in the United States in 2010, accounting for  
 11 \$13 trillion in domestic shipments and \$3 trillion in  
 12 international exports and imports.

13 (3) Freight is forecasted to grow, with indica-  
 14 tors showing that United States shipments will more  
 15 than double between 2010 and 2040 to roughly  
 16 \$39.5 trillion annually, with an estimated \$10.3 tril-  
 17 lion worth of goods using multiple modes of trans-  
 18 portation each year.

19 (4) By 2020, the Nation's projected surface  
 20 transportation infrastructure deficiencies are ex-

1       pected to cost the national economy cumulatively al-  
2       most \$900 billion in gross domestic product, rising  
3       to \$2.7 billion through 2040.

4           (5) It is the responsibility of the Federal Gov-  
5       ernment to support business by helping to ensure  
6       multimodal freight networks that will provide reli-  
7       able, efficient, and safe transportation, allowing  
8       cost-effective transport of goods to markets near and  
9       far.

10          (6) A national campaign of strategic investment  
11       to expand capacity and increase efficiency can cir-  
12       cumvent the projected loss in United States produc-  
13       tivity and decline in global competitiveness.

14          (7) In establishing national policies and pro-  
15       grams to strengthen freight-related infrastructure,  
16       the President, Federal officials, and other relevant  
17       stakeholders should consider the critical importance  
18       of freight to United States businesses and global  
19       economic competitiveness.

20          (8) Under the Constitution, it is the role of the  
21       Federal Government to protect and promote com-  
22       merce with foreign nations and among the States  
23       through all reasonable means, including through in-  
24       vestment in goods movement infrastructure.

1 **TITLE I—NATIONAL AND STATE**  
2 **FREIGHT POLICY AND PLAN-**  
3 **NING**

4 **SEC. 101. NATIONAL FREIGHT POLICY.**

5 (a) NATIONAL FREIGHT NETWORK DEFINED.—Sec-  
6 tion 101(a) of title 23, United States Code, is amended—

7 (1) by redesignating paragraphs (15) through  
8 (34) as paragraphs (16) through (35), respectively;  
9 and

10 (2) by inserting after paragraph (14) the fol-  
11 lowing:

12 “(15) NATIONAL FREIGHT NETWORK.—The  
13 term ‘national freight network’ means a network  
14 composed of highways, railways, navigable water-  
15 ways, seaports, airports, freight intermodal connec-  
16 tors, and aerotropolis transportation systems most  
17 critical to the multimodal movement of freight.”.

18 (b) ESTABLISHMENT AND DESIGNATION OF NA-  
19 TIONAL FREIGHT NETWORK.—Subsections (c) and (d) of  
20 section 167 of title 23, United States Code, are amended  
21 to read as follows:

22 “(c) ESTABLISHMENT OF NATIONAL FREIGHT NET-  
23 WORK.—

24 “(1) IN GENERAL.—The Secretary shall estab-  
25 lish a national freight network in accordance with

1 this section to assist States in strategically directing  
2 resources toward improved system performance for  
3 efficient movement of freight—

4 “(A) on highways (including highways on  
5 the national highway system), railways, navi-  
6 gable waterways, freight intermodal connectors,  
7 and aerotropolis transportation systems; and

8 “(B) into and out of inland ports, sea-  
9 ports, and airports.

10 “(2) NETWORK COMPONENTS.—The national  
11 freight network shall consist of multimodal transpor-  
12 tation infrastructure, including—

13 “(A) the primary freight network, as des-  
14 ignated by the Secretary under subsection (d)  
15 (referred to in this section as the ‘primary  
16 freight network’) as the network composed of  
17 highways, railways, navigable waterways, sea-  
18 ports, airports, freight intermodal connectors,  
19 and aerotropolis transportation systems most  
20 critical to the multimodal movement of freight;

21 “(B) the portions of the Interstate System  
22 not designated as part of the primary freight  
23 network; and

24 “(C) critical rural freight corridors estab-  
25 lished under subsection (e).

1       “(d) DESIGNATION OF PRIMARY FREIGHT NET-  
2 WORK.—

3               “(1) INITIAL DESIGNATION OF PRIMARY  
4 FREIGHT NETWORK.—

5               “(A) DESIGNATION.—Not later than 1  
6 year after the date of enactment of this section,  
7 the Secretary shall designate a multimodal pri-  
8 mary freight network—

9                       “(i) based on an inventory of national  
10 freight volume conducted by the Secretary,  
11 in consultation with stakeholders, including  
12 system users, transport providers, and  
13 States;

14                       “(ii) that shall be comprised of—

15                               “(I) not more than 27,000 miles  
16 of existing major freight corridors  
17 that are most critical;

18                               “(II) critical rail corridors;

19                               “(III) critical intermodal connec-  
20 tions; and

21                               “(IV) critical inland port, sea-  
22 port, and airport infrastructure, at  
23 the discretion of the Secretary.

1           “(B) FACTORS FOR DESIGNATION.—In  
2           designating the primary freight network, the  
3           Secretary shall consider—

4                   “(i) the generation of national eco-  
5                   nomic benefits, including job creation, ex-  
6                   panded business opportunities, and bene-  
7                   fits to the gross domestic product;

8                   “(ii) the origins and destinations of  
9                   freight movement in the United States;

10                   “(iii) the total freight tonnage and  
11                   value of freight moved;

12                   “(iv) the percentage of annual average  
13                   daily traffic;

14                   “(v) land and maritime ports of entry;

15                   “(vi) access to energy exploration, de-  
16                   velopment, installation, or production  
17                   areas;

18                   “(vii) population centers; and

19                   “(viii) network connectivity.

20           “(2) ADDITIONAL MILES ON MULTIMODAL PRI-  
21           MARY FREIGHT NETWORK.—In addition to the miles  
22           of existing major freight corridors initially des-  
23           ignated under paragraph (1), the Secretary may in-  
24           crease the number of miles designated as part of the  
25           primary freight network by not more than 3,000 ad-

1       ditional miles of freight corridors (which may include  
2       existing or planned corridors) critical to future effi-  
3       cient movement of goods on the primary freight net-  
4       work.

5           “(3) REDESIGNATION OF PRIMARY FREIGHT  
6       NETWORK.—Effective beginning 10 years after the  
7       designation of the primary freight network and every  
8       10 years thereafter, using the designation factors de-  
9       scribed in paragraph (1), the Secretary shall redesi-  
10      gnate the primary freight network (including addi-  
11      tional mileage described in paragraph (2)).”.

12 **SEC. 102. STATE FREIGHT PLANS.**

13       Section 1118(a) of MAP-21 (23 U.S.C. 167 note;  
14 126 Stat. 473) is amended—

15           (1) by striking “encourage” and inserting “re-  
16       quire”; and

17           (2) by adding at the end the following: “Each  
18       State shall coordinate with neighboring states to en-  
19       sure multistate network continuity and connectivi-  
20       ty.”.

1     **TITLE II—NATIONAL FREIGHT**  
2     **INFRASTRUCTURE INVESTMENT**

3     **SEC. 201. NATIONAL FREIGHT INFRASTRUCTURE INVEST-**  
4             **MENT GRANTS.**

5             (a) **ESTABLISHMENT OF PROGRAM.**—Chapter 55 of  
6 title 49, United States Code, is amended by adding at the  
7 end the following:

8             “**SUBCHAPTER III—FINANCIAL ASSISTANCE**  
9             “**§ 5581. National freight infrastructure investment**  
10             **grants**

11             “(a) **ESTABLISHMENT OF PROGRAM.**—The Secretary  
12 of Transportation shall establish a competitive grant pro-  
13 gram to provide financial assistance for capital invest-  
14 ments that improve the efficiency of the national transpor-  
15 tation system to move freight.

16             “(b) **ELIGIBLE PROJECTS.**—An applicant is eligible  
17 for a grant under this section for—

18                 “(1) a port development or improvement  
19             project;

20                 “(2) a multimodal terminal facility project;

21                 “(3) a land port of entry project;

22                 “(4) a freight rail improvement or capacity ex-  
23             pansion project;

1           “(5) an intelligent transportation system  
2 project primarily for freight benefit that reduces  
3 congestion or improves safety;

4           “(6) a project that improves access to a port or  
5 terminal facility;

6           “(7) an aerotropolis system, which for purposes  
7 of this section is a planned and coordinated  
8 multimodal freight and passenger transportation  
9 network that, as determined by the Secretary, pro-  
10 vides efficient, cost-effective, sustainable, and inter-  
11 modal connectivity to a defined region of economic  
12 significance centered around a major airport; or

13           “(8) planning, preparation, or design of any  
14 project described in this subsection.

15           “(e) PROJECT SELECTION CRITERIA.—In deter-  
16 mining whether to award a grant to an eligible applicant  
17 under this section, the Secretary shall consider the extent  
18 to which the project—

19           “(1) supports the objectives of the national  
20 freight strategic plan developed under section 167(f)  
21 of title 23;

22           “(2) leverages Federal investment by encour-  
23 aging non-Federal contributions to the project, in-  
24 cluding contributions from public-private partner-  
25 ships;

1           “(3) improves the mobility of goods and com-  
2           modities;

3           “(4) incorporates new and innovative tech-  
4           nologies, including freight-related intelligent trans-  
5           portation systems;

6           “(5) improves energy efficiency or reduces  
7           greenhouse gas emissions;

8           “(6) helps maintain or protect the environment,  
9           including reducing air and water pollution;

10          “(7) reduces congestion;

11          “(8) improves the condition of the freight infra-  
12          structure, including bringing it into a state of good  
13          repair;

14          “(9) improves safety, including reducing trans-  
15          portation accidents, injuries, and fatalities;

16          “(10) demonstrates that the proposed project  
17          cannot be readily and efficiently realized without  
18          Federal support and participation; and

19          “(11) enhances national or regional economic  
20          development, growth, and competitiveness.

21          “(d) LETTERS OF INTENT.—

22                 “(1) ISSUANCE.—The Secretary may issue a  
23                 letter of intent to an applicant announcing an inten-  
24                 tion to obligate, for a major capital project under  
25                 this subsection, an amount from future available

1 budget authority specified in law that is not more  
2 than the amount stipulated as the financial partici-  
3 pation of the Secretary in the project.

4 “(2) NOTICE TO CONGRESS.—At least 30 days  
5 before issuing a letter under paragraph (1), the Sec-  
6 retary shall notify in writing the Committee on Com-  
7 merce, Science, and Transportation of the Senate  
8 and the Committee on Transportation and Infra-  
9 structure of the House of Representatives of the  
10 proposed letter or agreement. The Secretary shall in-  
11 clude with the notification a copy of the proposed  
12 letter or agreement, the criteria used under sub-  
13 section (c) for selecting the project for a grant  
14 award, and a description of how the project meets  
15 such criteria.

16 “(3) LIMITATION.—An obligation or adminis-  
17 trative commitment may be made only when  
18 amounts are made available. The letter of intent  
19 shall state that the contingent commitment is not an  
20 obligation of the Federal Government, and is subject  
21 to the availability of funds under Federal law and to  
22 Federal laws in force or enacted after the date of  
23 the contingent commitment.

24 “(e) FEDERAL SHARE OF NET PROJECT COST.—

1           “(1) ESTIMATE OF NET PROJECT COST.—Based  
2           on engineering studies, studies of economic feasi-  
3           bility, and information on the expected use of equip-  
4           ment or facilities, the Secretary shall estimate the  
5           net project cost.

6           “(2) FEDERAL SHARE.—The Federal share of a  
7           grant for the project shall not exceed 80 percent of  
8           the project net capital cost.

9           “(3) PRIORITY.—The Secretary shall give pri-  
10          ority in allocating future obligations and contingent  
11          commitments to incur obligations to grant requests  
12          seeking a lower Federal share of the project net cap-  
13          ital cost.

14          “(f) COOPERATIVE AGREEMENTS.—

15                 “(1) IN GENERAL.—An applicant may enter  
16                 into an agreement with any public, private, or non-  
17                 profit entity to cooperatively implement any project  
18                 funded with a grant under this subchapter.

19                 “(2) FORMS OF PARTICIPATION.—Participation  
20                 by an entity under paragraph (1) may consist of—

21                         “(A) ownership or operation of any land,  
22                         facility, vehicle, or other physical asset associ-  
23                         ated with the project;

1           “(B) cost sharing of any project expense or  
2 non-Federal share of the project cost, including  
3 in-kind contributions;

4           “(C) carrying out administration, construc-  
5 tion management, project management, project  
6 operation, or any other management or oper-  
7 ational duty associated with the project; and

8           “(D) any other form of participation ap-  
9 proved by the Secretary.

10       “(g) OVERSIGHT PROGRAM.—

11       “(1) ESTABLISHMENT.—

12           “(A) IN GENERAL.—The Secretary shall  
13 establish an oversight program to monitor the  
14 effective and efficient use of funds authorized to  
15 carry out this section.

16           “(B) MINIMUM REQUIREMENT.—At a min-  
17 imum, the program shall be responsive to all  
18 areas relating to financial integrity and project  
19 delivery.

20       “(2) FINANCIAL INTEGRITY.—

21           “(A) FINANCIAL MANAGEMENT SYS-  
22 TEMS.—The Secretary shall perform annual re-  
23 views that address elements of the applicant’s  
24 financial management systems that affect  
25 projects approved under subsection (a).

1           “(B) PROJECT COSTS.—The Secretary  
2 shall develop minimum standards for estimating  
3 project costs and shall periodically evaluate the  
4 practices of applicants for estimating project  
5 costs, awarding contracts, and reducing project  
6 costs.

7           “(3) PROJECT DELIVERY.—The Secretary shall  
8 perform annual reviews that address elements of the  
9 project delivery system of an applicant, which ele-  
10 ments include one or more activities that are in-  
11 volved in the life cycle of a project from conception  
12 to completion of the project.

13           “(4) RESPONSIBILITY OF THE APPLICANTS.—

14           “(A) IN GENERAL.—Each applicant shall  
15 submit to the Secretary for approval such  
16 plans, specifications, and estimates for each  
17 proposed project as the Secretary may require.

18           “(B) APPLICANT SUBRECIPIENTS.—The  
19 applicant shall be responsible for determining  
20 that a subrecipient of Federal funds under this  
21 section has—

22           “(i) adequate project delivery systems  
23 for projects approved under this section;  
24 and

1                   “(ii) sufficient accounting controls to  
2                   properly manage such Federal funds.

3                   “(C) PERIODIC REVIEW.—The Secretary  
4                   shall periodically review the monitoring of sub-  
5                   recipients by the applicant.

6                   “(5) SPECIFIC OVERSIGHT RESPONSIBIL-  
7                   ITIES.—Nothing in this section shall affect or dis-  
8                   charge any oversight responsibility of the Secretary  
9                   specifically provided for under this title or other  
10                  Federal law.

11                  “(h) MAJOR PROJECTS.—

12                  “(1) IN GENERAL.—A recipient of a grant for  
13                  a project under this section with an estimated total  
14                  cost of \$500,000,000 or more, and a recipient for  
15                  such other projects as may be identified by the Sec-  
16                  retary, shall submit to the Secretary for each  
17                  project—

18                         “(A) a project management plan; and

19                         “(B) an annual financial plan.

20                  “(2) PROJECT MANAGEMENT PLAN.—A project  
21                  management plan shall document—

22                         “(A) the procedures and processes that are  
23                         in effect to provide timely information to the  
24                         project decisionmakers to effectively manage the

1 scope, costs, schedules, quality of, and the Fed-  
2 eral requirements applicable to, the project; and

3 “(B) the role of the agency leadership and  
4 management team in the delivery of the project.

5 “(3) FINANCIAL PLAN.—A financial plan  
6 shall—

7 “(A) be based on detailed estimates of the  
8 cost to complete the project; and

9 “(B) provide for the annual submission of  
10 updates to the Secretary that are based on rea-  
11 sonable assumptions, as determined by the Sec-  
12 retary, of future increases in the cost to com-  
13 plete the project.

14 “(i) OTHER PROJECTS.—A recipient of Federal fi-  
15 nancial assistance for a project under this section with an  
16 estimated total cost of \$100,000,000 or more that is not  
17 covered by subsection (h) shall prepare an annual financial  
18 plan. Annual financial plans prepared under this sub-  
19 section shall be made available to the Secretary for review  
20 upon the request of the Secretary.

21 “(j) OTHER TERMS AND CONDITIONS.—The Sec-  
22 retary shall determine what additional grant terms and  
23 conditions are necessary and appropriate to meet the re-  
24 quirements of this section.

1       “(k) REGULATIONS.—Not later than 1 year after the  
2 date of enactment of this section, the Secretary shall pre-  
3 scribe regulations to implement this section.

4       “(l) APPLICANT DEFINED.—In this section, the term  
5 ‘applicant’ includes a State, a political subdivision of a  
6 State, government-sponsored authorities and corporations,  
7 and the District of Columbia.

8       “(m) SECRETARIAL OVERSIGHT.—

9           “(1) CONSTRUCTION OVERSIGHT.—The Sec-  
10 retary may use no more than 1 percent of amounts  
11 made available in a fiscal year for capital projects  
12 under this section to enter into contracts to oversee  
13 the construction of such projects.

14           “(2) COMPLIANCE REVIEWS AND AUDITS.—The  
15 Secretary may use amounts available under para-  
16 graph (1) to make contracts for safety, procurement,  
17 management, and financial compliance reviews and  
18 audits of a recipient of amounts under paragraph  
19 (1).

20           “(3) FEDERAL COSTS.—The Federal Govern-  
21 ment shall pay the entire cost of carrying out a con-  
22 tract under this subsection.”.

23       “(b) CONFORMING AMENDMENT.—The analysis for  
24 chapter 55 of title 49, United States Code, is amended  
25 by adding at the end the following:

“SUBCHAPTER III—FINANCIAL ASSISTANCE

“5581. National freight infrastructure investment grants.”.

○



- 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: 13

**Date:** July 10, 2013

**Subject:** State and Federal Legislative Platform Update

**Recommendation:** Adopt the proposed schedule and process for an update to the State and Federal Legislative Platforms

**Background:** SANBAG's 2013-2014 State and Federal Legislative Platforms were adopted on November 7, 2012 in preparation for the 2013-2014 State Legislative Session and the 113<sup>th</sup> Congress. In recognition of the two-year legislative cycle, the platforms were adopted with the intent to guide staff's analyses and recommendations on legislative and regulatory items under consideration through November 2014.

The platforms have served as the foundation for understanding the perspective of the SANBAG Board of Directors on various key issues that are anticipated to be considered during the course of the legislative session. A number of issues have arisen in the current session that may require some updates to the platforms so that they can continue to guide staff recommendations on policy items. To conduct this update, staff proposes the following process for consideration.

Staff would work internally to prepare revised, draft State and Federal Legislative Platforms to be presented to the General Policy Committee (Committee) for feedback. After making changes requested by the Committee, staff will distribute the draft documents to additional stakeholders for input. As part of this update, SANBAG plans to outreach to Local, State and Federal Elected Officials; the City/County Technical Advisory Committee (TAC); and the Public and

*Approved*  
 Board of Directors

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.  
 BRD1307b-wvs

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307b1-wvs.doc>  
<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307b2-wvs.doc>

Specialized Transportation Advisory and Coordination Council (PASTACC). This process will allow for feedback on existing platform items and for consideration of any new proposed additions to the platforms.

Following this outreach, Proposed Final Platforms will be presented to the General Policy Committee and Board of Directors for consideration.

In order to ensure that the platforms are revised and updated in time for the second half of the legislative sessions, staff is proposing the update occur with the following schedule in mind.

- |                             |  |
|-----------------------------|--|
| June 12                     | General Policy considers adoption of update schedule and process.  |
| July 10                     | Board of Directors considers adoption of update schedule and process.  |
| August 14                   | Present Draft Revised Platforms to the General Policy Committee for review and comment. Request General Policy Committee approval for distribution for stakeholder feedback. |
| August 14 –<br>September 13 | Distribute Draft Platforms to stakeholders for feedback.   |
| October 9                   | Present Proposed Final Platforms to the General Policy Committee.  |
| November 6                  | Present Proposed Final Platforms to the Board of Directors.  |

The 2013-2014 State Legislative Platform is included as Attachment 1 and the 2013-2014 Federal Legislative Platform is included as Attachment 2.

**Financial Impact:** This item has no fiscal impact on the FY2013/2014 SANBAG Budget.

**Reviewed By:** This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013.

**Responsible Staff:** Wendy Strack, Director of Legislative Affairs

## SANBAG 2013-2014 State Legislative Platform

### Funding

SANBAG will advocate for stable State funding, indexed for population growth, for transportation projects in San Bernardino County; and request that the State honor all of its previous commitments without imposing unfunded mandates:

- Support priority state funding for projects supported by voter-approved transportation local sales tax measures.
- Oppose the diversion of transportation revenues for non-transportation purposes.
- Support budget and California Transportation Commission (CTC) allocations to fully fund projects for San Bernardino County included in the State Transportation Improvement Program (STIP), State Highway Operation and Protection Program (SHOPP), bond programs, and the Measure I Expenditure Plan.
- Support continued regional decision making governing the use of all current funding sources.
- Oppose legislative or regulatory actions that rely on regional transportation agencies to sponsor ballot measures to raise revenue for transportation or planning purposes.
- Oppose legislative or regulatory actions that require the payment of interest on State General Obligation (GO) bonds out of the State Highway Account.
- Participate in studies of market-based pricing measures to relieve traffic congestion, improve air quality and/or fund transportation alternatives.
- Support legislation to provide funding for innovative, intelligent/advanced transportation, goods movement, demand management and air quality programs which relieve congestion, improve air quality and enhance economic development.
- Support efforts for Council of Government development and funding.

### Goods Movement

- Support legislation that reduces freight-related impacts to San Bernardino County, including disparate impacts to disadvantaged communities (e.g. grade separations and clean fuel or Tier IV locomotives).
- Monitor any state container fee legislation to ensure:
  - San Bernardino County goods movement projects are funded; and
  - San Pedro Bay Ports are not placed at a competitive disadvantage that would harm the overall Southern California economy.
- Oppose legislation that allows triple trailers in urbanized areas of San Bernardino County because of safety concerns with the exception of border cities and/or bump stations, or dedicated truck lanes (e.g. Barstow/Needles).
- Support legislation to reduce road damage from heavy trucks by reduced axle loading rather than an exclusive focus on gross vehicle weight.

### Local Control on Ontario International Airport

The Inland Empire has taken a large economic hit over the past three years as air service and passenger traffic at the Ontario International Airport has plummeted to levels not seen since the 1980s. Under absentee ownership, the severe decline in activity has cost our region \$400 million annually and 8,000 jobs. The City of Ontario proposes to return the airport to local control to work towards improved operations and protect the local economy.

- Support local control of the Ontario International Airport in recognition of its goods movement and passenger impacts on San Bernardino County and the Inland Empire.

## **Self-Help Counties**

**SANBAG will actively participate with the 18 other “self-help” counties in California:**

- Support continuance of the statutory 1.5 percent of revenue cap on administrative fees levied by the Board of Equalization (BOE) for the collection and administration of county transportation sales tax measures.
- Support legislation that will incentivize counties without a voter approved tax measure for transportation to become “self-help” counties.
- Oppose any redistribution of funds away from Self-Help Counties.
- Seek state preference of projects that ensure state funding equity for self-help counties, thus ending the indirect subsidization of the thirty-nine non self-help counties.

## **Project Delivery, Finance, Innovation & Maintenance**

**SANBAG will advocate that innovative financing opportunities remain available for county transportation commissions to leverage local dollars, accelerate construction and job creation, and provide mobility options for the traveling public:**

- Support state policies that assure timely allocation of transportation revenue, including allocations of new funds available to the STIP and SHOPP major rehabilitation projects as soon as they are available.
- Support the consideration of public-private partnerships (P3s) in the development of transportation improvements.

**SANBAG will work to ensure that existing innovative project delivery tools are available and effective:**

- Support measures that expand the use of design-build and P3s.
- Support continued delegation to Caltrans of National Environmental Policy Act (NEPA) oversight.

**SANBAG will advocate for reforms to ensure projects are delivered faster with more coordination:**

- Support legislation and/or administrative reforms to enhance Caltrans project delivery, including contracting out of appropriate activities to the private sector.

**In addition, SANBAG will:**

- Support current program funding for Freeway Service Patrol (FSP), ride-sharing and call boxes, consistent with the level of growth and utilization.
- Support equitable funding and resources for San Bernardino County freeway landscaping and maintenance.

## **Energy & Alternative Fuels**

**SANBAG will support incentives to transition to alternative fuels and electric vehicles (EVs) that will clean our air and reduce our dependency on foreign oil:**

- Support tax benefits and incentives that encourage use of clean alternative fuel vehicles.
- Support cost effective conversion and replacement of public transit fleets to alternative fuels

and EVs.

- Support programs to provide refueling/recharging infrastructure for alternative fuel or electric vehicles.
- Support Property Assessed Clean Energy (PACE) financing.
- Support utility planning and upgrades to electrical infrastructure in support of fleet conversion and possible rail electrification programs.
- Monitor regional proposals aimed at Cap and Trade and its focus on infrastructure impacts.

### **Transit & Commuter Rail**

**SANBAG will advocate that transit be funded as a vital service that improves mobility and helps meet federal and state mandates:**

- Support equitable distribution of the funding for bus and rail services in California.

**SANBAG will advocate for a safe, funded, and growing rail system in Southern California:**

- Support state funding for Positive Train Control (PTC).
- Increase state funding recognizing Metrolink's high ridership from inland counties.
- Support legislation and programs that facilitate (or remove obstacles to) transit oriented development near rail and bus rapid transit stations.

**SANBAG will advocate for high speed, and higher speed rail investment in San Bernardino County and connectivity with local and regional transit:**

- Support increased funding for higher speed commuter rail and improved transit connectivity as feeder services for High Speed Rail (HSR).
- Assure a SANBAG role in the planning for HSR and advocate for the full evaluation of a I-215/HSR route that serves San Bernardino County.
- Advocate priority for the L.A.-San Diego via the Inland Empire HSR route.
- Advocate to secure regional funding for the completion of all connectivity projects complementary to the development of HSR.

### **Air Quality**

- Continue to support the independence of the Mobile Source Air Pollution Reduction Review Committee (MSRC), and the protection of AB 2766 funding.
- Oppose legislative action that would reduce SANBAG's discretion in allocating Congestion Mitigation and Air Quality (CMAQ) funds.
- Support partnership with the South Coast Air Quality Management District (SCAQMD), and the Mojave Desert Air Quality Management District (MDAQMD), and advocate to protect the health of residents in San Bernardino County.

### **Coalitions**

Gain support for SANBAG's program through participation in the Southern California Consensus Group, Mobility 21, California Councils of Governments (CALCOG) in addition to the Self-Help Counties Coalition, the Southern California Regional Rail Authority, Southern California National Freight Gateway Collaboration, and the High Desert Corridor Joint Powers Authority.

## **SANBAG 2013-2014 Federal Legislative Platform**

### **Funding**

#### **SANBAG will seek:**

- The highest level of federal transportation dollars to California and San Bernardino County.
- Early action on extending and expanding the federal Surface Transportation bill (MAP-21).

#### **SANBAG will support funding including, but not limited to:**

- Federal investment in interstate highways, transit, and intercity, commuter, and higher speed rail.
- Goods movement projects addressing community impacts and the environment.
- Intelligent Transportation System (ITS) and new technologies that maximize the productivity of existing infrastructure.
- The safe development and operation of all transportation modes in San Bernardino County.
- Airport ground access and other airport development needs in San Bernardino County.
- Support efforts for Council of Government development and funding.

#### **SANBAG will advocate for the protection of current transportation revenues and accelerated national investment in infrastructure:**

- Support regional consensus building efforts for potential new funding strategies for transportation, including strategies modeled on California State Local Partnership Program (SLPP).
- Oppose efforts to eliminate or erode contract authority for the Highway Trust Fund and support efforts to maintain the principle that transportation-based revenue should be reserved only for transportation purposes.
- Support the Transportation Infrastructure Finance and Innovation Act (TIFIA) program which provides Federal credit assistance in the form of direct Treasury loans, loan guarantees, and lines of credit to finance highway, rail, and green energy projects of national and regional significance.
- Support Build America Bonds program to help states and localities pursue needed capital projects which build infrastructure.

### **Goods Movement**

- SANBAG will advocate for federal investment in goods movement infrastructure, and policies that properly recognize Southern California and San Bernardino County's role as the nation's premier containerized freight gateway.
- Support targeted funding for goods movement projects of national significance that are beyond the funding capacity of local and state transportation programs and budgets (e.g. dedicated exclusive clean truck lanes).
- Advocate that any federal goods movement program is funded at a level that is commensurate with national needs.
- Ensure that revenues generated by any fee that is levied on freight be specifically designated to fund projects that mitigate congestion, air quality, and community impacts directly associated with the movement of freight, and a clear causal relationship should exist between the freight system on which fees are levied and the impacts to be mitigated.

- Ensure that revenue collected on freight be administered in partnership with local and regional elected officials and entities impacted by freight movement. SANBAG should be included in any governance structure dealing with revenue collected from freight moved through San Bernardino County.
- Support development of a national/regional freight movement plan with clearly defined ports and corridors and inland improvement needs to provide for timely, reliable freight transport, timely implementation of freight-related strategies needed for attainment of federal health-based air quality standards and mitigation of freight-related impacts in communities.
- Ensure that federal goods movement legislation imposes no unfunded mandates for administration or oversight regarding new revenue mechanisms.
- Oppose legislation that allows triple trailers in urbanized areas of San Bernardino County because of safety concerns with the exception of border cities and/or bump stations, or dedicated truck lanes (e.g. Barstow/Needles).
- Support legislation to reduce road damage from heavy trucks by reduced axle loading rather than an exclusive focus on gross vehicle weight.
- Participate in national dialogue on freight policy and its focus on improving the performance of the freight network and advocate for improving Southern California's freight strategy.

### **Project Delivery & Innovation**

**SANBAG will advocate for reforms that will accelerate project procurement and promote flexibility and innovation in financing, while respecting local control:**

- Support the use of design-build project delivery.
- Support the streamlining of federal reporting/monitoring requirements.
- Support regional transportation entities implementing pricing measures on federal-aid highways.
- Support local options to privatize various aspects of transportation that would maximize available federal funding (e.g. P3s).
- Support continued delegation to Caltrans of National Environmental Policy Act (NEPA) oversight.
- Support streamlined environmental revisions that remove duplication of state and federal processes when state regulations exceed federal requirements.

### **Local Control on Ontario International Airport**

**The Inland Empire has taken a large economic hit over the past three years as air service and passenger traffic at the Ontario International Airport has plummeted to levels not seen since the 1980s. Under absentee ownership, the severe decline in activity has cost our region \$400 million annually and 8,000 jobs. The City of Ontario proposes to return the airport to local control to work towards improved operations and protect the local economy.**

- SANBAG will work with the Congressional delegation and local stakeholders to aggressively advocate for legislation, budget actions or proposals that transfer Ontario International Airport to local control.

## Energy

- Support legislation and administrative actions that enable the implementation of the Property Assessed Clean Energy (PACE) program in San Bernardino County.
- Advocate that any federal revenue generated from taxes or fees on energy products used for transportation are utilized for transportation purposes.
- Support utility planning and upgrades of electrical infrastructure to support fleet conversion and possible rail electrification programs.
- Monitor national Cap and Trade policies as they relate to infrastructure impacts.

## Transit & Commuter Rail

**SANBAG will advocate for policies that keep our rail systems safe and increase federal investment in commuter rail services:**

- Support federal funding of Positive Train Control (PTC) and rail safety programs.
- Advocate that the appropriate local or regional entity, such as SANBAG, be partners in on-going federal policy discussions to alter the liability cap for commuter rail accidents.
- Support legislation to change and/or exempt level boarding access requirements for existing commuter rail systems.
- Support policies that recognize the importance and fund commuter rail and transit connectivity to High Speed Rail (HSR).

## Air Quality

**SANBAG will vigorously protect funding sources for congestion relief and pollution reduction related to the transportation sector:**

- Support efforts to secure funds to facilitate the conversion of public sector fleets to alternative fuels to meet local, state and federal fleet conversion mandates, and provide for the replacement of aging alternative fuel fleets.
- Support tax benefits and/or incentives for private sector transportation demand management programs and alternative fuel programs.
- Ensure that federal goods movement legislation considers and underscores federal responsibilities for facilitation of international trade and interstate commerce, and regulation of interstate commerce in ways consistent with attainment of federal air quality standards and NEPA.
- Support efforts to increase the amount and proportion of Congestion Mitigation and Air Quality (CMAQ) funds received by SANBAG and the South Coast and Mojave Desert Air Basins.
- Assure that CMAQ funding continues to be allocated directly to transportation commissions, such as SANBAG.
- Participate in the development of livability and sustainability programs for the citizens of San Bernardino County.

## Coalitions

**SANBAG will continue to partner with public and private sector entities to support common objectives in Washington:**

- Foster the unity of the Southern California Consensus Group.
- Gain support for SANBAG's program through participation in the Coalition for America's Gateways and Trade Corridors (CAGTC), Mobility 21 on a national freight system, and the High Desert Corridor Joint Powers Authority.



- 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: 14

**Date:** July 10, 2013

**Subject:** Mitigation Agreement for the I-15/I-215 Devore Interchange Reconstruction Project (Devore Interchange)

- Recommendation:**\*
1. Approve Purchase and Sale agreement with the Riverside-Corona Resource Conservation District based on the standard format in the Attachment "A" for the purchase from Riverside-Corona Resource Conservation District of 8.9 Acres of Enhancement Credits from the Program and authorize payment of \$1,361,700 per said agreement for impacts to the Waters of the U.S. that result from activities authorized under section 404 of the Clean Water Act for the Devore Interchange Project upon approval of final agreement language by General Counsel. This purchase will be funded by Cajon Pass Bond Funds authorized under previously approved Cooperative Agreement C11103 with the California Department of Transportation.
  2. Authorize the Executive Director to execute the purchase and sale agreement for the required waters mitigation based on the form in Attachment "A" upon approval of final language by General Counsel.

**Background:** The Devore Interchange Project is currently under design by the selected Design-Build firm and construction is anticipated to start within the next month. The project received environmental clearance in February, 2012. Part of the conditions of environmental approval includes the requirement to obtain a section 404 permit from the United States Army Corps of Engineers (USACE). This 404 permit provides approval for limited impacts to jurisdictional waters of the United States provided such impacts are limited to a very small area. For the Devore project, there are a number of existing small drainage channels which convey

*Approved  
Board of Directors*

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

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

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

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

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

BRD1307a-ds

Attachment: <http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307a1-ds.pdf>

storm runoff from the mountains, under the freeway, and down to Cajon Wash. These channels are impacted by project construction as the widening of the freeway requires extending the underground channels below the widened freeway and reconstruction in many cases of the inlet and outlet structures.

**Recommendation 1:** To mitigate for these impacts to U.S. jurisdictional waters, San Bernardino Associated Governments (SANBAG), acting as the San Bernardino County Transportation Commission is agreeing to purchase mitigation credits at the Riverside-Corona Resource Conservation District (RCRCD) bank. The mitigation bank for San Bernardino County did not have available credits. The mitigation ratio for credits to impacted acres is 5:1, meaning SANBAG is required to purchase five times the number of acres impacted to satisfy the requirements of the permit. This is a standard requirement by the USACE. The cost of the 8.9 acres of mitigation credit is \$1,361,700. This cost has been approved and budgeted within cooperative agreement C11103 which was approved by the Board of Directors on June 1, 2011, and an amendment approved at the March 7, 2012, Board meeting which gave approval for expenditures up to \$50,353,825. Per this agreement with Department of Transportation (Caltrans), SANBAG agreed to pay for all right of way, utilities, and mitigation costs using Measure I funding and to be the implementing agency for this phase of work. As a result, this agreement is between SANBAG and the RCRCD for the benefit of the overall project.

**Recommendation 2:** The agreement in Attachment "A" is a standard purchase and sale agreement for these mitigation credits. General Counsel has reviewed the basic form of the agreement and will review the final version submitted for execution. Upon General Counsel acceptance of the final wording in the agreement, it will be provided for signature by the Executive Director. Since this project will be starting construction soon, it is important to complete the terms of the permit as soon as possible. The delegation of signature authority to the Executive Director will expedite execution of this agreement and payment of funds for purchase of these credits. Staff recommends approval of both recommendations.

**Financial Impact:** This item is consistent with the proposed SANBAG Fiscal Year 2013/2014 budget. This agreement will be funded with Cajon Pass Bond funds under Task Number No. 0880. The total amount of the subject agreement is within with the programmed cost for the Right of Way phase and the approved project phase costs of cooperative agreement C11103.

**Reviewed By:** This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013, and the Mountain Desert Policy Committee on June 21, 2013. SANBAG Contract Administrator and General Counsel have reviewed this item and the agreement.

**Responsible Staff:** Garry Cohoe, Director of Project Delivery  
BRD1307a-ds

**ATTACHMENT "A"**

**AGREEMENT FOR SALE OF CREDITS FROM  
THE RIVERSIDE-CORONA RESOURCE  
CONSERVATION DISTRICT IN-LIEU FEE  
PROGRAM**

This Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2013, by and between Riverside-Corona Resource Conservation District ("RCRCD"), and the San Bernardino Associated Governments ("Project Proponent") (collectively the "Parties"), as follows:

**RECITALS**

A. RCRCD has developed the RCRCD In-Lieu Fee Program (the "Program"); and

B. The Program was approved by the Los Angeles District of the U.S. Army Corps of Engineers ("USACE"), Region IX of the U.S. Environmental Protection Agency ("USEPA"), and the California Regional Water Quality Control Board, Region 8 ("RWQCB") (jointly referred to as the Interagency Review Team (the "IRT") on July 26, 2012 and is currently in good standing with the IRT; and

C. RCRCD has received approval from the IRT to sell Credits from the Program to offset impacts; and

D. Project Proponent is seeking to purchase Compensatory Mitigation Credits ("Credits") from the Program for impacts to the Waters of the U.S. that result from activities authorized under section 404 of the Clean Water Act (Exhibit "A"). The number of ILF Credits to be acquired by the Project Proponent for the Interstate 15 / Interstate 215 Interchange Improvements Project (the "Project"), that would take place within unnamed tributaries to Cajon Creek near the community of Devore, San Bernardino County, California ("Impact Location") is 6.6 acres for the enhancement of wetlands, as described in Special Condition No. 3 of 404 Permit No. SPL-2009-00460-VCC and an anticipated 2.3 acres for the enhancement of wetlands in a too be issued permit for the impacts to Cajon Creek for a total of 8.9 acres; and

E. USACE is requiring Project Proponent to purchase 8.9 Enhancement Credits to mitigate for impacts to Waters of the U.S. at the Impact Location by the Project, which is described in Exhibit "B"; and

F. Project Proponent desires to purchase from RCRCD and RCRCD desires to sell and convey to Project Proponent, Credits from the Program.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Subject to the terms and conditions herein, RCRC D agrees to sell to Project Proponent and Project Proponent agrees to purchase from RCRC D **8.9 Acres of Enhancement Credits from the Program (“Credits”)** for the purchase price of **\$1,361,700**. The purchase price for said Credits shall be paid by means acceptable to RCRC D. The Parties shall mutually agree to a “Closing Date” by which the Credit sale transaction will be completed, which shall be no later than the execution of this agreement. On the Closing Date, RCRC D shall transfer to Project Proponent evidence that the Credits have been allocated to the Project by Bill of Sale in the form attached as Exhibit “C”, and Project Proponent shall pay the purchase price specified above.

2. In the event Project Proponent has not delivered the Purchase Price to RCRC D on or before the Closing Date, this Agreement shall automatically terminate without need for any further action by RCRC D and RCRC D shall have no further obligations to Project Proponent under this Agreement.

3. The sale and transfer herein is not intended as a sale or transfer to Project Proponent of a security, license, lease, easement, or possessory or non-possessory interest in real property, nor the granting of any interest of the foregoing.

4. Project Proponent shall have no obligation whatsoever by reason of the purchase of the Credits, to support, pay, fix, monitor, report on, sustain, continue in perpetuity, or otherwise be obligated or liable for the success or continued expense or maintenance in perpetuity of the mitigation property associated with Credits sold, or the Program.

5. The Credits herein sold and conveyed to Project Proponent shall be non-transferable and non-assignable, and shall be used as compensatory mitigation only in connection with the Project.

6. All representations, warranties, and covenants embodied in this Agreement shall survive the transfer of the Credits hereunder.

7. RCRC D shall cooperate and assist Project Proponent by providing documentation required by the IRT, and other regulatory agencies to establish that the Credits may be used to compensate for the Project’s impacts described above. RCRC D shall provide USACE with a Statement of Sale of Credit in the form of the attached Exhibit “D” no later than 30 days after the Closing Date of a successful sale.

8. Any notice or other written communication given pursuant to this Agreement shall be delivered to the other Party by first class U.S. mail, certified or registered U.S. mail or facsimile mail with mailed copy as follows:

Project Proponent: Garry Cohoe  
San Bernardino Associated Governments  
1170 West 3rd Street, 2nd Floor  
San Bernardino, CA 92410-1715  
Telephone: 909.884.8276  
Facsimile: 909.885.4407

RCRCD: Shelli Lamb, District Manager  
4500 Glenwood Dr, Bldg A  
Riverside, CA 92501-3042  
Telephone: (951) 683-7691  
Facsimile: (951) 683-3814

Copy To: Steve Anderson, General Counsel, RCRCD  
Best Best & Krieger LLP  
3390 University Avenue, 5th Floor  
Riverside, CA 92501  
Telephone: (951) 686-1450  
Facsimile: (951) 686-3083

9. It is agreed that all understandings and agreements heretofore had between the Parties respecting the transactions contemplated by this Agreement are merged in this Agreement, which fully and completely expresses the agreement of the Parties. There are no representations, warranties, or agreements except as specified and expressly set forth herein, in the exhibits annexed hereto, or to be set forth in the instruments or other documents delivered or to be delivered hereunder.

10. Any corporation signing this Agreement, and each agent, officer, director, or employee signing on behalf of such corporation, but in his or her individual capacity, represents and warrants that said Agreement is duly authorized by and binding upon said corporation, duly adopted by said Board of Directors and transcribed in full in the minutes of said corporation. Any individual signing this Agreement on behalf of a partnership or business entity other than a corporation represents that such other entity has power and authority to enter into this Agreement, and by such person's act is bound hereby.

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year first above written,

RCRCD:

PROJECT PROPONENT:

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

**Exhibit A**

**404 PERMIT**



REPLY TO  
ATTENTION OF

## DEPARTMENT OF THE ARMY

Los Angeles District Corps of Engineers  
P O. Box 532711  
Los Angeles, CA 90017-3401

February 4, 2013

Regulatory Division

Scott Quinnell, Senior Environmental Planner  
California Department of Transportation, District 8  
464 West 4th Street, 6<sup>th</sup> Floor  
San Bernardino, California 92401-1400

### DEPARTMENT OF THE ARMY NATIONWIDE PERMIT AUTHORIZATIONS

Dear Mr. Quinnell,

This correspondence is in reply to your application, dated April 30, 2012, for a Department of the Army Permit. Your proposed project, Interstate 215/15 Interchange Improvement Project, would result in discharges of permanent fill into approximately 1.231 acre and of temporary dredged or fill material into approximately 0.07 acre of non-wetland waters of the U.S. Therefore, pursuant to section 404 of the Clean Water Act (33 U.S.C. 1344; 33 C.F.R. parts 323 and 330), your proposed project requires a Department of the Army permit. The proposed work would take place within unnamed tributaries to Cajon Creek near the community of Devore, San Bernardino County, California (see attached figures).

I have determined construction of Interstate 215/15 Interchange Improvement Project complies with Nationwide Permit (NWP) No. 14 Linear Transportation Projects, if conducted as described in your application. This letter covers multiple verifications, listed below.

Specifically, you are authorized to (as shown on the enclosed figures):

- Discharge permanent fill material into approximately 1.231 acre (10,716 linear feet) and temporarily discharge dredged or fill material into approximately 0.070 acre (335 linear feet) of non-wetland waters of the U.S. to construct the Interstate 15/ Interstate 215 Interchange Improvement Project at the following locations (also see attached tables):
  - PCN Group 2 (South of I-15/I-215 Interchange Area, Cajon Creek Subwatershed): Permanent: 0.086 acre non-wetland waters of the U.S.; and Temporary: 0.006 acre non-wetland waters of the U.S.
  - PCN Group 3 (North of Pittman Canyon): Permanent: 0.459 acre non-wetland waters of the U.S.; and Temporary: 0.023 acre non-wetland waters of the U.S.
  - PCN Group 4 (Pittman Canyon Subwatershed): Permanent: 0.496 acre non-wetland waters of the U.S.; and Temporary: 0.029 acre non-wetland waters of the U.S.
  - PCN Group 5 (Cable Creek Subwatershed): Permanent: 0.190 acre non-wetland waters of the U.S.; and Temporary: 0.012 acre (25 linear feet) of non-wetland waters of the U.S.

For this NWP No. 14 verification letter to be valid, you must comply with all of the terms and conditions in Enclosure I. Furthermore, you must comply with the following non-discretionary Special Conditions listed below:

1. The Permittee shall abide by the terms and conditions of the Clean Water Act (CWA) section 401 Water Quality Standards Certification, dated October 10, 2012.
2. Prior to initiating construction in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a complete set of final detailed grading/construction and drainage plans showing all work areas and structures in waters of the U.S. All plans shall be in compliance with the Final Map and Drawing Standards for the Los Angeles District Regulatory Division dated August 6, 2012 ([http://www.spl.usace.army.mil/Portals/17/docs/regulatory/Permit\\_Process/SPD-RG\\_map-drawing-standards\\_final\\_20120806v3.pdf](http://www.spl.usace.army.mil/Portals/17/docs/regulatory/Permit_Process/SPD-RG_map-drawing-standards_final_20120806v3.pdf)). All plan sheets shall be signed, dated, and submitted on paper no larger than 8.5 x 11 inches. No work in waters of the U.S. is authorized until the Permittee receives, in writing (by letter or e-mail), Corps Regulatory Division approval of the final detailed grading/construction plans. The Permittee shall ensure that the project is built in accordance with the Corps Regulatory Division-approved plans.
3. Prior to initiating construction in waters of the U.S., and to mitigate for permanent impacts to 1.231 acre of non-wetland waters of the U.S. and for temporary impacts to 0.070 acre of non-wetland waters of the U.S., the Permittee shall provide documentation verifying purchase of 6.6 acres credits for the enhancement of wetlands from a Corps-approved in-lieu fee program (SAWA Arundo Removal Program). The Permittee shall not initiate work in waters of the U.S. prior to receiving written confirmation (by letter or e-mail) from the Corps Regulatory Division as to compliance with this special condition. The Permittee retains responsibility for providing the compensatory mitigation until the number and resource type of credits described above have been secured from a sponsor and the Corps Regulatory Division has received documentation that confirms that the sponsor has accepted the responsibility for providing the required compensatory mitigation. This documentation may consist of a letter or form signed by the sponsor, with the permit number and a statement indicating the number and resource type of credits that have been secured from the sponsor.
4. The Permittee shall clearly mark the limits of the workspace with flagging or similar means to ensure mechanized equipment does not enter avoided waters of the U.S. areas shown in the attached figures. Adverse impacts to waters of the U.S. beyond the Corps Regulatory Division-approved construction footprint are not authorized. Such impacts could result in permit suspension and revocation, administrative, civil or criminal penalties, and/or substantial, additional, compensatory mitigation requirements.
5. Upon project completion, all temporary fills shall be removed and all temporarily affected streams shall be re-contoured to pre-construction conditions. In addition, the Permittee shall hydroseed, where possible, the disturbed portions of the earthen stream banks with native, non-invasive species, as appropriate to the affected areas, to reduce the potential for erosion. The Permittee shall submit the proposed planting palette for review and approval by the Corps Regulatory Division prior to initiation of construction. The Permittee shall ensure the

hydroseeded areas are maintained and monitored for a period of two years after completing the seeding activities, such that less than 10 percent of the areas disturbed by the project are vegetated by non-native and invasive plant species. For each project drainage feature, the Permittee shall submit a memorandum by December 15<sup>th</sup> after completion of the two year maintenance and monitoring period. The memo shall indicate for each project crossing/impact area, when temporary construction areas were re-contoured to pre-construction conditions, when native seeding was completed, the species and percent cover (absolute) of invasive and/or non-invasive plant species that occur onsite each year prior to treatment, and when and how many/the extent of invasive and/or non-invasive plant species were removed that year.

6. Within 45 calendar days of completing authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a memo including the following:
  - A) Date(s) work within waters of the U.S. was initiated and completed;
  - B) Summary of compliance status with each special condition of this permit (including any noncompliance that previously occurred or is currently occurring and corrective actions completed or being taken to achieve compliance);
  - C) Color photographs taken at the project site before and after construction for those aspects directly associated with impacts to waters of the U.S.; and
  - D) One copy of as-built drawings for the entire project (all sheets must be signed, dated, to-scale, and no larger than 8.5 x 11 inches); and
  - E) Signed Certification of Compliance.

#### Endangered Species Act

7. This Corps permit does not authorize you to take any threatened or endangered species, in particular the San Bernardino kangaroo rat (*Dipodomys merriami parvus*) and arroyo toad (*Anaxyrus californicus*), or to adversely modify designated critical habitat of any species. In order to legally take a federally listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g. ESA section 10 permit, or a Biological Opinion (BO) under ESA section 7, with "incidental take" provisions with which you must comply). The enclosed U.S. Fish and Wildlife Service (USFWS) BO (FWS-SB-10B0097-12F0001) contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the BO. Your authorization under this Corps Regulatory Division permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take of the attached BO, terms and conditions of which are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with the incidental take specified in the BO, where a take of the federally listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps Regulatory Division permit. The Corps Regulatory Division and USFWS are the appropriate authorities to determine compliance with the terms and conditions of the referenced BO and with the ESA.

#### Cultural Resources:

8. Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the

Permittee shall notify the Corps' Regulatory Division and Archeology staff (Steve Dibble at 213-452-3849 or John Killeen at 213-452-3861) within 24 hours. The Permittee shall immediately suspend all work within 100 feet of any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13.

**Your verification is valid through March 18, 2017.** All nationwide permits will expire on March 18, 2017. It is incumbent upon you to remain informed of changes to the nationwide permits. A public notice of the change(s) will be issued when any of the NWPs are modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date on which the relevant NWP is reissued, modified, or revoked, you will have twelve (12) months from the date of the reissuance, modification, or revocation of the NWP to complete the activity under the present terms and conditions of the relevant NWP.

A preliminary jurisdictional determination (PJD) has been conducted to determine the extent of U.S. Army Corps of Engineers (Corps) geographic jurisdiction, upon which this NWP verification is based. A preliminary JD is advisory in nature and is a written indication that Corps geographic jurisdiction may be present on a particular site, but is not appealable. Please refer to the enclosed Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form for more information.

A NWP does not grant any property rights or exclusive privileges. Additionally, it does not authorize any injury to the property, rights of others, nor does it authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal, state, or local authorizations required by law.

Thank you for participating in our regulatory program. If you have any questions, please contact Veronica Chan at 213-452-3292 or via e-mail at [Veronica.C.Chan@usace.army.mil](mailto:Veronica.C.Chan@usace.army.mil).

Please be advised that you can now comment on your experience with Regulatory Division by accessing the Corps web-based customer survey form at: <http://per2.nwp.usace.army.mil/survey.html>.

***"Building Strong and Taking Care of People!"***

Sincerely,



Mark D. Cohen  
Deputy Chief, Regulatory Division

Enclosure(s)



**LOS ANGELES DISTRICT  
U.S. ARMY CORPS OF ENGINEERS**

**CERTIFICATE OF COMPLIANCE WITH  
DEPARTMENT OF THE ARMY NATIONWIDE PERMIT**

**Permit Number:** *SPL-2009-00460-VCC*

**Name of Permittee:** *California Department of Transportation, District 8 (POC: Scott Quinnell)*

**Date of Issuance:** *February 4, 2013*

Upon completion of the activity authorized by this permit and the mitigation required by this permit, sign this certificate, and return it to the following address:

U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Division  
ATTN: CESPL-RG-SPL-2009-00460-VCC  
P.O. Box 532711  
Los Angeles, CA 90017-3401

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this Nationwide Permit, you may be subject to permit suspension, modification, or revocation procedures as contained in 33 C.F.R. § 330.5 or enforcement procedures such as those contained in 33 C.F.R. §§ 326.4 and 326.5.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit condition(s).

---

Signature of Permittee

Date

Table 1 - Waters of the United States

Group 2

Feature Attributes				Project Impacts				
Drainage Number	Description	Jurisdictional Status	Width / Length within BSA (feet)	Impact Type	Habitat Type (acres)		Total Impact (acres)	Approximate Linear Feet of Impact
					Non-Wetland	Wetland		
51	Concrete and earthen-bottomed roadside drainage channels, devoid of vegetation	Jurisdictional	6 / 267	Permanent	0.027	0.000	0.027	152
				Temporary	0.005	0.000	0.005	34
52	Earthen-bottomed. Flows easterly under the I-15 via a small culvert	Jurisdictional	2 / 993	Permanent	0.003	0.000	0.003	63
				Temporary	0.000	0.000	0.000	0
53	Flows under the I-15 via a large RCB culvert to D53	Jurisdictional	12 / 205	Permanent	0.056	0.000	0.056	205
				Temporary	0.000	0.000	0.000	0
54	Small earthen-bottomed roadside drainage ditch	Jurisdictional	1 / 340	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
55	Small earthen-bottomed roadside drainage ditch	Jurisdictional	1 / 410	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
56	Small earthen-bottomed roadside drainage ditch	Jurisdictional	2 / 432	Permanent	0.000	0.000	0.000	0
				Temporary	0.001	0.000	0.001	15
57	Large concrete aprons	Jurisdictional	6 / 2615	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
73a	Concrete-apron devoid of vegetation	Jurisdictional	10 / 2213	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
80	D80 flows into D81, D81 conveys flows under I-15 via a large RCB culvert to D53	Jurisdictional	34 / 113	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
81	D80 flows into D81, D81 conveys flows under I-15 via a large RCB culvert to	Jurisdictional	8 / 578	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
83	Concrete or earthen-bottomed roadside drainage	Jurisdictional	2 / 219	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
97	Earth-Bottom	Jurisdictional	0.5 / 157	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
98	<u>Impacts Already included in Drainage 41 -- Kimbark Canyon</u>	Jurisdictional	--	Permanent	0.000	0.000	0.000	0

Feature Attributes				Project Impacts				
Drainage Number	Description	Jurisdictional Status	Width / Length within BSA (feet)	Impact Type	Habitat Type (acres)		Total Impact (acres)	Approximate Linear Feet of Impact
					Non-Wetland	Wetland		
	Drainage: natural, earthen-bottomed drainage			Temporary	0.000	0.000	0.000	0
<b>Total Permanent Impacts</b>					<b>0.086</b>	<b>0.000</b>	<b>0.086</b>	<b>420.000</b>
<b>Total Temporary Impacts</b>					<b>0.006</b>	<b>0.000</b>	<b>0.006</b>	<b>49.000</b>

Table 1 - Waters of the United States

Group 3

Feature Attributes				Project Impacts				
Drainage Number	Description	Jurisdictional Status	Width / Length within BSA (feet)	Impact Type	Habitat Type (acres)		Total Impact (acres)	Approximate Linear Feet of Impact
					Non-Wetland	Wetland		
15	Natural, earthen-bottomed. Flows under the I-15 via a 6-foot CSP and flows under Cajon Blvd via a 3-foot CSP directly into Cajon Creek.	Jurisdictional	11 / 304	Permanent	0.051	0.000	0.051	201
				Temporary	0.000	0.000	0.000	0
17	Earth-Bottom	Jurisdictional	2 / 589	Permanent	0.027	0.000	0.027	515
				Temporary	0.000	0.000	0.000	0
18	Earth-Bottom	Jurisdictional	6 / 393	Permanent	0.004	0.000	0.004	25
				Temporary	0.000	0.000	0.000	0
19	Earth-Bottom	Jurisdictional	2 / 204	Permanent	0.003	0.000	0.003	55
				Temporary	0.000	0.000	0.000	0
20	Earth-Bottom	Jurisdictional	1 / 374	Permanent	0.005	0.000	0.005	176
				Temporary	0.000	0.000	0.000	0
21	Earth-Bottom	Jurisdictional	7 / 472	Permanent	0.053	0.000	0.053	260
				Temporary	0.004	0.000	0.004	26
22	Earth-Bottom	Jurisdictional	3 / 542	Permanent	0.006	0.000	0.006	80
				Temporary	0.002	0.000	0.002	25
23	Natural, earthen-bottomed flows under Cajon Blvd. in a double box culvert	Jurisdictional	9 / 464	Permanent	0.058	0.000	0.058	124
				Temporary	0.006	0.000	0.006	28
24	Earth-Bottom	Jurisdictional	8 / 131	Permanent	0.003	0.000	0.003	36
				Temporary	0.003	0.000	0.003	16
25	Partially concrete-lined and partially earthen-bottomed roadside drainage ditches	Jurisdictional	1 / 480	Permanent	0.011	0.000	0.011	480
				Temporary	0.000	0.000	0.000	0
26	Partially concrete-lined and partially earthen-bottomed roadside drainage ditches	Jurisdictional	1 / 1238	Permanent	0.014	0.000	0.014	1238
				Temporary	0.000	0.000	0.000	0
28	Earth-Bottom	Jurisdictional	3 / 1121	Permanent	0.070	0.000	0.070	997

Feature Attributes				Project Impacts				
Drainage Number	Description	Jurisdictional Status	Width / Length within BSA (feet)	Impact Type	Habitat Type (acres)		Total Impact (acres)	Approximate Linear Feet of Impact
					Non-Wetland	Wetland		
				Temporary	0.003	0.000	0.003	50
32	Earthen channel and large CSP draining Middleman Canyon drainage (D33)	Jurisdictional	2 / 1655	Permanent	0.060	0.000	0.060	1302
				Temporary	0.001	0.000	0.001	30
33	Middleman Canyon-natural, earthen-bottomed drainage. Flows under I-15 via a 6-foot CSP; a 4-foot x 8-foot double box culvert conveys flows under Cajon Blvd.	Jurisdictional	8 / 265	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
34	Earthen-bottomed drainages. Flows under the I-15 via a 4-foot CSP	Jurisdictional	4 / 722	Permanent	0.004	0.000	0.004	36
				Temporary	0.000	0.000	0.000	0
35	Earthen-bottomed. Flows under the I-15 via a 4-foot CSP	Jurisdictional	4 / 80	Permanent	0.007	0.000	0.007	80
				Temporary	0.000	0.000	0.000	0
36	Natural, earthen-bottomed. Flows under the I-15 via a 6-foot CSP and flows under Cajon Blvd via a 3-foot CSP directly into Cajon Creek.	Jurisdictional	9 / 663	Permanent	0.037	0.000	0.037	181
				Temporary	0.003	0.000	0.003	15
82	Concrete or earthen-bottomed	Jurisdictional	5 / 933	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
87	Earth-Bottom	Jurisdictional	2 / 411	Permanent	0.018	0.000	0.018	354
				Temporary	0.000	0.000	0.000	0
99	Earth-Bottom	Jurisdictional	1 / 184	Permanent	0.004	0.000	0.004	112
				Temporary	0.000	0.000	0.000	0
100	Earth-Bottom	Jurisdictional	0.5 / 93	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
101	Earth-Bottom	Jurisdictional	0.5 / 64	Permanent	0.001	0.000	0.001	58
				Temporary	0.000	0.000	0.000	0
102	Earth-Bottom with Pipe Outfall	Jurisdictional	1 / 147	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
103	Earth-Bottom with Pipe Outfall	Jurisdictional	2 / 51	Permanent	0.002	0.000	0.002	40
				Temporary	0.001	0.000	0.001	11
104	Earth-Bottom	Jurisdictional	1 / 431	Permanent	0.010	0.000	0.010	431
				Temporary	0.000	0.000	0.000	0

Feature Attributes				Project Impacts				
Drainage Number	Description	Jurisdictional Status	Width / Length within BSA (feet)	Impact Type	Habitat Type (acres)		Total Impact (acres)	Approximate Linear Feet of Impact
					Non-Wetland	Wetland		
105	Earth-Bottom	Jurisdictional	1 / 174	Permanent	0.004	0.000	0.004	174
				Temporary	0.000	0.000	0.000	0
106	Earth-Bottom	Jurisdictional	1 / 313	Permanent	0.007	0.000	0.007	313
				Temporary	0.000	0.000	0.000	0
107	Earth-Bottom	Jurisdictional	1 / 263	Permanent	0.000	0.000	0.000	16
				Temporary	0.000	0.000	0.000	0
108	Earth-Bottom	Jurisdictional	1 / 103	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
109	Earth-Bottom	Jurisdictional	1 / 163	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
120	Outside BSA, connects to D23 - Natural, earthen-bottomed flows under Cajon Blvd. In a double box culvert	Jurisdictional	--	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
<b>Total Permanent Impacts</b>					<b>0.459</b>	<b>0.000</b>	<b>0.459</b>	<b>7284.000</b>
<b>Total Temporary Impacts</b>					<b>0.023</b>	<b>0.000</b>	<b>0.023</b>	<b>201.000</b>

Table 1 - Waters of the United States

Group 4

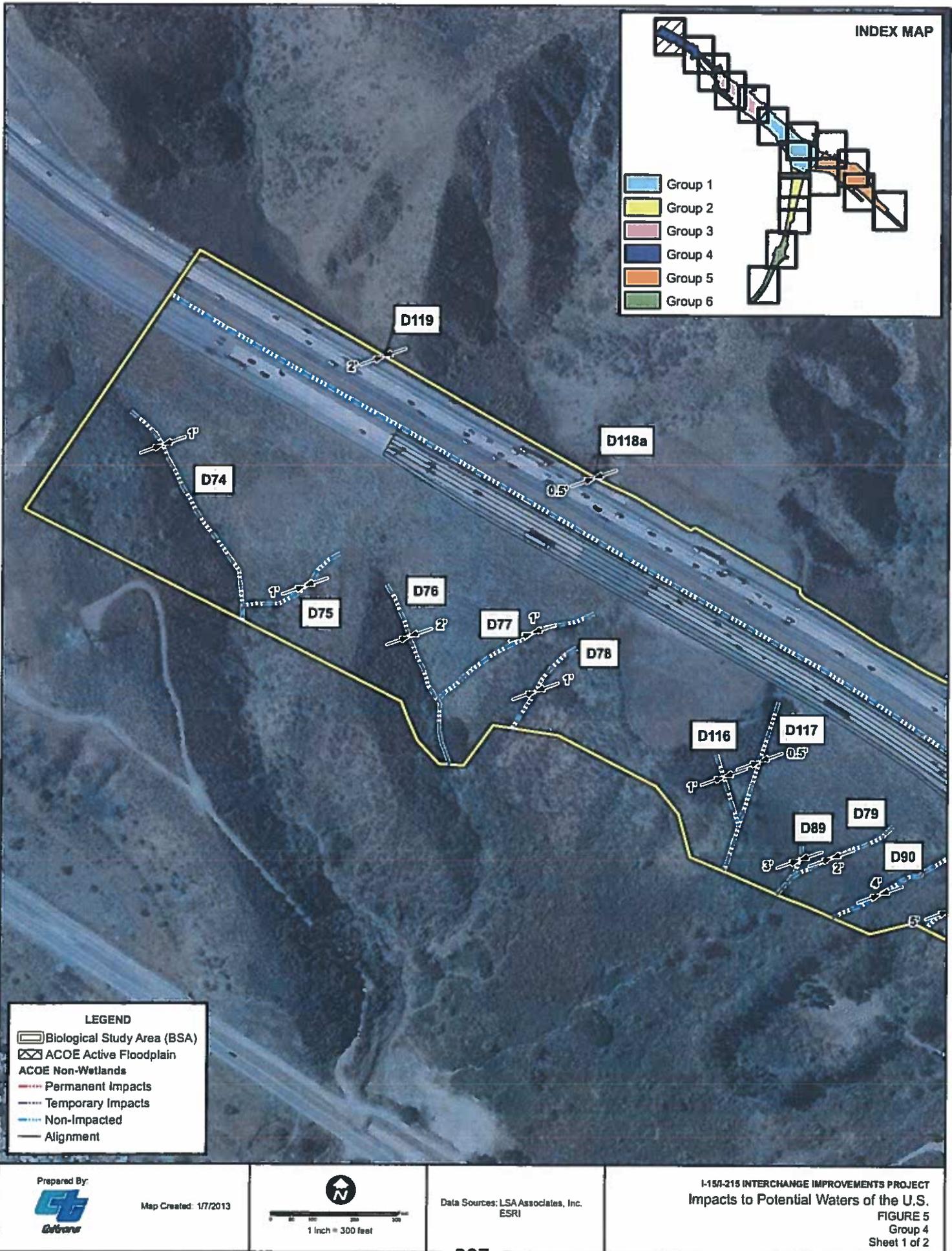
Feature Attributes				Project Impacts				
Drainage Number	Description	Jurisdictional Status	Width / Length within BSA (feet)	Impact Type	Habitat Type (acres)		Total Impact (acres)	Approximate Linear Feet of Impact
					Non-Wetland	Wetland		
29	Earth-Bottom	Jurisdictional	30 / 466	Permanent	0.203	0.000	0.203	295
				Temporary	0.028	0.000	0.028	41
30	Earth-Bottom	Jurisdictional	9 / 677	Permanent	0.140	0.000	0.140	677
				Temporary	0.000	0.000	0.000	0
31	Earth-Bottom	Jurisdictional	5 / 1534	Permanent	0.130	0.000	0.130	1134
				Temporary	0.000	0.000	0.000	0
74	Earth-Bottom	Jurisdictional	1 / 592	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
75	Earth-Bottom	Jurisdictional	1 / 281	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
76	Earth-Bottom	Jurisdictional	2 / 472	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
77	Earth-Bottom	Jurisdictional	1 / 436	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
78	Earth-Bottom	Jurisdictional	1 / 250	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
79	Earth-Bottom	Jurisdictional	2 / 278	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
89	Earth-Bottom	Jurisdictional	3 / 135	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
90	Earth-Bottom	Jurisdictional	4 / 242	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
91	Earth-Bottom	Jurisdictional	5 / 182	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
92	Earth-Bottom	Jurisdictional	3 / 137	Permanent	0.007	0.000	0.007	96
				Temporary	0.001	0.000	0.001	19
110	Earth-Bottom	Jurisdictional	10 / 116	Permanent	0.007	0.000	0.007	29
				Temporary	0.000	0.000	0.000	0
111	Earth-Bottom	Jurisdictional	1 / 208	Permanent	0.004	0.000	0.004	176
				Temporary	0.000	0.000	0.000	0
112	Earth-Bottom	Jurisdictional	1 / 191	Permanent	0.002	0.000	0.002	68
				Temporary	0.000	0.000	0.000	0

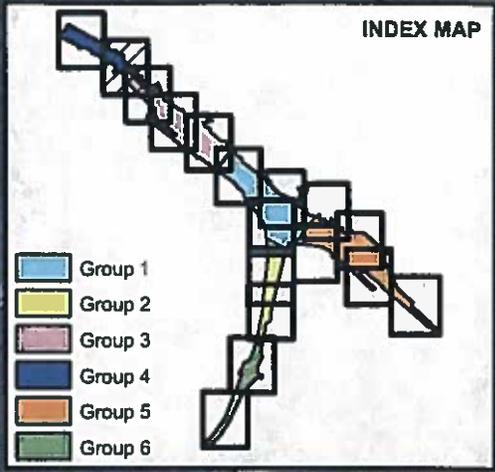
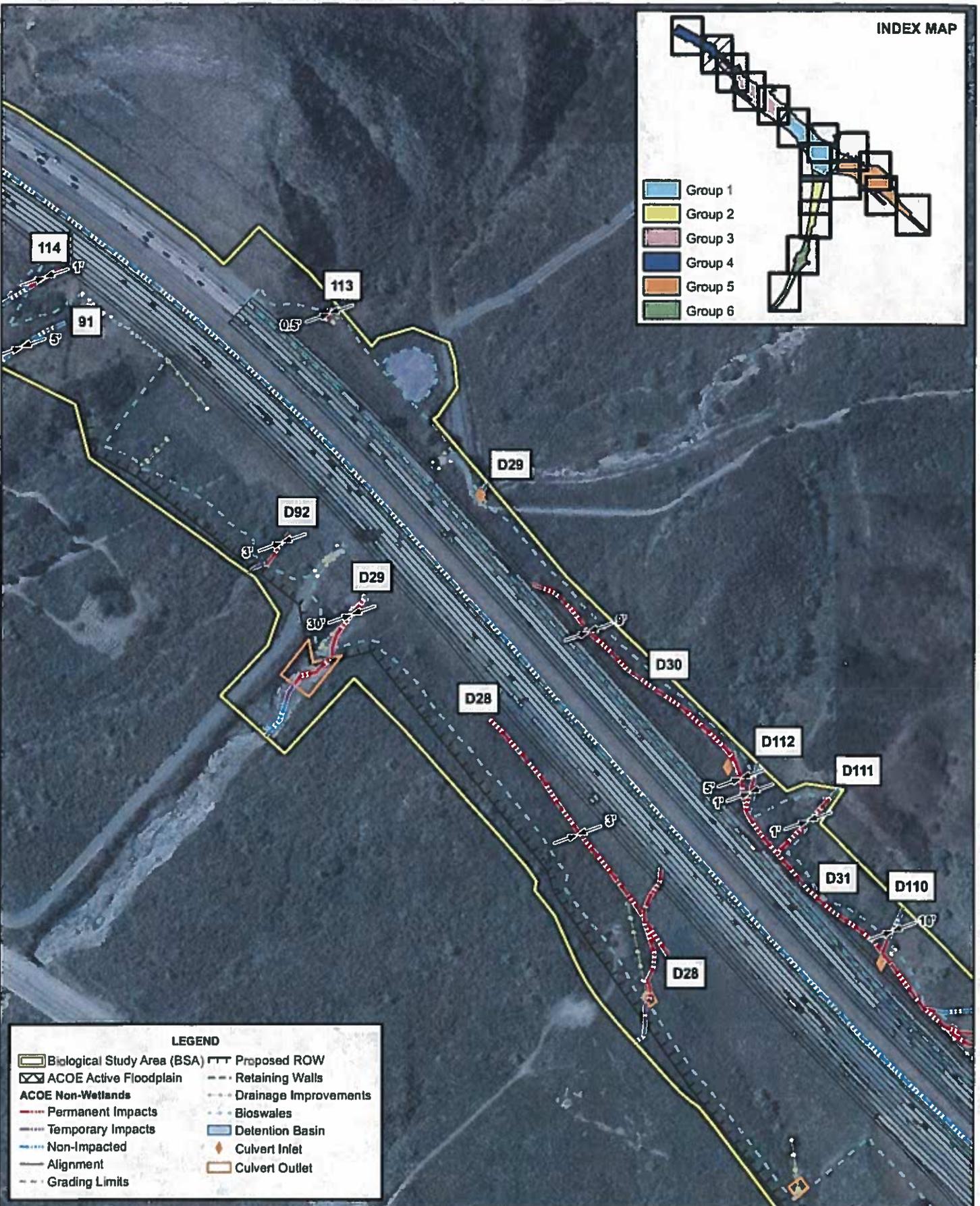
113	Earth-Bottom	Jurisdictional	0.5 / 47	Permanent	0.000	0.000	0.000	35
				Temporary	0.000	0.000	0.000	0
114	Earth-Bottom Extension to drainage 90	Jurisdictional	1 / 175	Permanent	0.002	0.000	0.002	88
				Temporary	0.000	0.000	0.000	0
115	Earth-Bottom Outside of BSA	Jurisdictional	-	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
116	Pipe System along drainage	Jurisdictional	1 / 179	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
117	Earth-Bottom	Jurisdictional	0.5 / 431	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
118a	Earth-Bottom	Jurisdictional	0.5 / 12	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
118b	Earth-Bottom	Jurisdictional	0.5 / 170	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
119	Earth-Bottom	Jurisdictional	2 / 13	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
<b>Total Permanent Impacts</b>					<b>0.496</b>	<b>0.000</b>	<b>0.496</b>	<b>2598.000</b>
<b>Total Temporary Impacts</b>					<b>0.029</b>	<b>0.000</b>	<b>0.029</b>	<b>60.000</b>

Table 1 - Waters of the United States

Group 5

Feature Attributes				Project Impacts				
Drainage Number	Description	Jurisdictional Status	Width / Length within BSA (feet)	Impact Type	Habitat Type (acres)		Total Impact (acres)	Approximate Linear Feet of Impact
					Non-Wetland	Wetland		
45	Earth-Bottom	Jurisdictional	20 / 3146	Permanent	0.190	0.000	0.190	414
				Temporary	0.012	0.000	0.012	25
47	Cable Creek (D47-D49, D85, D86, and D88) is a larger natural, earthen-bottomed drainage	Jurisdictional	20 / 47	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
48	Cable Creek (D47-D49, D85, D86, and D88) is a larger natural, earthen-bottomed drainage	Jurisdictional	3 / 467	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
49	Cable Creek (D47-D49, D85, D86, and D88) is a larger natural, earthen-bottomed drainage	Jurisdictional	2 / 1468	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
85	Cable Creek (D47-D49, D85, D86, and D88) is a larger natural, earthen-bottomed drainage	Jurisdictional	1 / 198	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
86	Cable Creek (D47-D49, D85, D86, and D88) is a larger natural, earthen-bottomed drainage	Jurisdictional	2 / 518	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
88	Cable Creek (D47-D49, D85, D86, and D88) is a larger natural, earthen-bottomed drainage	Jurisdictional	10 / 1278	Permanent	0.000	0.000	0.000	0
				Temporary	0.000	0.000	0.000	0
<b>Total Permanent Impacts</b>					<b>0.190</b>	<b>0.000</b>	<b>0.190</b>	<b>414.000</b>
<b>Total Temporary Impacts</b>					<b>0.012</b>	<b>0.000</b>	<b>0.012</b>	<b>25.000</b>





**LEGEND**

Biological Study Area (BSA)	Proposed ROW
ACOE Active Floodplain	Retaining Walls
ACOE Non-Wetlands	Drainage Improvements
Permanent Impacts	Bioswales
Temporary Impacts	Detention Basin
Non-Impacted	Culvert Inlet
Alignment	Culvert Outlet
Grading Limits	

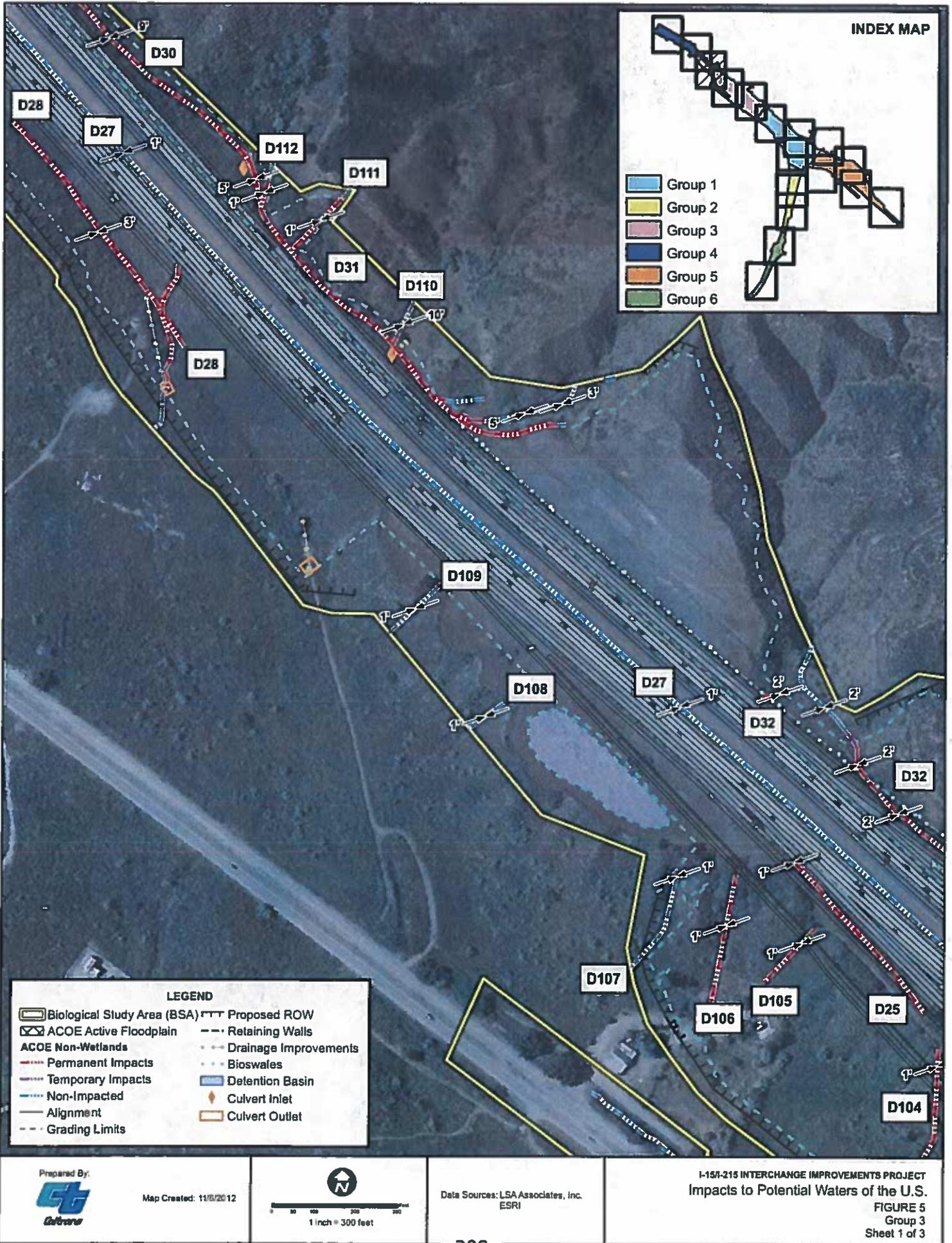
Prepared By:  
  
 Calspan

Map Created: 11/8/2012



Data Sources: LSA Associates, Inc.  
 ESRI  
 Note: The width of the rip-rap pad was assumed to be 6 times the culvert size and the length of the rip-rap pad was assumed to be 10 times the culvert size.

I-15/I-215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.  
**FIGURE 5**  
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- Group 5
- Group 6

**LEGEND**

- |                             |                       |
|-----------------------------|-----------------------|
| Biological Study Area (BSA) | Proposed ROW          |
| ACOE Active Floodplain      | Retaining Walls       |
| ACOE Non-Wetlands           | Drainage Improvements |
| Permanent Impacts           | Bioswales             |
| Temporary Impacts           | Detention Basin       |
| Non-Impacted                | Culvert Inlet         |
| Alignment                   | Culvert Outlet        |
| Grading Limits              |                       |

Prepared By:



Map Created: 11/5/2012

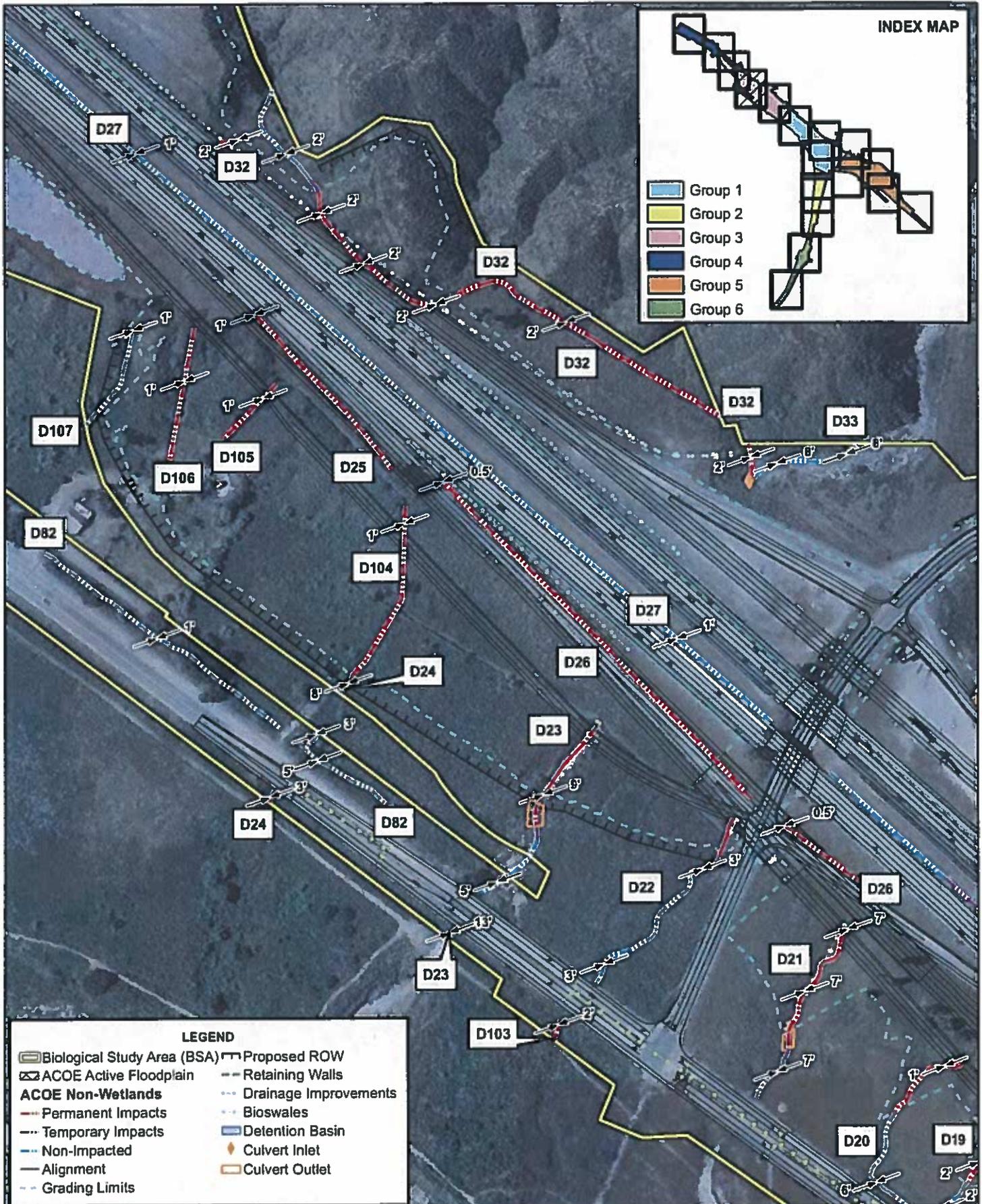


0 100 200 300  
1 inch = 300 feet

Data Sources: LSA Associates, Inc.  
ESRI

I-15/215 INTERCHANGE IMPROVEMENTS PROJECT  
Impacts to Potential Waters of the U.S.

FIGURE 5  
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**LEGEND**

Biological Study Area (BSA)	Proposed ROW
ACOE Active Floodplain	Retaining Walls
ACOE Non-Wetlands	Drainage Improvements
Permanent Impacts	Bioswales
Temporary Impacts	Detention Basin
Non-Impacted	Culvert Inlet
Alignment	Culvert Outlet
Grading Limits	

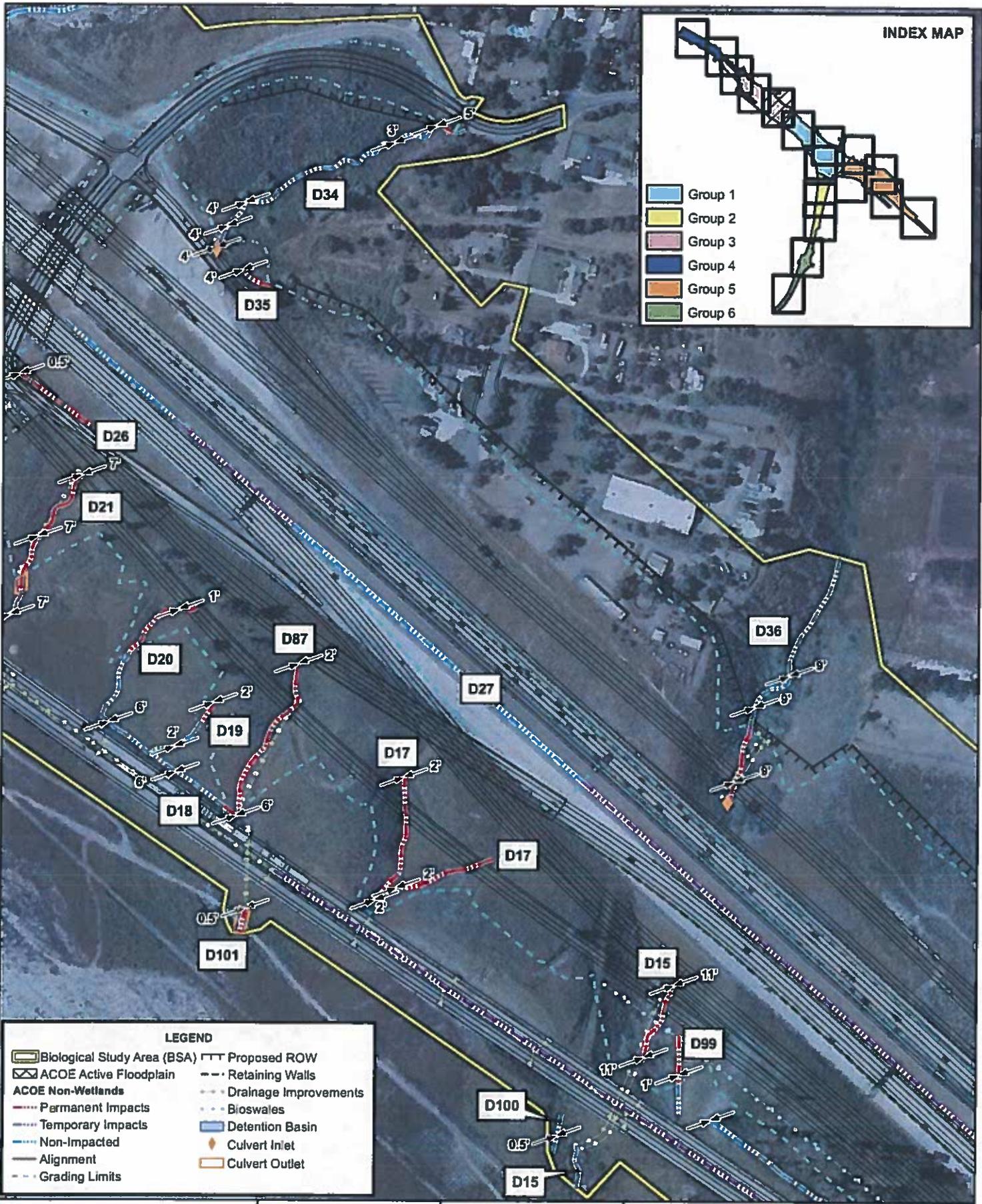
Prepared By:  
  
 GTC  
 Caltrans

Map Created: 11/5/2012



Data Sources: LSA Associates, Inc.  
 ESRI  
 Note: The width of the rip-rap pad was assumed to be 6 times the culvert size and the length of the rip-rap pad was assumed to be 10 times the culvert size.

I-15/215 INTERCHANGE IMPROVEMENTS PROJECT  
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**FIGURE 5**  
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LEGEND

- |                             |                       |
|-----------------------------|-----------------------|
| Biological Study Area (BSA) | Proposed ROW          |
| ACOE Active Floodplain      | Retaining Walls       |
| <b>ACOE Non-Wetlands</b>    | Drainage Improvements |
| Permanent Impacts           | Bioswales             |
| Temporary Impacts           | Detention Basin       |
| Non-Impacted                | Culvert Inlet         |
| Alignment                   | Culvert Outlet        |
| Grading Limits              |                       |

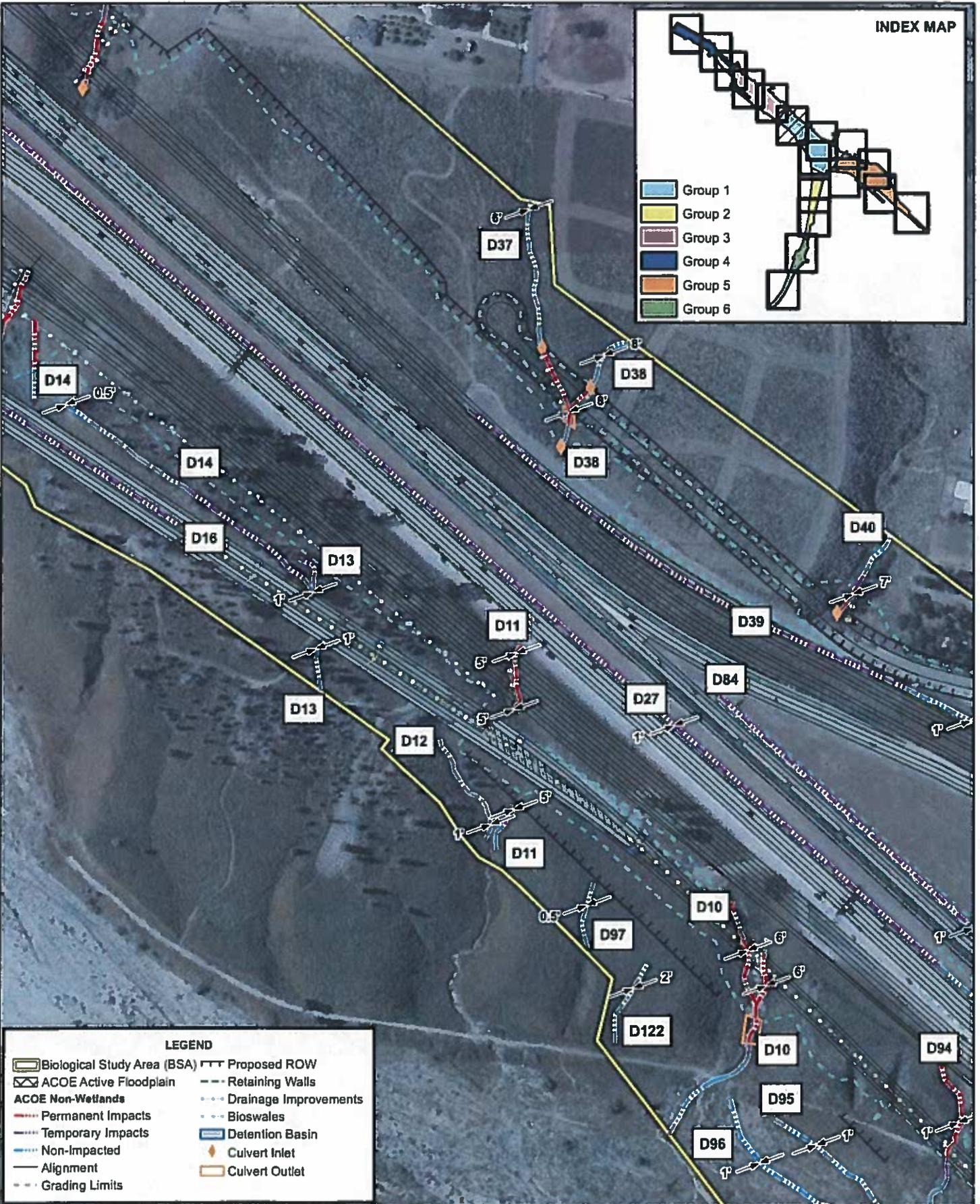


Map Created: 11/5/2012



Data Sources: LSA Associates, Inc.  
 ESRI  
 Note: The width of the rip-rap pad was assumed to be 6 times the culvert size and the length of the rip-rap pad was assumed to be 10 times the culvert size.

I-15A-215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.  
 FIGURE 5  
 Group 3  
 Sheet 3 of 3



Prepared By:



Map Created: 11/2/2012



Data Sources: LSA Associates, Inc.  
ESRI

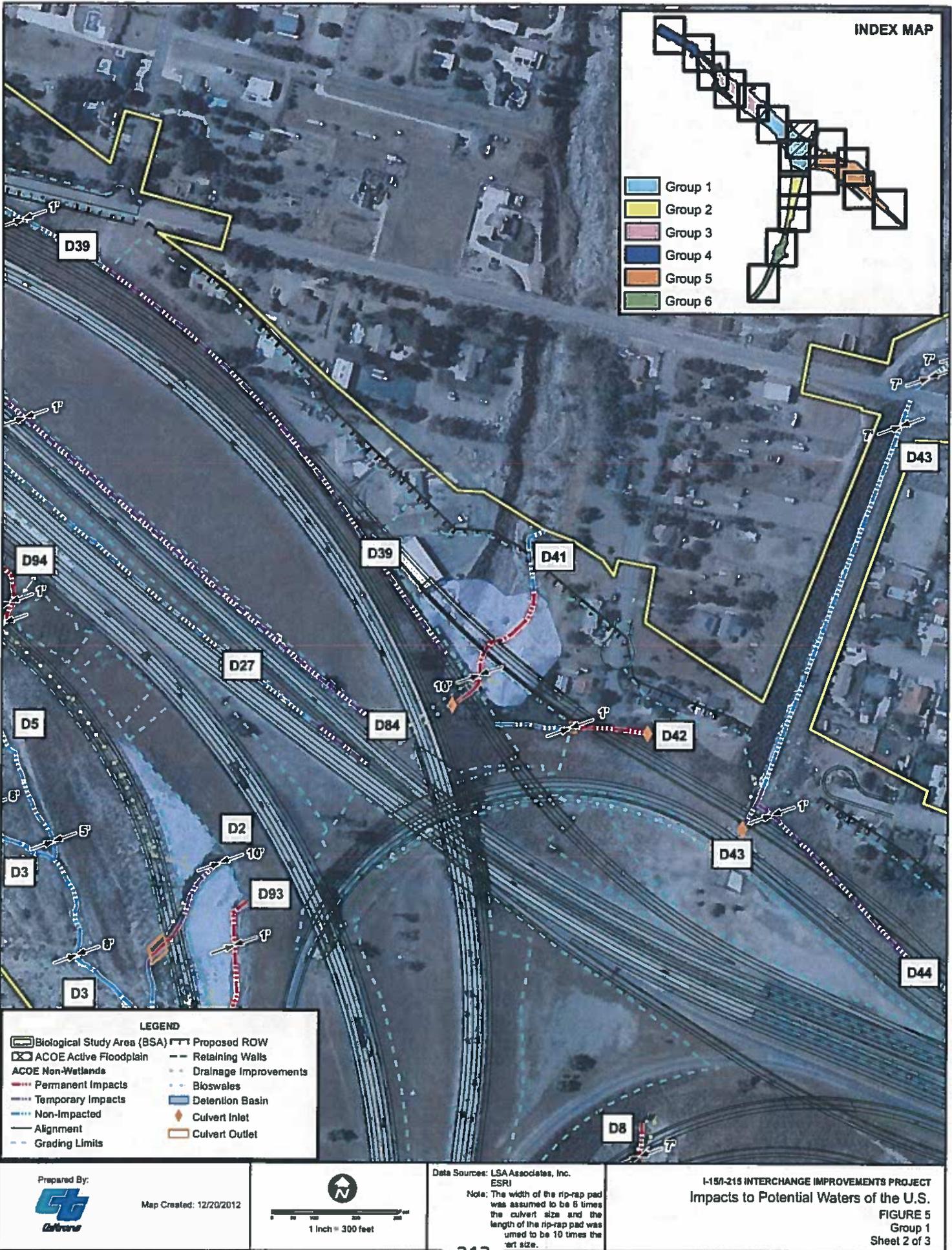
Note: The width of the rip-rap pad was assumed to be 6 times the culvert size and the length of the rip-rap pad was assumed to be 10 times the culvert size.

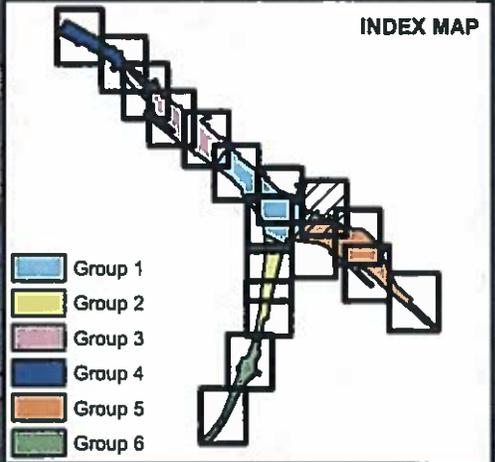
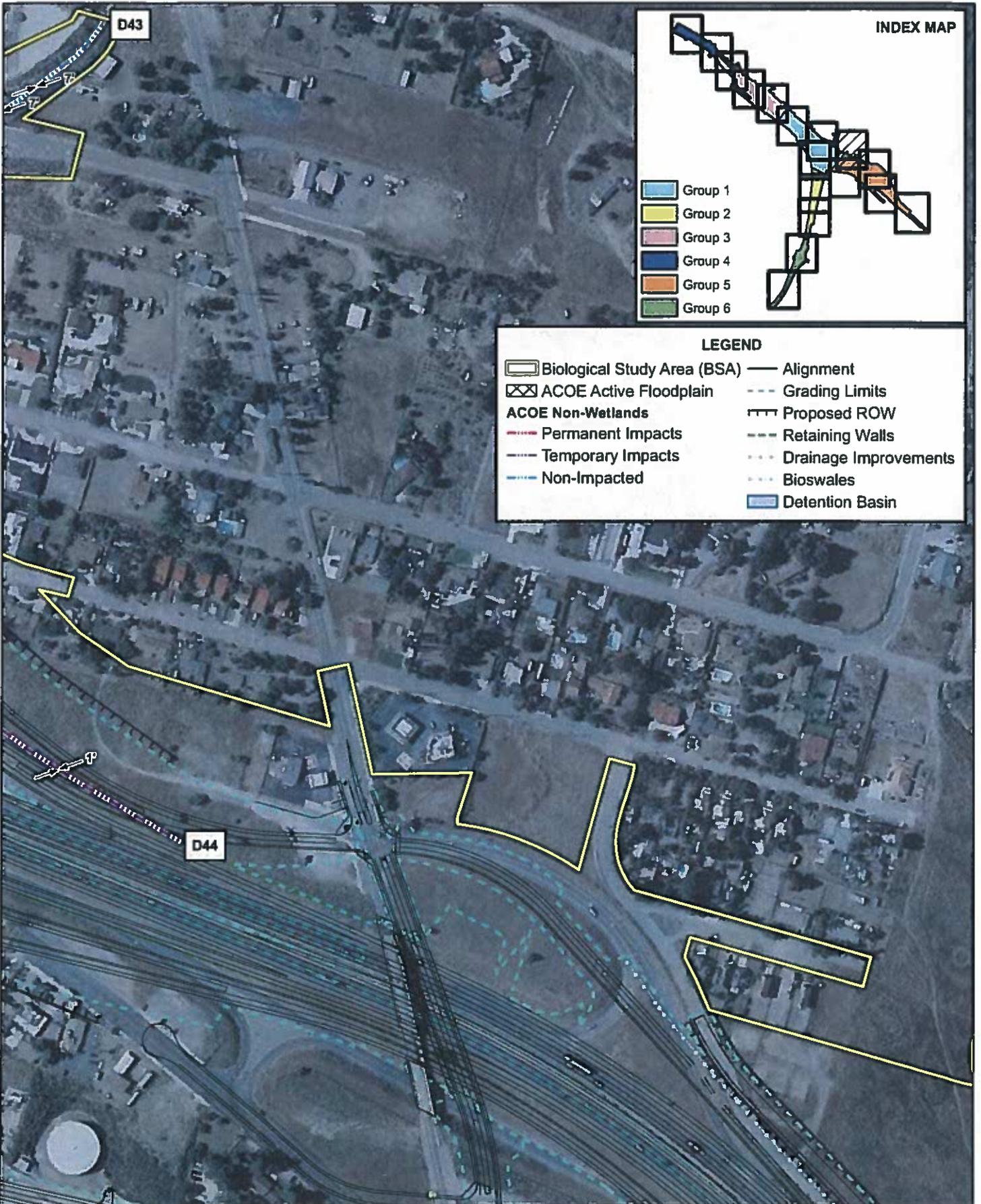
I-15/I-215 INTERCHANGE IMPROVEMENTS PROJECT  
Impacts to Potential Waters of the U.S.

FIGURE 5

Group 1

Sheet 1 of 3





**LEGEND**

Biological Study Area (BSA)	Alignment
ACOE Active Floodplain	Grading Limits
ACOE Non-Wetlands	Proposed ROW
Permanent Impacts	Retaining Walls
Temporary Impacts	Drainage Improvements
Non-Impacted	Bioswales
	Detention Basin

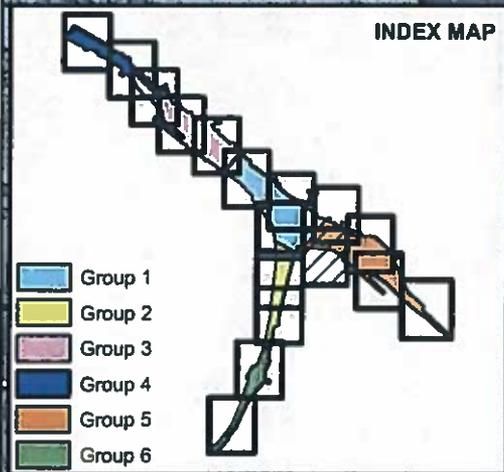
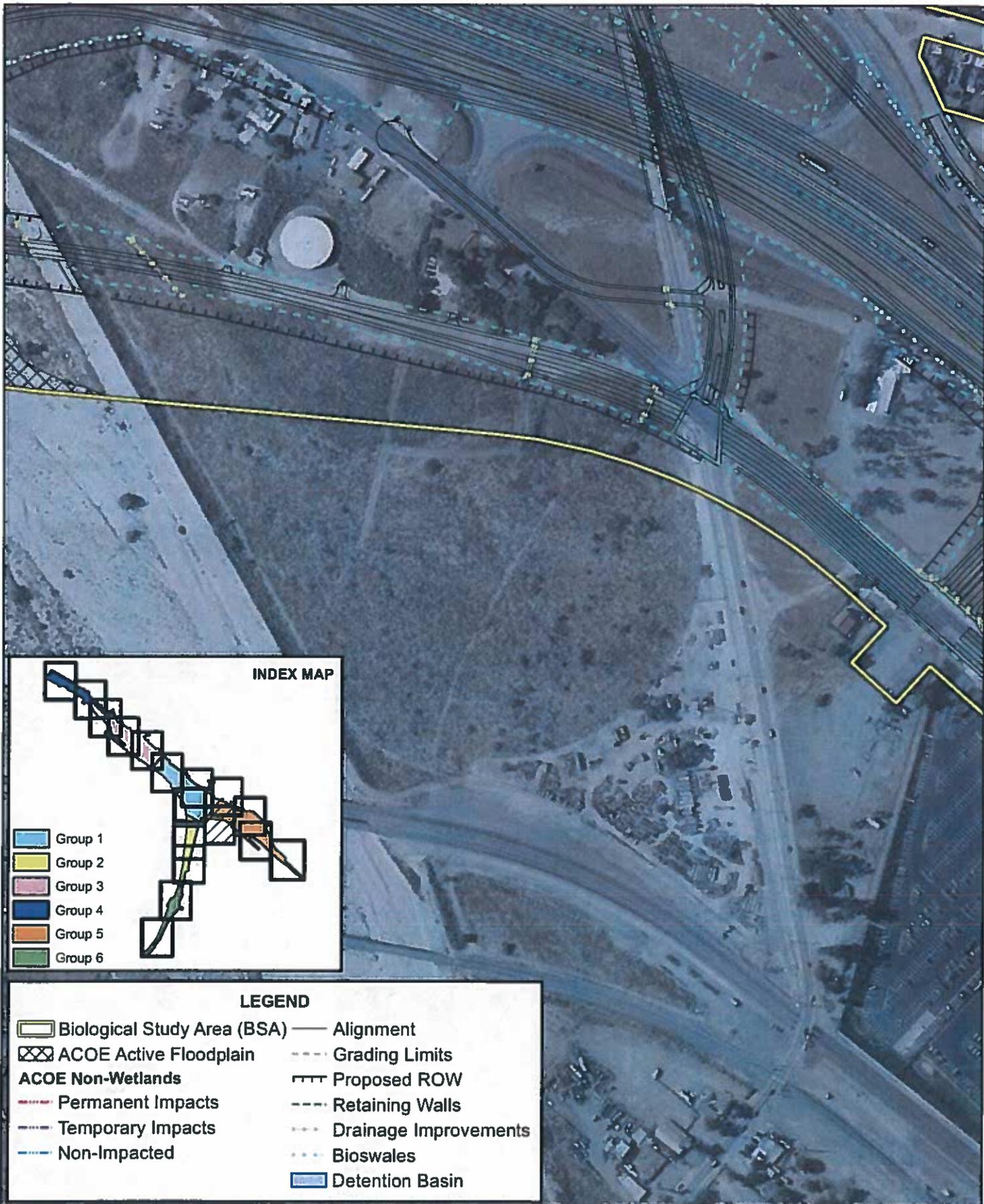


Map Created: 10/19/2012



Data Sources: LSA Associates, Inc.  
ESRI

I-15/I-215 INTERCHANGE IMPROVEMENTS PROJECT  
Impacts to Potential Waters of the U.S.  
FIGURE 5  
Group 5  
Sheet 1 of 5



**LEGEND**

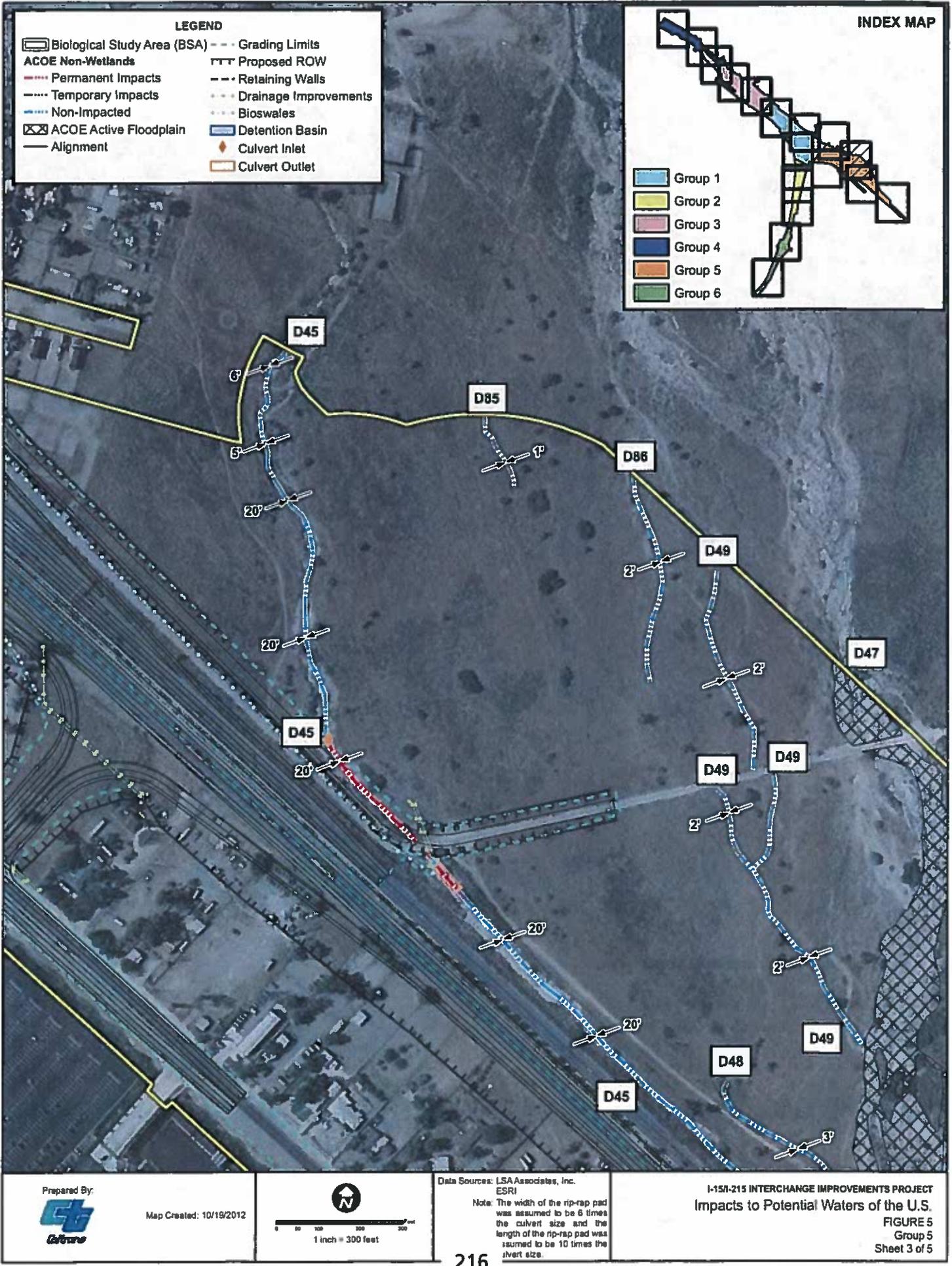
Biological Study Area (BSA)	Alignment
ACOE Active Floodplain	Grading Limits
ACOE Non-Wetlands	Proposed ROW
Permanent Impacts	Retaining Walls
Temporary Impacts	Drainage Improvements
Non-Impacted	Bioswales
	Detention Basin

Prepared By:  
  
 Map Created: 10/16/2012



Data Sources: LSA Associates, Inc.  
 ESRI

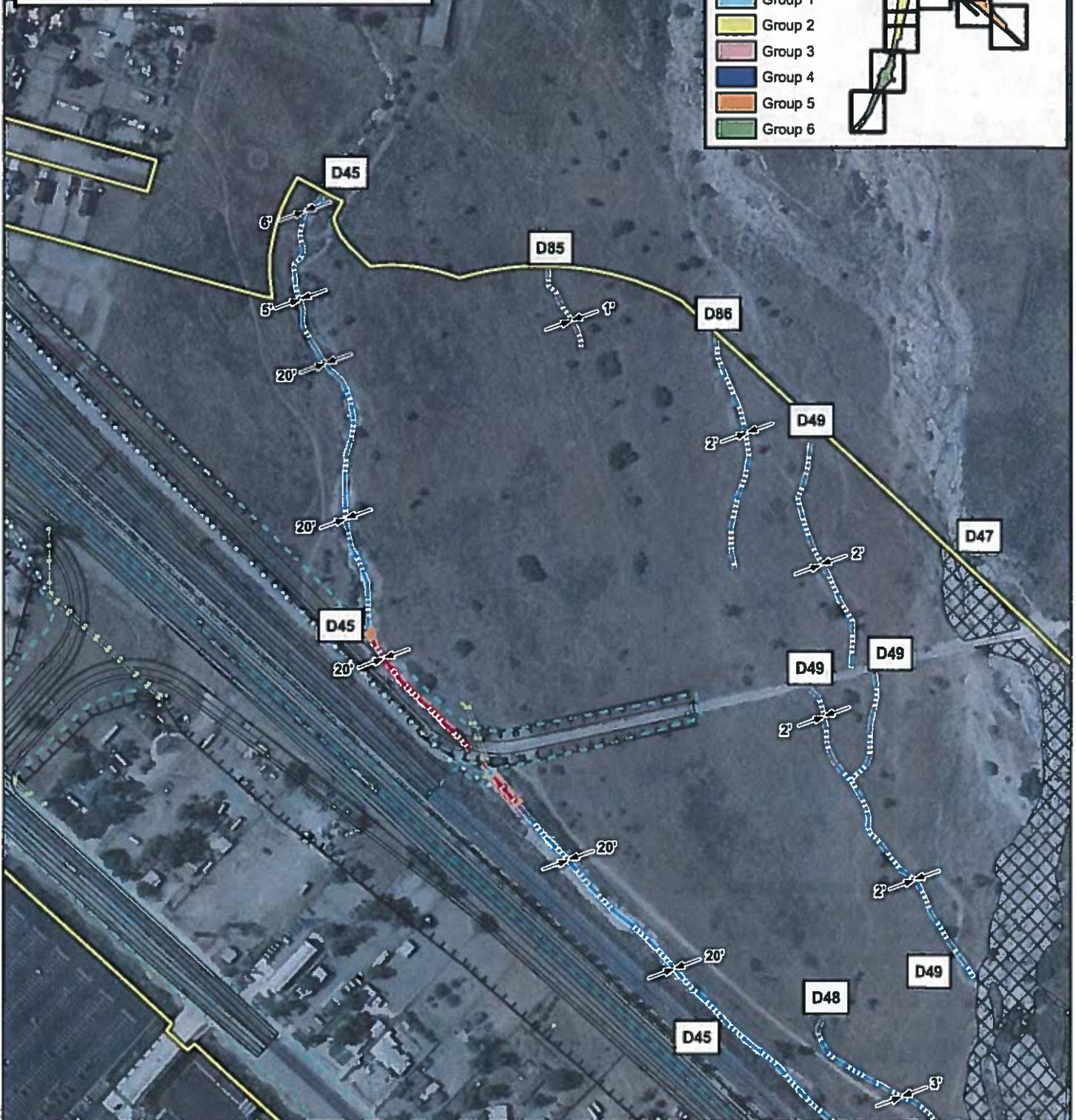
I-15/I-215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.  
**FIGURE 5**  
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**LEGEND**

Biological Study Area (BSA)	Grading Limits
ACOE Non-Wetlands	Proposed ROW
Permanent Impacts	Retaining Walls
Temporary Impacts	Drainage Improvements
Non-Impacted	Bioswales
ACOE Active Floodplain	Detention Basin
Alignment	Culvert Inlet
	Culvert Outlet

**INDEX MAP**



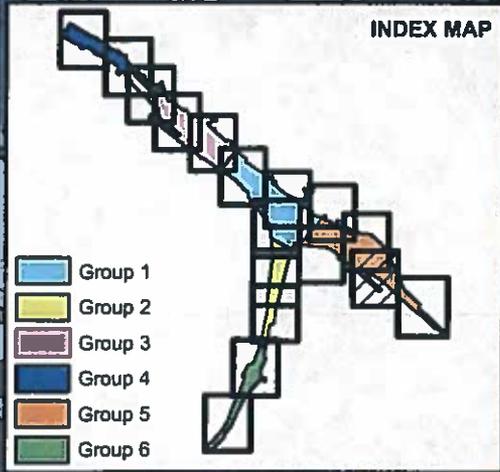
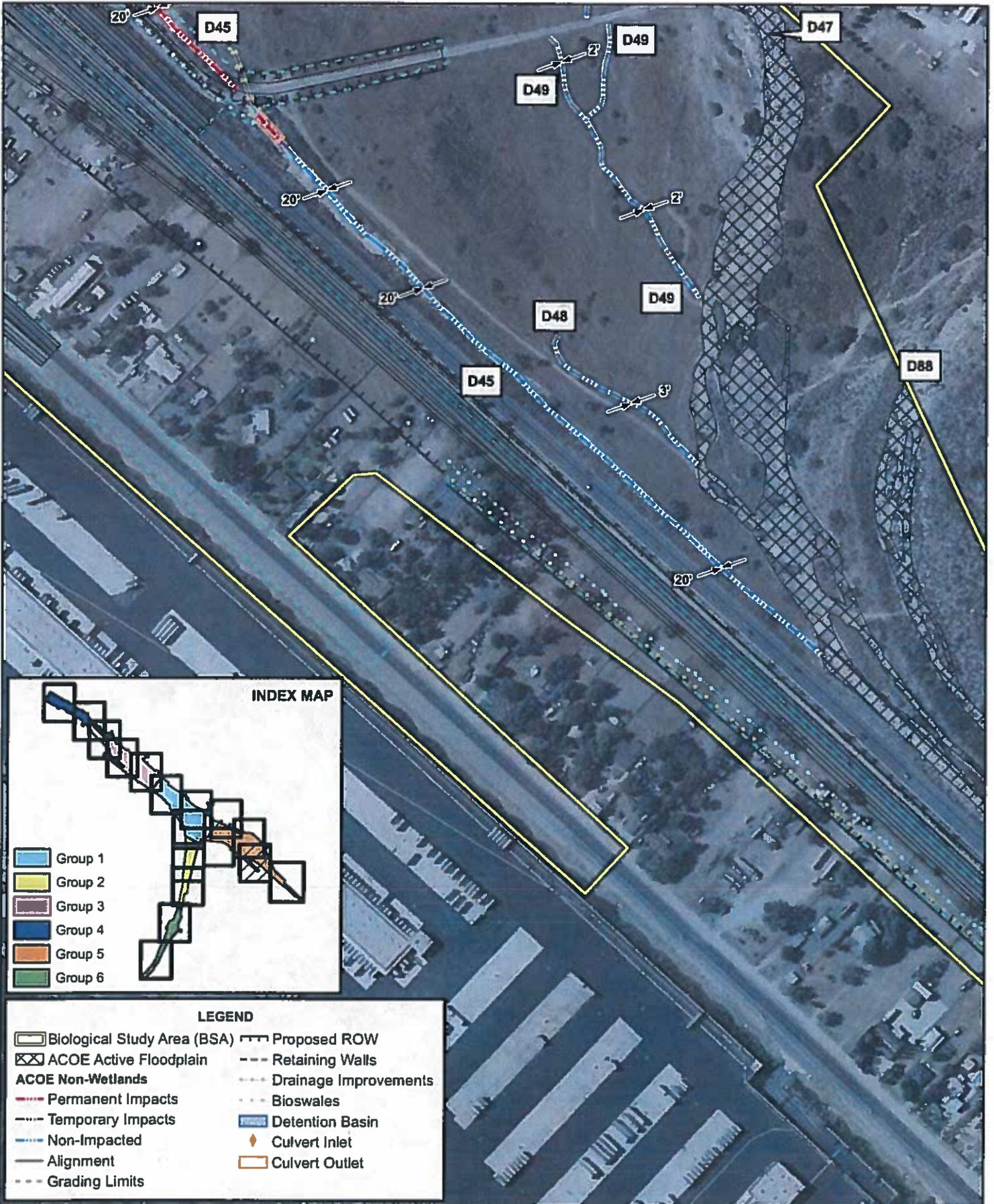
Prepared By:  
  
 Gofore

Map Created: 10/19/2012



Data Sources: LSA Associates, Inc.  
 ESRI  
 Note: The width of the rip-rap pad was assumed to be 6 times the culvert size and the length of the rip-rap pad was assumed to be 10 times the invert size.

I-15N-215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.  
**FIGURE 5**  
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 Sheet 3 of 5



**LEGEND**

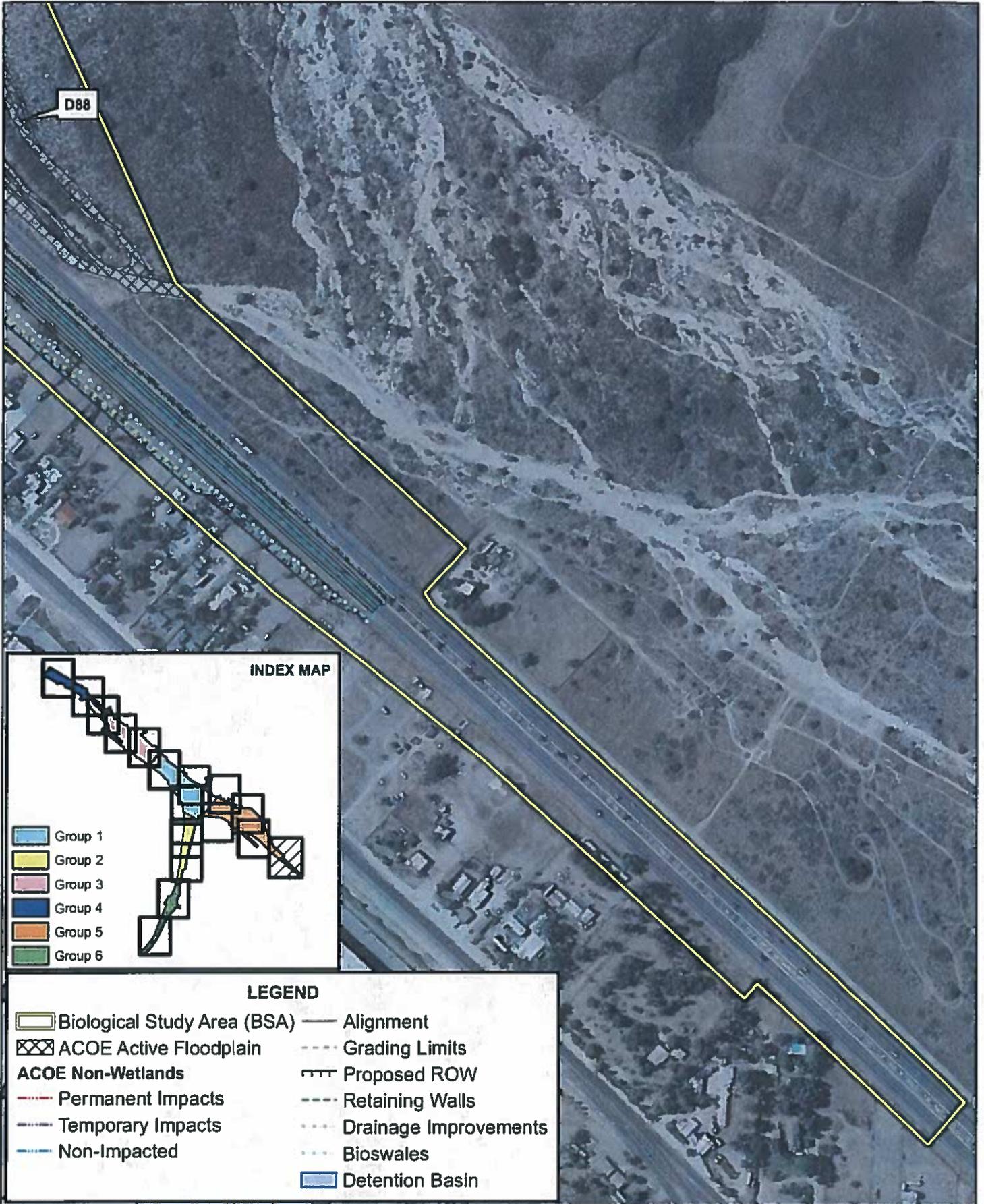
Biological Study Area (BSA)	Proposed ROW
ACOE Active Floodplain	Retaining Walls
ACOE Non-Wetlands	Drainage Improvements
Permanent Impacts	Bioswales
Temporary Impacts	Detention Basin
Non-Impacted	Culvert Inlet
Alignment	Culvert Outlet
Grading Limits	

Prepared By:  
  
 Map Created: 10/19/2012



Data Sources: LSA Associates, Inc.  
 ESRI  
 Note: The width of the rip-rap pad was assumed to be 6 times the culvert size and the length of the rip-rap pad was assumed to be 10 times the culvert size.

I-15/215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.  
**FIGURE 5**  
 Group 5  
 Sheet 4 of 5

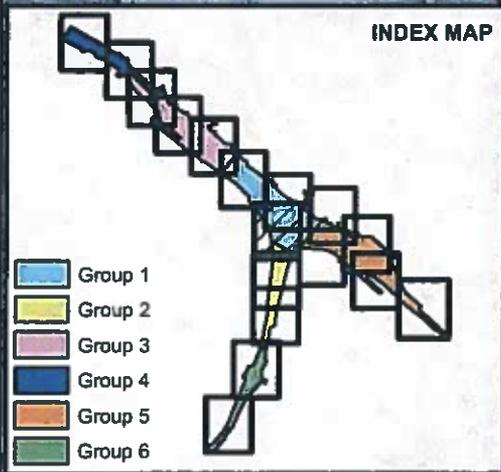
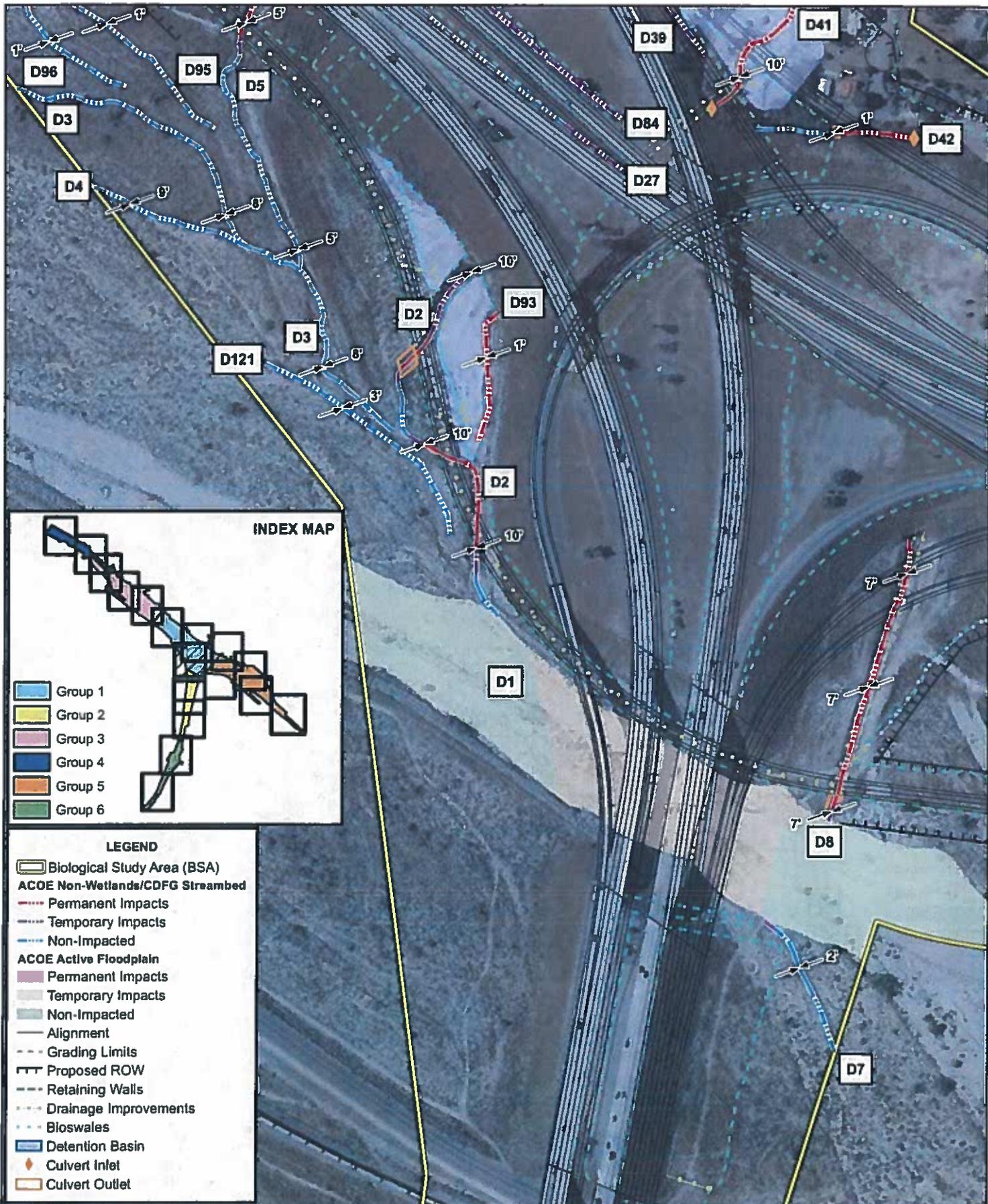


Prepared By:  
  
 Map Created: 10/19/2012

  
  
 1 inch = 350 feet

Data Sources: LSA Associates, Inc.  
 ESRI

I-15A-215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.  
 FIGURE 5  
 Group 5  
 Sheet 5 of 5



**LEGEND**

- Biological Study Area (BSA)
- ACOE Non-Wetlands/CDFG Streambed
  - Permanent Impacts
  - Temporary Impacts
  - Non-Impacted
- ACOE Active Floodplain
  - Permanent Impacts
  - Temporary Impacts
  - Non-Impacted
- Alignment
- Grading Limits
- Proposed ROW
- Retaining Walls
- Drainage Improvements
- Bioswales
- Detention Basin
- Culvert Inlet
- Culvert Outlet

Prepared By:  
 California High-Speed Rail

Map Created: 12/20/2012

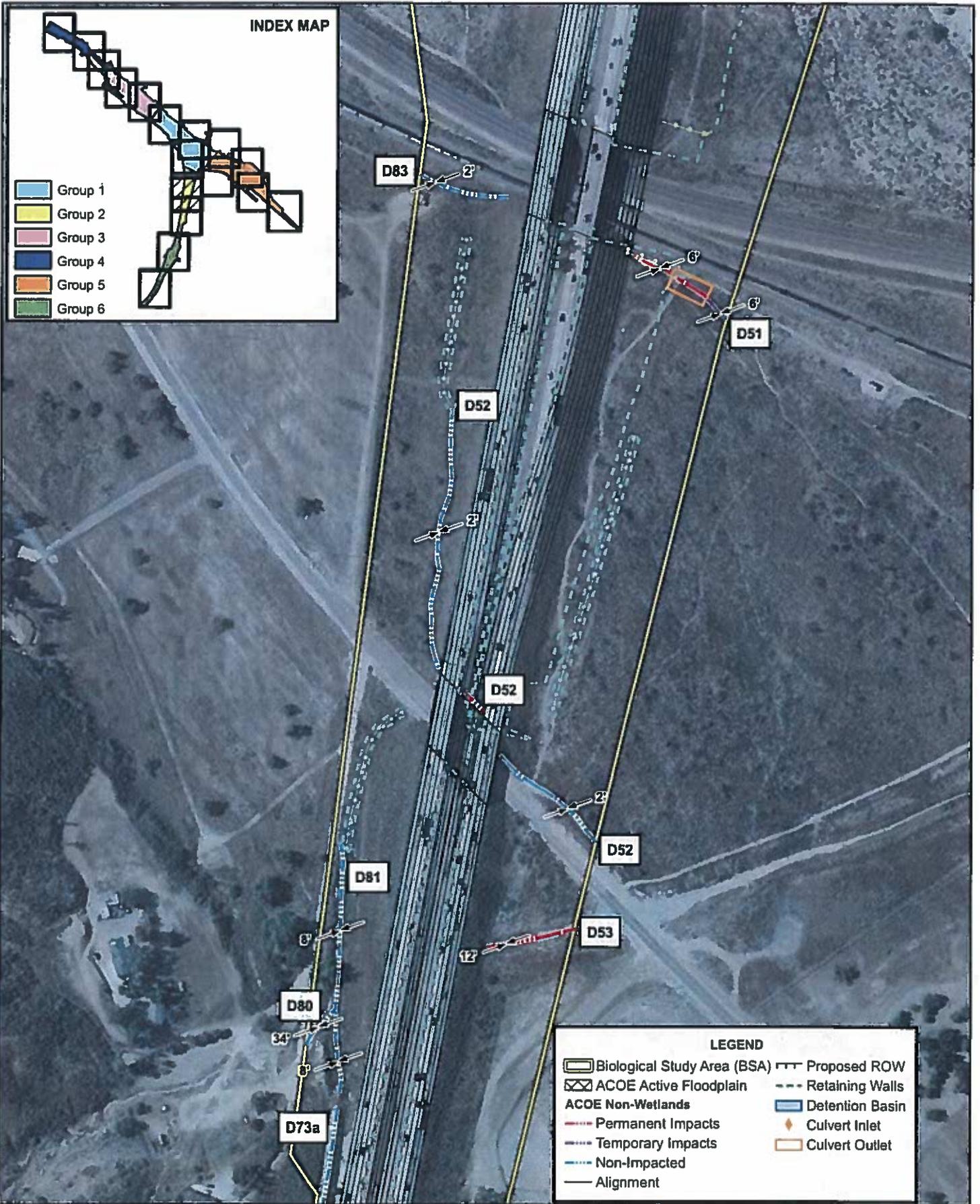


Data Sources: LSA Associates, Inc.  
 ESRI

Note: The width of the rip-rap pad was assumed to be 6 times the culvert size and the length of the rip-rap pad was assumed to be 10 times the culvert size.

I-15/I-215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.

FIGURE 5  
 Group 1  
 Sheet 3 of 3



Prepared By



Map Created: 11/5/2012



Data Sources: LSA Associates, Inc.  
ESRI

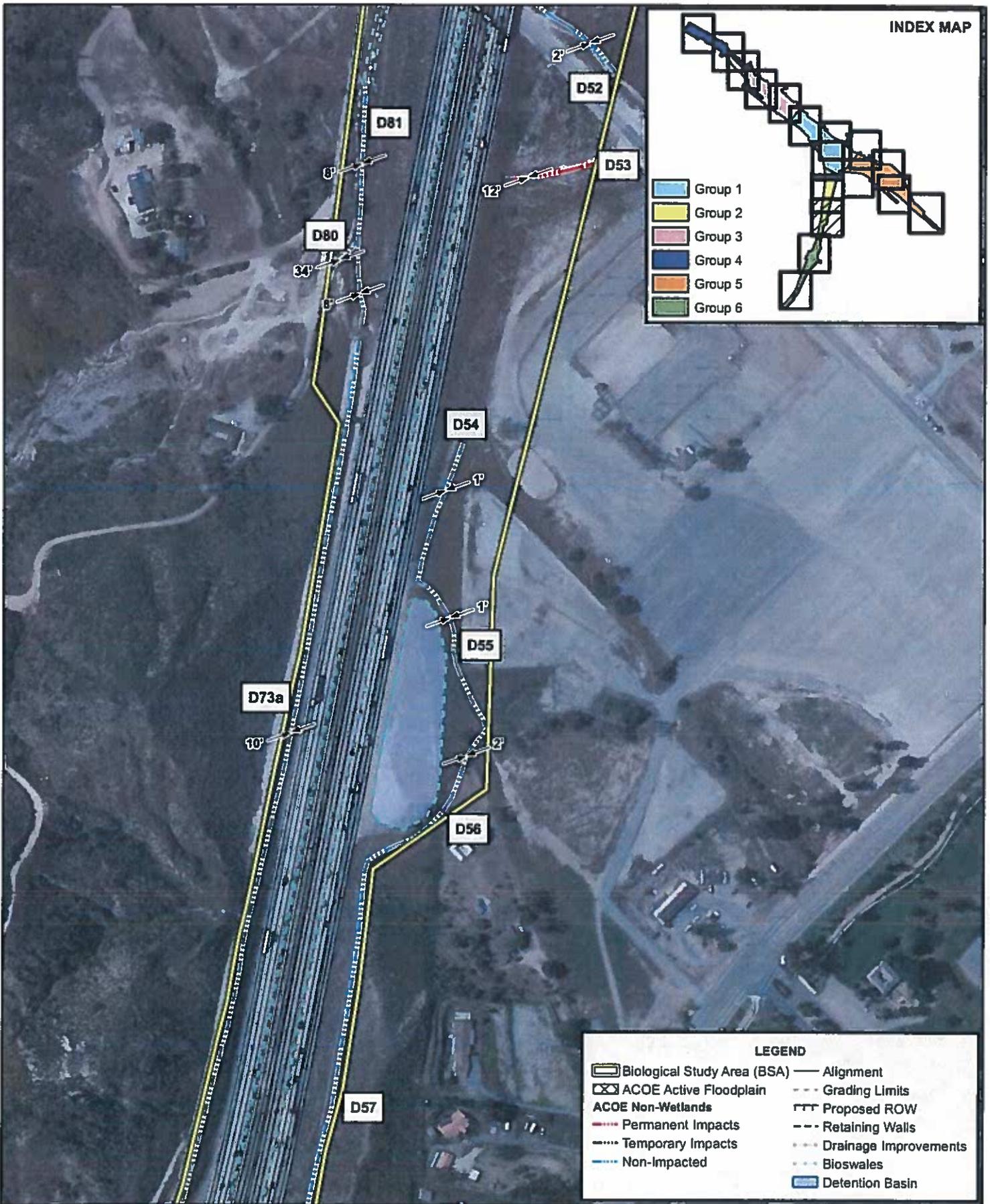
Note: The width of the rip-rap pad was assumed to be 8 times the culvert size and the length of the rip-rap pad was assumed to be 10 times the culvert size.

I-15/I-215 INTERCHANGE IMPROVEMENTS PROJECT  
Impacts to Potential Waters of the U.S.

FIGURE 5

Group 2

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**LEGEND**

	Biological Study Area (BSA)		Alignment
	ACOE Active Floodplain		Grading Limits
	ACOE Non-Wetlands		Proposed ROW
	Permanent Impacts		Retaining Walls
	Temporary Impacts		Drainage Improvements
	Non-Impacted		Bioswales
			Detention Basin

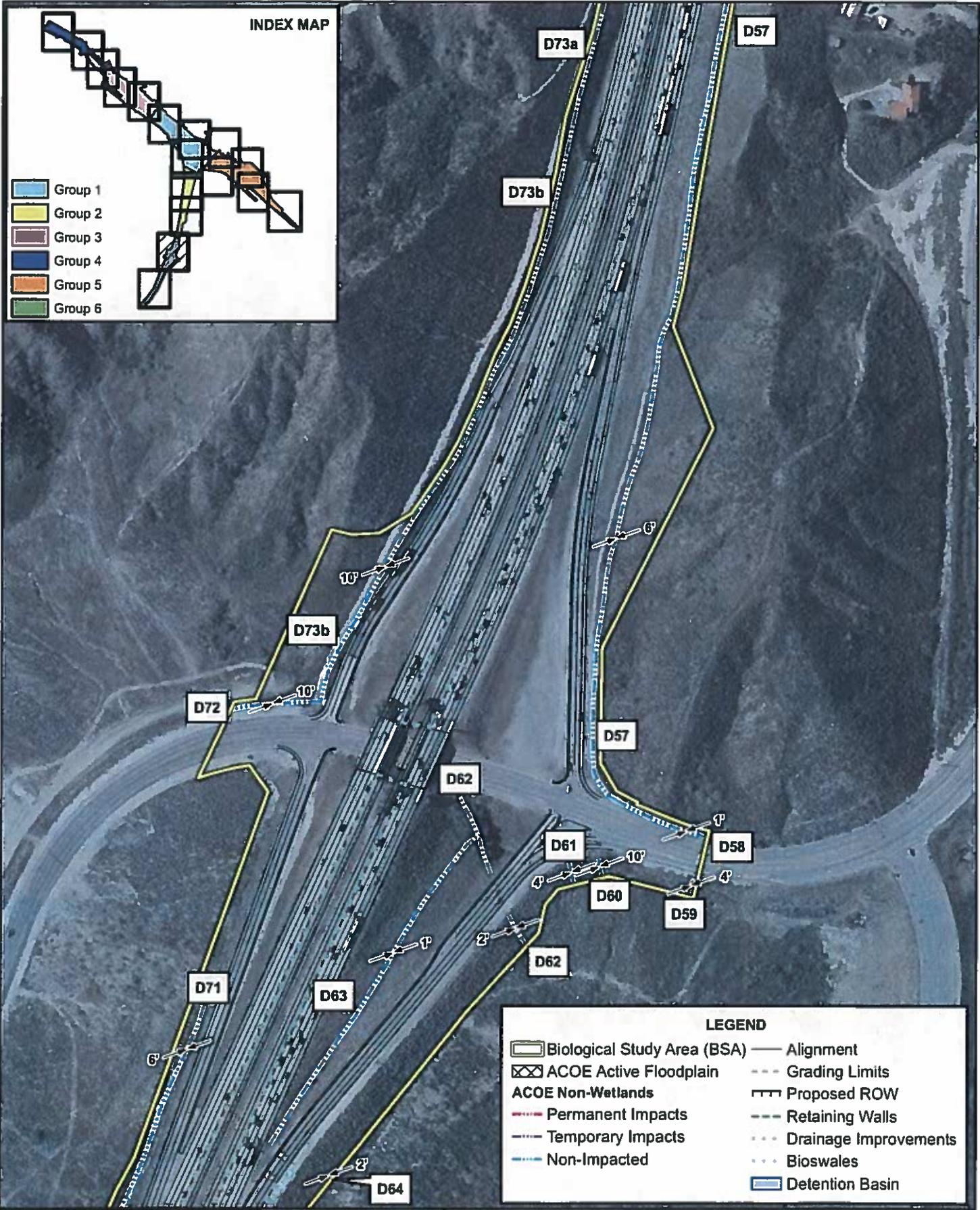


Map Created: 11/20/2012



Data Sources: LSA Associates, Inc.  
ESRI

I-15/215 INTERCHANGE IMPROVEMENTS PROJECT  
Impacts to Potential Waters of the U.S.  
FIGURE 5  
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**LEGEND**

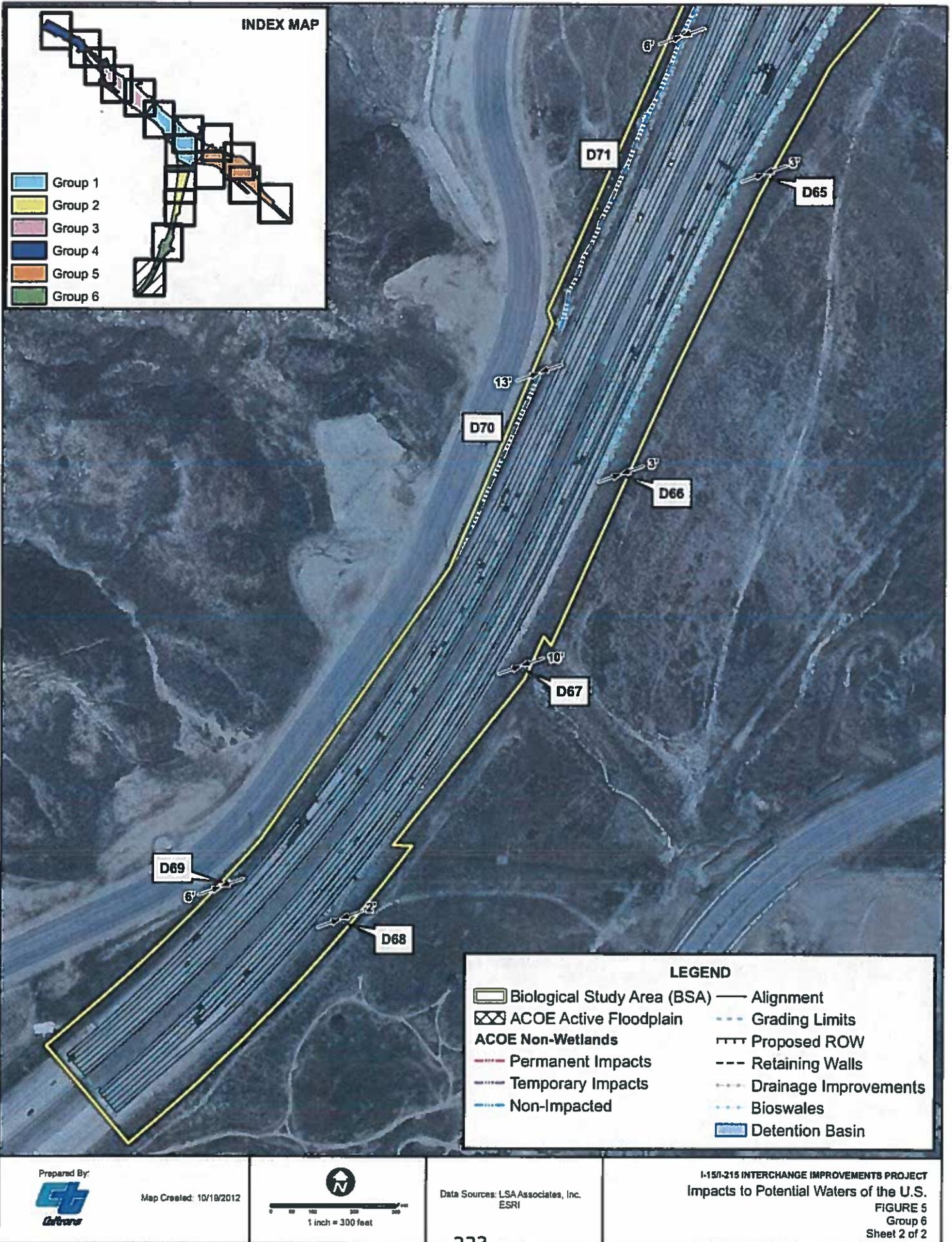
Biological Study Area (BSA)	Alignment
ACOE Active Floodplain	Grading Limits
ACOE Non-Wetlands	Proposed ROW
Permanent Impacts	Retaining Walls
Temporary Impacts	Drainage Improvements
Non-Impacted	Bioswales
	Detention Basin

Prepared By:  
**Carter Engineering**  
 Map Created: 10/19/2012

1 Inch = 300 feet

Data Sources: LSA Associates, Inc.  
 ESRI

I-15/I-215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.  
**FIGURE 5**  
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- Group 5
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**LEGEND**

- |  |                             |  |                       |
|--|-----------------------------|--|-----------------------|
|  | Biological Study Area (BSA) |  | Alignment             |
|  | ACOE Active Floodplain      |  | Grading Limits        |
|  | ACOE Non-Wetlands           |  | Proposed ROW          |
|  | Permanent Impacts           |  | Retaining Walls       |
|  | Temporary Impacts           |  | Drainage Improvements |
|  | Non-Impacted                |  | Bioswales             |
|  |                             |  | Detention Basin       |

Prepared By:

Map Created: 10/19/2012



Data Sources: LSA Associates, Inc.  
 ESRI

I-151-215 INTERCHANGE IMPROVEMENTS PROJECT  
 Impacts to Potential Waters of the U.S.  
 FIGURE 5  
 Group 6  
 Sheet 2 of 2

**Enclosure 1: NATIONWIDE PERMIT (NWP) NUMBER(S) 14 Linear Transportation Projects. TERMS AND CONDITIONS**

**1. Nationwide Permit(s) (NWP) No. 14 Linear Transportation Projects. Terms:**

Your activity is authorized under Nationwide Permit (NWP) Number(s) 14 Linear Transportation Projects. subject to the following terms:

14. Linear Transportation Projects. Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project. This NWP also authorizes temporary structures, fills, and work necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate. This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars. Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10 acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 27.) (Sections 10 and 404) Note: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as appropriate, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP.

**2. Nationwide Permit General Conditions:** The following general conditions must be followed in order for any authorization by an NWP to be valid:

1. **Navigation.** (a) No activity may cause more than a minimal adverse effect on navigation.  
(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.  
(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of

the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.
3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.
4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.
6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.
8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.
9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).
10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.
12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.
14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.
15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.
16. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).
17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.  
(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address ESA compliance for the NWP activity, or whether additional ESA consultation is necessary.  
(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the

project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed work or that utilize the designated critical habitat that might be affected by the proposed work. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have “no effect” on listed species or critical habitat, or until Section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWP.

(e) Authorization of an activity by a NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the U.S. FWS or the NMFS, The Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.noaa.gov/fisheries.html> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
20. Historic Properties. (a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.  
(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address section 106 compliance for the NWP activity, or whether additional section 106 consultation is necessary.  
(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed on,

determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of Section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties on which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR §800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. **Designated Critical Resource Waters.** Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.
- (a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.
- (b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 31, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.
23. **Mitigation.** The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:
- (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).
- (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.
- (c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse effects of the proposed activity are minimal, and provides a project-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.
- (1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in minimal adverse effects on the aquatic environment.
- (2) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.
- (3) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) – (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(4) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(5) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream rehabilitation, enhancement, or preservation, to ensure that the activity results in minimal adverse effects on the aquatic environment.

(e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWPs.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the restoration or establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to establish a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or establishing a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(g) Permittees may propose the use of mitigation banks, in-lieu fee programs, or separate permittee-responsible mitigation. For activities resulting in the loss of marine or estuarine resources, permittee-responsible compensatory mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.
26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.
27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.
28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.
29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

\_\_\_\_\_  
(Transferee)

\_\_\_\_\_  
(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any required

compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the work and mitigation.

31. **Pre-Construction Notification.** (a) **Timing.** Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer.

However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 20 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) **Contents of Pre-Construction Notification:** The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause, including the anticipated amount of loss of water of the United States expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(4) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(5) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and

(7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) **Form of Pre-Construction Notification:** The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) **Agency Coordination:** (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

(2) For all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States, for NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300

linear feet of intermittent and ephemeral stream bed, and for all NWP 48 activities that require pre-construction notification, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(4) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

### **3. Regional Conditions for the Los Angeles District:**

In accordance with General Condition Number 27, "Regional and Case-by-Case Conditions," the following Regional Conditions, as added by the Division Engineer, must be met in order for an authorization by any Nationwide to be valid:

- I. For all activities in waters of the U.S. that are suitable habitat for federally listed fish species, the permittee shall design all road crossings to ensure that the passage and/or spawning of fish is not hindered. In these areas, the permittee shall employ bridge designs that span the stream or river, including pier- or pile-supported spans, or designs that use a bottomless arch culvert with a natural stream bed, unless determined to be impracticable by the Corps.
2. Nationwide Permits (NWP) 3, 7, 12-15, 17-19, 21, 23, 25, 29, 35, 36, or 39-46, 48-52 cannot be used to authorize structures, work, and/or the discharge of dredged or fill material that would result in the "loss" of wetlands, mudflats, vegetated shallows or riffle and pool complexes as defined at 40 CFR Part 230.40-45. The definition of "loss" for this regional condition is the same as the definition of "loss of waters of the United States" used for the Nationwide Permit Program. Furthermore, this regional condition applies only within the State of Arizona and within the Mojave and Sonoran (Colorado) desert

regions of California. The desert regions in California are limited to four USGS Hydrologic Unit Code (HUC) accounting units (Lower Colorado -150301, Northern Mojave-180902, Southern Mojave-181001, and Salton Sea-181002).

3. When a pre-construction notification (PCN) is required, the appropriate U.S. Army Corps of Engineers (Corps) District shall be notified in accordance with General Condition 31 using either the South Pacific Division PCN Checklist or a signed application form (ENG Form 4345) with an attachment providing information on compliance with all of the General and Regional Conditions. The PCN Checklist and application form are available at: <http://www.spl.usace.army.mil/regulatory>. In addition, the PCN shall include:
  - a. A written statement describing how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States;
  - b. Drawings, including plan and cross-section views, clearly depicting the location, size and dimensions of the proposed activity as well as the location of delineated waters of the U.S. on the site. The drawings shall contain a title block, legend and scale, amount (in cubic yards) and area (in acres) of fill in Corps jurisdiction, including both permanent and temporary fills/structures. The ordinary high water mark or, if tidal waters, the mean high water mark and high tide line, should be shown (in feet), based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation. All drawings for projects located within the boundaries of the Los Angeles District shall comply with the most current version of the *Map and Drawing Standards for the Los Angeles District Regulatory Division* (available on the Los Angeles District Regulatory Division website at: [www.spl.usace.army.mil/regulatory/](http://www.spl.usace.army.mil/regulatory/)); and
  - c. Numbered and dated pre-project color photographs showing a representative sample of waters proposed to be impacted on the project site, and all waters proposed to be avoided on and immediately adjacent to the project site. The compass angle and position of each photograph shall be documented on the plan-view drawing required in subpart b of this regional condition.
4. Submission of a PCN pursuant to General Condition 31 and Regional Condition 3 shall be required for all regulated activities in the following locations:
  - a. All perennial waterbodies and special aquatic sites within the State of Arizona and within the Mojave and Sonoran (Colorado) desert regions of California, excluding the Colorado River in Arizona from Davis Dam to River Mile 261 (northern boundary of the Fort Mojave Indian Tribe Reservation). The desert region in California is limited to four USGS HUC accounting units (Lower Colorado -150301, Northern Mojave-180902, Southern Mojave-181001, and Salton Sea-181002).
  - b. All areas designated as Essential Fish Habitat (EFH) by the Pacific Fishery Management Council (i.e., all tidally influenced areas - Federal Register dated March 12, 2007 (72 FR 11092)), in which case the PCN shall include an EFH assessment and extent of proposed impacts to EFH. Examples of EFH habitat assessments can be found at: <http://www.swr.noaa.gov/efh.htm>.
  - c. All watersheds in the Santa Monica Mountains in Los Angeles and Ventura counties bounded by Calleguas Creek on the west, by Highway 101 on the north and east, and by Sunset Boulevard and Pacific Ocean on the south.
  - d. The Santa Clara River watershed in Los Angeles and Ventura counties, including but not limited to Aliso Canyon, Agua Dulce Canyon, Sand Canyon, Bouquet Canyon, Mint Canyon, South Fork of the Santa Clara River, San Francisquito Canyon, Castaic Creek, Piru Creek, Sespe Creek and the main-stem of the Santa Clara River.

5. Individual Permits shall be required for all discharges of fill material in jurisdictional vernal pools, with the exception that discharges for the purpose of restoration, enhancement, management or scientific study of vernal pools may be authorized under NWP 5, 6, and 27 with the submission of a PCN in accordance with General Condition 3I and Regional Condition 3.
6. Individual Permits shall be required in Murrieta Creek and Temecula Creek watersheds in Riverside County for new permanent fills in perennial and intermittent watercourses otherwise authorized under NWP 29, 39, 42 and 43, and in ephemeral watercourses for these NWP 14 for projects that impact greater than 0.1 acre of waters of the United States. In addition, when NWP 14 is used in conjunction with residential, commercial, or industrial developments the 0.1 acre limit would also apply.
7. Individual Permits (Standard Individual Permit or 404 Letter of Permission) shall be required in San Luis Obispo Creek and Santa Rosa Creek in San Luis Obispo County for bank stabilization projects, and in Gaviota Creek, Mission Creek and Carpinteria Creek in Santa Barbara County for bank stabilization projects and grade control structures.
8. In conjunction with the Los Angeles District's Special Area Management Plans (SAMPs) for the San Diego Creek Watershed and San Juan Creek/Western San Mateo Creek Watersheds in Orange County, California, the Corps' Division Engineer, through his discretionary authority has revoked the use of the following 26 selected NWP within these SAMP watersheds: 03, 07, 12, 13, 14, 16, 17, 18, 19, 21, 25, 27, 29, 31, 33, 39, 40, 41, 42, 43, 44, 46, 49, and 50. Consequently, these NWP are no longer available in those watersheds to authorize impacts to waters of the United States from discharges of dredged or fill material under the Corps' Clean Water Act section 404 authority.
9. Any requests to waive the 300 linear foot limitation for intermittent and ephemeral streams for NWP 29, 39, 40 and 42, 43, 44, 51 and 52 or to waive the 500 linear foot limitation along the bank for NWP 13, must include the following:
  - a. A narrative description of the stream. This should include known information on: volume and duration of flow; the approximate length, width, and depth of the waterbody and characters observed associated with an Ordinary High Water Mark (e.g. bed and bank, wrack line, or scour marks); a description of the adjacent vegetation community and a statement regarding the wetland status of the associated vegetation community (i.e. wetland, non-wetland); surrounding land use; water quality; issues related to cumulative impacts in the watershed, and; any other relevant information.
  - b. An analysis of the proposed impacts to the waterbody in accordance with General Condition 3I and Regional Condition 3;
  - c. Measures taken to avoid and minimize losses, including other methods of constructing the proposed project; and
  - d. A compensatory mitigation plan describing how the unavoidable losses are proposed to be compensated, in accordance with 33 CFR Part 332.
10. The permittee shall complete the construction of any compensatory mitigation required by special condition(s) of the NWP verification before or concurrent with commencement of construction of the authorized activity, except when specifically determined to be impracticable by the Corps. When mitigation involves use of a mitigation bank or in-lieu fee program, the permittee shall submit proof of payment to the Corps prior to commencement of construction of the authorized activity.

**4. Further information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - ( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
  
2. Limits of this authorization.
  - (a) This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
  - (b) This permit does not grant any property rights or exclusive privileges.
  - (c) This permit does not authorize any injury to the property or rights of others.
  - (d) This permit does not authorize interference with any existing or proposed Federal project.
  
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - (a) Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - (b) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - (c) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - (d) Design or construction deficiencies associated with the permitted work.
  - (e) Damage claims associated with any future modification, suspension, or revocation of this permit.
  
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
  
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
  - (a) You fail to comply with the terms and conditions of this permit.
  - (b) The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
  - (c) Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 330.5 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measure ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. This letter of verification is valid for a period not to exceed two years unless the nationwide permit is modified, reissued, revoked, or expires before that time.
7. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition H below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
8. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of your permit.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND  
REQUEST FOR APPEAL**

Applicant: California Department of Transportation District 8 (POC: Scott Quinnell)	File Number: SPL-200900460-VCC	Date: 2-4-13
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
X	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/cecw/pages/reg\\_materials.aspx](http://www.usace.army.mil/cecw/pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.**

**A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT: You may accept or appeal the permit**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.**

**D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.**

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.**

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

If you only have questions regarding the appeal process you may also contact: Thomas J. Cavanaugh  
Administrative Appeal Review Officer,  
U.S. Army Corps of Engineers  
South Pacific Division  
1455 Market Street, 2052B  
San Francisco, California 94103-1399  
Phone: (415) 503-6574 Fax: (415) 503-6646  
Email: [thomas.j.cavanaugh@usace.army.mil](mailto:thomas.j.cavanaugh@usace.army.mil)

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

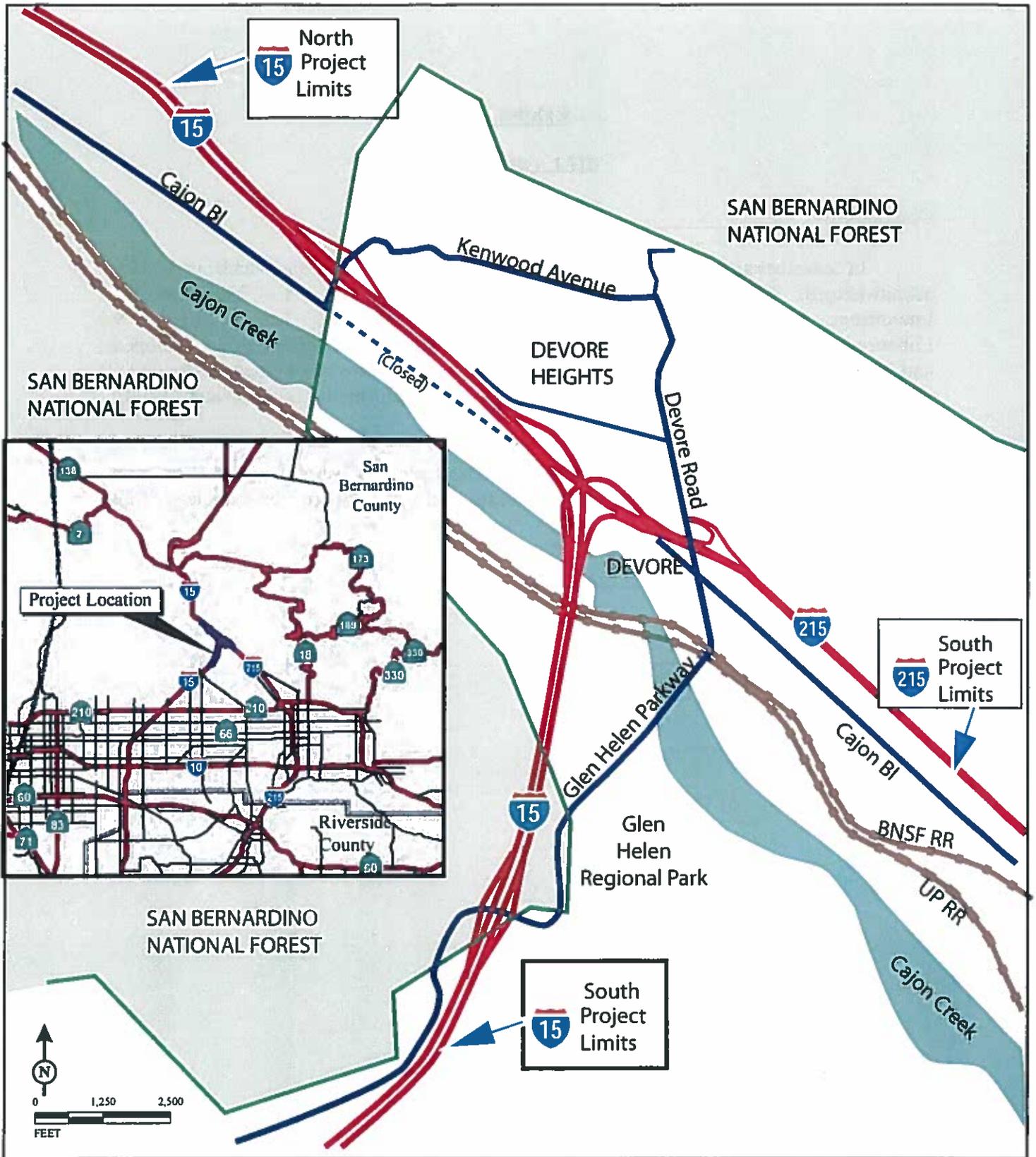
Date:

Telephone number:

**Exhibit B**

**PROJECT DESCRIPTION**

The proposed project provides operational improvements to the I-15 and I-215 Interchange near the unincorporated community of Devore in southwestern San Bernardino County. The project limits extend along I-15 from approximately 0.8 mile south of the Glen Helen Parkway undercrossing to 1.4 miles north of the Kenwood Avenue undercrossing, and along I-215 from 1.2 miles south of the Devore Road overcrossing to the I-15 junction, as shown in the attached Figure 1. The project also includes the reconnection of Cajon Boulevard and local roadway changes.



**FIGURE 1**  
*I-15/I-215 Interchange Improvements*  
 Regional and Project Location Map

**Exhibit C**

**BILL OF SALE**

Contract No. \_\_\_\_\_

In consideration of the payment of \$1,361,700, receipt of which is hereby acknowledged, RCRCO does hereby recognize that Interstate 15 / Interstate 215 Interchange Improvements Project (the "Project Applicant"), has acquired 8.9 Enhancement Credits from the RCRCO In-Lieu Fee Program (the "Program"), developed and approved by the Los Angeles District of the U.S. Army Corps of Engineers, Region IX of the U.S. Environmental Protection Agency and the California Regional Water Quality Control Board, Region 8.

RCRCO, administrator of the Program, represents and warrants that it has good title to the credits, has good right to sell the same, and that they are free and clear of all claims, liens, or encumbrances.

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
District Manager

**Exhibit D**

**STATEMENT OF SALE OF CREDIT**

RCRCD letterhead

June 5, 2013

U.S. Army Corps of Engineers  
Los Angeles District – Regulatory Division  
915 Wilshire Blvd.  
Los Angeles, CA 90017

Subject: Statement of Sale for 8.9 Credits from the RCRCD In-Lieu Fee Program to the San Bernardino Associated Governments

The Riverside-Corona Resource Conservation District has an agreement with the U.S. Army Corps of Engineers – Los Angeles District to operate an In-Lieu-Fee Program. This letter confirms the sale of 8.9 credits of enhancement. These credits are being used as compensatory mitigation for 1.697 acres of impact to Cajon Creek and its tributaries in the Impact HUC 18070203 as authorized by DA permit SPL-2009-00460-VCC. By selling credits to the above permittee, RCRCD is the party responsible for fulfilling the mitigation aspect of Special Condition 3 of the Permit(s) listed above.

Signed



- 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: 15

**Date:** July 10, 2013

**Subject:** Lenwood Road Grade Separation Project Assignment and Assumption Agreement

**Recommendation:** Approve a new Assignment and Assumption Agreement C13127 between the San Bernardino County Transportation Commission (COMMISSION) and the City of Barstow (CITY) assigning to and being assumed by COMMISSION the CITY's rights and obligations under the Overpass Agreement between BNSF Railway Company and CITY that are necessary for construction of the Lenwood Road Overpass Structure.

**Background:** This is a required approval to allow the Lenwood Road Grade Separation project to proceed to construction. In May 2011, the County of San Bernardino, the City of Barstow (CITY), and the San Bernardino Associated Governments, acting as the San Bernardino County Transportation Commission (SANBAG) entered into an Agreement C11199 to fully fund the construction of the grade separation over BNSF tracks at Lenwood Road. This project will grade separate Lenwood Road and the BNSF Railway tracks, increasing safety and eliminating the delay at the existing at-grade crossing. In February 2012, this agreement was amended to swap Congestion Management and Air Quality (CMAQ) funds with Surface Transportation Program (STP) funds. As we approach the construction phase, the City of Barstow has been working with BNSF to finalize the Overpass Construction & Maintenance (C&M) Agreement

*Approved  
 Board of Directors*

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

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

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

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

COG	CTC	X	CTA	SAFE	CMA
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Check all that apply.

BRD1307a-bmf

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13127.doc>

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/Lenwood%20GS%20Overpass%20Agreement.pdf>

(Overpass Agreement). The document was fully executed in May, 2013. The Public Utilities Commission (CPUC) application has been approved.

The project is scheduled to go to the California Transportation Commission (CTC) on June 11, 2013, for the allocation of \$8,885,000 of Trade Corridor Improvement Funds (TCIF) funds. Once these funds are allocated, the project has six months to award a construction contract.

Construction will start in November, 2013. To construct the Lenwood Road Overpass Structure, the CITY must assign the obligations of the Overpass Agreement to COMMISSION and COMMISSION must assume the obligations of the Overpass Agreement by approving Assignment and Assumption Agreement C13127. Staff recommends approval of C13127. Under the Assignment and Assumption Agreement COMMISSION will assume all of CITY's obligations under the Overpass Agreement related to and during the construction phase of the construction of the overpass structure. CITY will retain all of its obligations under the Overpass Agreement that arise out of maintenance of the Overpass Structure and occupancy and use of BNSF right-of-way after construction of the Overpass Structure is completed. This Assignment and Assumption Agreement does not change any of the funding obligations of the parties to C11199.

***Financial Impact:*** This item is consistent with the SANBAG Fiscal Year 2013/2014 budget. Task No. 0881, the Lenwood Grade Separation Project.

***Reviewed By:*** This item was reviewed and recommended for approval by the Mountain Desert Policy Committee on June 21, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Contract as to form.

***Responsible Staff:*** Garry Cohoe, Director of Project Delivery

## CONTRACT SUMMARY SHEET

Contract No. C 13127 Amendment No. 0

By and Between

San Bernardino County Transportation Commission and City of Barstow

Contract Description Assignment and Assumption Agreement for the Lenwood Grade Separation Project

<b>Board of Director's Meeting Date:</b> July 3, 2013	
<b>Overview of BOD Action:</b> Approval of a new Assignment and Assumption Agreement C13127. City of Barstow assigns and Commission assumes rights and obligations under the BNSF Overpass Agreement.	
Is this a Sole-Source procurement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	0	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$		Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>0</b>	<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			<b>\$ 0</b>

Contract Start Date July 3, 2013	Current Contract Expiration Date December 31, 2017	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>0881</u> .	
<input type="checkbox"/> A Budget Amendment is required.	
How are we funding current FY?	
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds
<input type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds
<input type="checkbox"/> Measure I Funds	
Provide Brief Overview of the Overall Funding for the duration of the Contract: Budgeted under contract <u>C1199-1</u> .	
<input type="checkbox"/> Payable <input type="checkbox"/> Receivable	

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

Barbara Fortman	5.31.13
Project Manager (Print Name)	Signature Date
	6.3.13
Task Manager (Print Name)	Signature Date
Andrea Zureick	Andrea Zureick 6/4/13
Dir. of Fund Admin. & Programming (Print Name)	Signature Date
Jeffery Hill	6/4/13
Contract Administrator (Print Name)	Signature Date
W. STUARSON	6/5/13
Chief Financial Officer (Print Name)	Signature Date

ASSIGNMENT AND ASSUMPTION AGREEMENT  
CONTRACT NO. C13127  
BY AND BETWEEN  
THE SAN BERNARDINO COUNTY TRANSPORTATION COMMISSION  
AND  
THE CITY OF BARSTOW  
LENWOOD ROAD/BNSF GRADE SEPARATION

This Assignment and Assumption Agreement Contract No. C13127 (Contract) is by and between the San Bernardino County Transportation Commission (hereinafter called COMMISSION) and the City of Barstow (hereinafter called CITY).

RECITALS:

A. CITY and BNSF Railway Company (BNSF) have entered into an Overpass Agreement (AGREEMENT), BNSF File No. BF10001915, Lenwood Road Overpass, U.S. DOT No. 026062X, LS 7600, MP5.77, Cajon Subdivision, effective as of May 20, 2013 to construct the Lenwood Road Overpass (STRUCTURE), including but not limited to, any and all changes to telephone, telegraph, signal, and electrical lines and appurtenances, temporary and permanent track work, fencing, grading, alterations to or new construction of drainage facilities, preliminary and construction engineering, and contract preparation.

B. BNSF consented to the assignment to and assumption by COMMISSION of a portion of the CITY's rights and obligations under the AGREEMENT (See Article IV, Paragraph 17).

C. It is the intent of the Parties to assign the CITY's obligations to perform construction work under the AGREEMENT during the STRUCTURE's construction phase to the COMMISSION. It is further the intent of the parties that upon completion of the STRUCTURE the CITY will be responsible for the ownership and maintenance of the STRUCTURE and shall retain all obligations related thereto as set forth in the AGREEMENT.

NOW THEREFORE, THE PARTIES HEREBY AGREE:

1. CITY hereby assigns to COMMISSION and COMMISSION hereby assumes all of the CITY's rights and obligations under the AGREEMENT that are necessary to construct the STRUCTURE. The rights and obligations assigned to and assumed by COMMISSION include the following:
  - (a) All CITY obligations under AGREEMENT Article III entitled "Agency Obligations" with the exception of Paragraph 9 related to future inspection and maintenance of the STRUCTURE, and of Paragraph 16 related to indemnification of BNSF.

(b) All CITY obligations under AGREEMENT Article IV entitled "Joint Obligations" with the exception of Paragraphs 10, 11, 14 and 15.

(c) The COMMISSION is specifically assigned the power but not the obligation to enforce any of the terms of the AGREEMENT, including but not limited to BNSF's obligations under the AGREEMENT.

2. CITY retains all of CITY's rights and obligations under the AGREEMENT that:
  - (a) are applicable after completion of the construction of the STRUCTURE; and
  - (b) arise out of occupation and use of BNSF's property or right-of-way, and ownership or maintenance of the STRUCTURE.
3. COMMISSION agrees to incorporate into the "San Bernardino Associated Governments Special Provisions for Construction of the Lenwood Road Grade Separation over the BNSF Railroad in the City of Barstow, San Bernardino County" all conditions of the AGREEMENT that are required by the AGREEMENT to be so incorporated.
4. COMMISSION agrees to assume CITY's obligations that may arise under AGREEMENT Paragraph 16 from the Effective Date of this Contract through the date COMMISSION files a Notice of Completion of the Structure.
5. The parties further agree that the payment from BNSF required under AGREEMENT Article IV Paragraph 5 will be made payable to the COMMISSION.
6. The AGREEMENT is attached to this Contract as Exhibit A and is incorporated herein by this reference.
7. The Recitals set forth above in this Contract are incorporated into and made a part of this Contract.
8. This Contract is not intended to amend, supersede or modify in any way funding obligations set forth in the Cooperative Agreement No. C11199 between CITY, COMMISSION and the County of San Bernardino entered into May 2011, and amended in February 2012.

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

IN WITNESS WHEREOF, the authorized parties have executed this Contract below, and the Contract is effective as of the date executed by COMMISSION.

SAN BERNARDINO COUNTY  
TRANSPORTATION COMMISSION

CITY OF BARSTOW:

By: \_\_\_\_\_  
Janice Rutherford  
President  
SANBAG Board of Directors

By: Charles C. Mitchell  
Charles C. Mitchell  
City Manager  
City of Barstow

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

Date: 5/28/13

APPROVED AS TO FORM

APPROVED AS TO FORM

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

By: Teresa Highsmith  
Teresa Highsmith  
Interim City Attorney  
City of Barstow

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

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



- 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: 16**

**Date:** July 10, 2013

**Subject:** I-15 Base Line Road Interchange Project

**Recommendation:** Acting as the San Bernardino County Transportation Commission:

1. Approve award of Contract No. C13033 with Arcadis US for Construction Management services for the I-15 Base Line Road Interchange Improvement Project in an amount not-to-exceed \$6,634,739.00, provided that the award of the contract and the authorization to execute the contract are contingent upon Caltrans' issuance of a Conformance Letter and correction of any noted deficiencies, as required by Caltrans' Local Assistance Procedures Manual.
2. Approve a contingency amount for Contract No. C13033 of \$663,473.00 and authorize the Executive Director or designee to release contingency as necessary for the project.
3. Approve issuance of a Purchase Order in the amount of \$100,000.00 to cover the cost of the preconstruction services so that work can commence prior to the issuance of the federal funds for construction.

**Background:** Recommendations 1 & 2 are for a new contract. On March 6, 2013, San Bernardino Associated Governments (SANBAG) Board approved a budget

*Approved  
 Board of Directors*

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

*Moved: Second:*

*In Favor: Opposed: Abstained*

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

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

BRD1307c-mb

Attachment: <http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13033.docx>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13033%20Attachment%20B%20-%20Arcadis%20US%20115%20Base%20Line%20Interchange.PDF>

amendment to add a new task number 0892, amend the current fiscal year budget to include \$100,000 for construction management fees and authorized Staff to release a Request for Proposals (RFP) No. C13033 for Construction Management, Materials Testing, Source Inspection, Construction Surveying and Public Outreach services associated with the construction of the I-15 Baseline Road Interchange Improvement Project.

On April 18, 2013, staff received seven (7) proposals. The firms who submitted are, in alphabetical order, Arcadis US, Caltrop, Ghirardelli Associated, Harris & Associates, Mendoza & Associates, PreScience Engineering Corporation and RailPros Inc. Staff assembled a selection panel consisting of members from the City of Rancho Cucamonga, Department of Transportation (Caltrans), and SANBAG. Following review of the proposals, three (3) firms were shortlisted to participate in interviews: Arcadis US, Harris & Associates, and Mendoza & Associates. Interviews were held on Wednesday, May 15, 2013.

All three (3) firms were very qualified to manage this project. Arcadis US' thorough knowledge of the project, proposed staffing for work on the project, including their choice of sub-consultants, and their work plan distinguished it from the other firms. The selection panel unanimously agreed that Arcadis US was the most qualified and most available team to provide the services requested. Staff verified not only the references of the firm and the principal, but also called on and received positive references for the Resident Engineer and Structure Rep/Inspector.

Staff recommends approval of Contract No. C13033 with Arcadis US, for Construction Management services on the I-15 Base Line Interchange Project for a total not-to-exceed amount of \$6,634,739.00; establishment of a contingency amount for Contract No. C13033 of \$663,473; and authorization of the Executive Director or designee to release contingency funds as necessary for the project.

The award and execution of the contract is contingent upon Caltrans' Audits & Investigations issuance of a Conformance Letter which indicates that Caltrans has reviewed the proposed contract and the financial information submitted by Arcadis and its subconsultants; and have found the contract terms and the consultant's cost and price information compliant with state and federal requirements. This is a new Caltrans' procedure implemented in May 2013, impacting Architects and Engineering Contracts of \$150,000 or more.

**Recommendation 3.** Federal authorization to proceed is not expected until sometime in the fall 2013 (September/October). In anticipation of the project being released for advertisement and awarded prior to the end of the 2013 calendar year, Staff is requesting approval to issue a Purchase Order to Arcadis

US in the amount of \$100,000.00 to cover the cost of the preconstruction services and a constructability review that would commence prior to the issuance of the federal funds for the construction phase. These funds are in addition to those identified in Recommendation 1 and 2 and will utilize local funds.

**Financial Impact:** This item is consistent with the Fiscal Year 2013/2014 budget under Task No. 0892.

**Reviewed By:** This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Contract.

**Responsible Staff:** Garry Cohoe, Director of Project Delivery

## CONTRACT SUMMARY SHEET

Contract No. C 13033 Amendment No. \_\_\_\_\_

By and Between

San Bernardino County Transportation Authority and Arcadis US Inc

Contract Description Construction Management Services I15 Base Line Interchange

**Board of Director's Meeting Date:** July 3, 2013  
**Overview of BOD Action:** Approve Award of Construction Management Contract, and establish a contingency.

Is this a Sole-Source procurement?  Yes  No

CONTRACT OVERVIEW					
Original Contract Amount	\$	6,634,739.00	Original Contingency Amount	\$	663,473.00
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	
Current Amendment Amount	\$		Contingency Amendment	\$	
<b>TOTAL CONTRACT VALUE</b>	\$	<b>6,634,739.00</b>	<b>TOTAL CONTINGENCY VALUE</b>	\$	<b>663,473.00</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>				\$	<b>7,298,212.00</b>

Contract Start Date <u>7/3/13 (pending E-76&amp; Audit)</u>	Current Contract Expiration Date <u>6/30/2018</u>	Revised Contract Expiration Date
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Has the contract term been amended?  No  Yes - please explain.

FINANCIAL INFORMATION				
<input checked="" type="checkbox"/> Budget authority for this contract currently exists in Task No. <u>892</u> .				
<input type="checkbox"/> A Budget Amendment is required.				
How are we funding current FY? Local Fund - City of Rancho Cucamonga				
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
Provide Brief Overview of the Overall Funding for the duration of the Contract: See C13030 Advance Expenditure Agreement with City of Rancho Cucamonga. City is to pay for Construction Management. SANBAG to reimburse City of Rancho Cucamonga at 50% at a later date.				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable				

CONTRACT MANAGEMENT INFORMATION	
Check all applicable boxes:	
<input checked="" type="checkbox"/> Retention? If yes, indicate % <u>10</u> .	
<input checked="" type="checkbox"/> Disadvantaged Business Enterprise (DBE) Goal <u>4.1</u> %	

Mike Barnum  
Project Manager (Print Name)

Garry Cohen  
Task Manager (Print Name)

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

Jeffrey Hill  
Contract Administrator (Print Name)

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

<u>[Signature]</u>	<u>6/3/13</u>
Signature	Date
<u>[Signature]</u>	<u>6-3-13</u>
Signature	Date
<u>[Signature]</u>	<u>6/4/13</u>
Signature	Date
<u>[Signature]</u>	<u>6/4/13</u>
Signature	Date
<u>[Signature]</u>	<u>6/3/13</u>
Signature	Date

**ATTACHMENT A**

**SCOPE OF WORK**

## INDEX

- A. DESCRIPTION OF SERVICES
- B. PERFORMANCE REQUIREMENTS
- C. DUTIES AND RESPONSIBILITIES
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  - 3. Project Administration
  - 4. Construction Coordination
  - 5. Construction Inspection
  - 6. Project Support
  - 7. Cost and Schedule
  - 8. Change Orders and Claims
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- D. DELIVERABLES
- E. EQUIPMENT AND MATERIALS TO BE PROVIDED BY CONSULTANT
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- G. STANDARDS
- H. AVAILABILITY AND WORK HOURS
- I. LIMITATIONS TO AUTHORITY
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- K. CONSTRUCTION SITE SAFETY
- L. BASIS FOR SURVEY AND MONUMENT MARKING
- M. PERSONNEL QUALIFICATIONS

A. DESCRIPTION OF SERVICES

The San Bernardino County Transportation Authority (SANBAG) will utilize the services of CONSULTANT to support the construction activities for the Project. The CONSULTANT will provide construction management, materials testing, construction surveying and public outreach for the Project. A description of the Project is given below.

**I-15 Baseline Road Interchange Project**

The construction project is located along Baseline Road at Interstate 15 (I-15) in the City of Rancho Cucamonga and the City of Fontana. The purpose of this project is to reduce congestion and improve traffic flow on Baseline Road and also the adjoining ramps for the interchange. To achieve this goal, the project proposes to widen Baseline Road and East Avenue to its ultimate configuration to conform to the General Plans for both the City of Rancho Cucamonga and the City of Fontana, to modify the four diamond interchange ramps, and to construct the southbound loop on-ramp.

The proposed improvements consist of reconstructing the interchange as a partial cloverleaf configuration. Modifications are to be made to the southbound (SB) and northbound (NB) on-ramps to accommodate the projected 2030 peak hourly traffic. The NB on-ramp is to be modified to two lanes to receive dual left turn lanes from the eastbound (EB) Baseline Road. The southbound off-ramp would be reconstructed as a two-lane exit at I-15 to expand to a four lane ramp at its terminus at Baseline Road. This ramp is being realigned northerly to accommodate a new southbound loop on-ramp. The northbound off-ramp, that utilizes the existing East Avenue Undercrossing Bridge, is to be widened to accommodate the two-lane off-ramp. Two new bridges and one bridge widening will be required.

Baseline Road will be widened from two lanes in each direction to three lanes in each direction. East Avenue will be widened from one lane in each direction to two lanes in each direction. This widening of Baseline Road is to its ultimate configuration. This widening will require tie-back retaining walls below the I-15 Bridge.

SANBAG intends to advertise, award and administer one construction contract for this project. .

Services

Services are anticipated to generally include, but are not limited to the following: participation in the evaluation of scheduling of the proposed project; constructability review; construction project advertising, bid analysis, and award; construction inspection; construction surveying, materials testing, source inspection, landscape inspection, contractor interface and contract administration; office engineering; public outreach services and other assorted duties as appropriate in managing construction of the improvement project.

SANBAG anticipates issuing a Purchase Order to the Consultant to complete a Constructability Review. A full Notice to Proceed (NTP) will be issued upon receipt of the approved funding agreement from Caltrans.

It is expected that the Consultant will assign a full-time Resident Engineer to coordinate all contract and personnel activities for all phases of construction. Other Resident Engineer(s) and inspection personnel may be assigned to direct and coordinate all project specific field activities and responsibilities as needed for satisfactory performance on the project. The Resident Engineer and every Resident Engineer assigned for this project shall be licensed as a Professional Civil Engineer in the State of California at the time of proposal submittal through the duration of the

contract. The Consultant is expected to provide a Survey Project Manager, Materials Testing/Source Inspection Project Manager, and Landscape Architect to administer the construction support services requested herein and to assign qualified field personnel to perform the requested services. Furthermore, the Consultant shall provide a public outreach liaison to assist the Authority's Public Information Office, the City of Rancho Cucamonga and the City of Fontana in implementing the Public Outreach Program established for this project.

CONSULTANT shall provide qualified construction management and inspection, materials testing, construction surveying and public relations personnel to perform a wide variety of construction management, support and contract administration duties as outlined in this Scope of Services for the Project.

SANBAG has designated a Project Manager to coordinate all construction activities.

**Mr. Mike Barnum, Construction Manager**

The CONSULTANT shall report to and receive direction from SANBAG through the Project Manager, or his designees. The SANBAG Project Manager is responsible for coordination of all SANBAG construction activities and for coordinating the efforts of the total construction team. The SANBAG Project Manager will be the main contact and primary source of information between SANBAG, cities, outside agencies, supporting consultants and the public for the construction projects.

**B. PERFORMANCE REQUIREMENTS**

**Construction Management:** CONSULTANT shall furnish a Project Manager to coordinate CONSULTANT operations with SANBAG. The Project Manager shall be responsible for all matters related to CONSULTANT personnel and operations. The Project Manager may also serve as the Resident Engineer. The Resident Engineer shall be assigned to direct and coordinate construction activities under this contract. Other Assistant Resident Engineers may be assigned to each specific project responsibilities as needed. The Resident Engineer shall be a Civil Engineer registered in the State of California and shall be in responsible charge of construction management and construction activity within the Project.

The number of CONSULTANT personnel assigned to the Project will vary throughout the duration of the contract. CONSULTANT personnel will be assigned, in varying levels of responsibility, as needed by the CONSULTANT to meet the Project schedule, Project requirements, and construction activities.

Resumes of personnel must be submitted to SANBAG for review and approval prior to assignment to the Project. SANBAG and CONSULTANT will jointly determine the quality and quantity of services that are required by CONSULTANT personnel. Personnel selected for assignment by CONSULTANT shall be made available for personal interviews prior to acceptance by SANBAG. If, in the opinion of SANBAG, an individual lacks adequate experience, the individual may be rejected or may be accepted on a trial basis until such time the individual's ability to perform the required services has been demonstrated. If, at any time, the performance of CONSULTANT personnel is unsatisfactory to SANBAG, SANBAG may release him/her by written notice and may request another qualified person be assigned.

If CONSULTANT personnel are on leave of absence, the Project Manager shall provide equally qualified replacement personnel until the assigned personnel returns to the Project approved by SANBAG.

The typical workday includes all hours worked by the construction Contractor. If necessary, overtime for CONSULTANT personnel may be required. The construction Contractor's

operations may be restricted to specific hours during the week, which shall become the normal workday for CONSULTANT personnel. The Project Manager, with prior concurrence from SANBAG, shall have the authority to increase, decrease, or eliminate CONSULTANT personnel work hours dependent on the schedule and requirements of the construction Contractor. All overtime required by CONSULTANT personnel shall be approved and authorized by SANBAG prior to each occurrence.

CONSULTANT personnel shall be knowledgeable of and comply with all applicable local, state, and federal regulations. CONSULTANT personnel shall cooperate and consult with SANBAG, State, and City officials during the course of the Project. CONSULTANT personnel shall perform duties as may be required to assure that construction is being performed in accordance with the Project plans and specifications. CONSULTANT personnel shall keep accurate and timely records and document all work performed by the Contractor and CONSULTANT.

CONSULTANT shall monitor for Contractor's compliance with the labor standards provisions of the projects and the related wage determination decisions of the Secretary of Labor.

CONSULTANT personnel shall assist SANBAG and local agencies in obtaining compliance with the safety and accident prevention provisions of the Project. Local agencies will retain jurisdictional control for traffic control.

All services required herein shall be performed in accordance with California Department of Transportation guidelines, regulations, policies, procedures, manuals, and standards, except as noted in the special provisions.

**Materials Testing & Source Inspection:** The number of field testing and source inspection personnel assigned to the Project will vary throughout the duration of the construction contract. CONSULTANT certified materials testing and source inspection personnel will be assigned as needed by the Resident Engineer to meet the required numbers and frequencies of testing based on schedule of the construction contractor.

Materials Testing /Source Inspection Services will be provided on an on-call basis. The duration of assignments could vary from a minimum of a few hours to the full term of the Project. CONSULTANT personnel will be available within one (1) day of written notification by SANBAG.

It is the intent of SANBAG to maintain a consistency of material testing/source inspection quality throughout each phase of each project. CONSULTANT is therefore encouraged to provide, where ever and whenever possible, the same personnel for the duration of construction of each project.

On days when work is not performed by the construction contractor, such as rainy or unsuitable weather days, CONSULTANT will not provide services unless authorized by the SANBAG Construction Manager.

Resumes of materials testing/source inspection personnel must be submitted to SANBAG for review and approval prior to assignment to the Project. If, at any time, the level of performance of any testing personnel is below expectations, SANBAG may release that field person and request that another be assigned as needed.

A sample of the project Source Inspection Quality Management Plan (SIQMP) outlining the SANBAGS approach to source inspection and the roles and responsibilities of the source inspection personal is provided in Attachment C. Consultant shall be responsible for finalizing the

SIQMP to match the project requirements, assist SANBAG in gaining Caltrans approval and manage the SIQMP. Consultant shall provide Structural Materials Representative (SMR), Steel inspectors, Non-destructive Steel Inspectors, Coating Inspectors, Precast Concrete Inspectors and other source inspectors as needed.

If a member of CONSULTANT's materials testing/source inspection personnel is on a leave of absence, CONSULTANT's Project Manager will provide an equally qualified replacement employee until the original member returns to work. The replacement employee will meet all the requirements of a permanently assigned employee.

All CONSULTANT personnel will be knowledgeable of, and comply with, all applicable local, state, and federal regulations. All personnel shall cooperate and consult with SANBAG during the course of the contract; and perform other duties as may be required to assure that the construction is being performed in accordance with the Project plans and specifications. CONSULTANT's personnel will keep records and document the work as directed by the Resident Engineer.

All services required herein will be performed in accordance with Caltrans regulations, policies, procedures, manuals, and standards.

**Construction Surveying:** CONSULTANT will furnish surveying crew(s) to perform construction surveys for the Project. The number of survey crew(s) assigned to the Project may vary throughout the duration of the construction contract to meet the Project needs. CONSULTANT personnel will be assigned as needed by the Resident Engineer to meet the schedule of the construction contractor.

Construction surveying services will be provided on an on-call basis. It is the intent of SANBAG to maintain a consistency of construction survey quality throughout each phase of each project. Therefore, CONSULTANT is encouraged to provide the same field personnel for the duration of construction. It is important that the Field Party Chief(s) assigned to a project be completely familiar with the survey requirements and the assignments for the Project.

On days when work is not performed by the construction contractor, such as rainy or unsuitable weather days, CONSULTANT will not provide services unless authorized by the Resident Engineer.

Construction surveying will not be performed when conditions such as weather, traffic, and other factors prevent safe and efficient operation.

Resumes of CONSULTANT personnel and certifications must be submitted to SANBAG for review. CONSULTANT personnel must be approved by SANBAG prior to assignment to a project. SANBAG and CONSULTANT will have the responsibility of determining the quality and quantity of work performed by CONSULTANT personnel. If, at any time, the level of performance of any CONSULTANT survey personnel is below expectations, SANBAG may release the survey crew member and request that another be assigned.

If CONSULTANT's survey crew personnel assigned to the Project is on a leave of absence, the Project Manager will provide an equally qualified replacement(s) until the original employee(s) returns to work. The replacement(s) will be required to meet all the requirements of the permanently assigned employee(s).

CONSULTANT personnel will:

- Be knowledgeable of, and comply with all, applicable local, Caltrans, state, and federal regulations.
- Cooperate and consult with SANBAG officials during the course of the contract.
- Perform duties as may be required to assure construction is performed in accordance with the Project plans and specifications.
- Keep records and document work as directed by the Resident Engineer.

All services required herein will be performed in accordance with Caltrans regulations, policies, procedures, manuals, and standards.

C. DUTIES AND RESPONSIBILITIES

1. Pre-construction Services

a. Schedule

CONSULTANT shall review the proposed Project schedule, compare it to the Project plans and specifications, and provide recommendations to SANBAG, as appropriate, to ensure efficiency of Contractor and CONSULTANT operations and safe and expeditious completion of the Project.

b. Budget

CONSULTANT shall review the Project estimate, quantities and provide recommendations to SANBAG, as appropriate, to ensure efficient utilization of funds and control of project costs.

c. Constructability Review

CONSULTANT shall review Project plans and special provisions for possible errors and deficiencies and report such findings to SANBAG in a format provide by SANBAG.

2. Bid Process

a. Bid Documents

CONSULTANT shall assist SANBAG, as requested, with the following tasks:

- 1) Review of bid documents
- 2) Preparation of bid tabulations

b. Pre-construction Meetings

CONSULTANT shall assist SANBAG in conducting one, or more, pre-construction meetings with all involved parties on the Project. Parties may include, but are not limited to, the Contractor, design engineer, Caltrans, County and City staff, utility companies, and developers.

c. Contract Award

CONSULTANT shall assist SANBAG, as requested, with the following tasks:

- 1) Review of bid for completeness and responsiveness
- 2) Perform bid analysis
- 3) Development of contractor payment schedules, and other procedural items.
- 4) Checking Contractor references, licenses, insurance, and sureties.
- 5) Coordination with prospective Contractor for award of construction contract(s).

All processes will be consistent with procedures outlined by the California Department of Transportation for Special Funded Programs and Local Assistance Procedure Manuals.

3. Project Administration

- a. CONSULTANT shall administer Project construction contracts using Caltrans Construction Manual as a guideline.
- b. CONSULTANT shall conduct regular Project coordination meetings with Contractor, SANBAG, local agencies, and design engineer, as appropriate.
- c. CONSULTANT shall prepare Contractor progress payments and maintain payment records and supporting documentation. All progress payments shall be reviewed by SANBAG for approval.
- d. CONSULTANT shall provide reports as needed to comply with specific funding requirements.
- e. CONSULTANT shall establish and maintain Project records in accordance with the Caltrans Construction Manual. Project record keeping shall include, but are not limited to, correspondence, memoranda, contract documents, change orders, claims, SANBAG and engineer directives, meeting minutes, shop drawings, supplementary drawings, and requests for payment. CONSULTANT shall maintain a record of the names, addresses, and telephone and fax numbers of the Contractors, subcontractors, and principal material suppliers.
- f. CONSULTANT shall establish and maintain a filing system in hard copies files and in electronic forms for each Project using the Caltrans Construction Manual as a guideline. Electronic data documentation will be required to be uploaded weekly to the SANBAG Major Projects Portal
- g. CONSULTANT shall monitor Contractors' construction schedules on an ongoing basis and alert SANBAG to conditions that may lead to delays in completion of the Project.
- h. CONSULTANT shall prepare and submit a monthly Activity Summary Report for the Project in a format approved by SANBAG. The activity report shall include among other items status of SWPPP issues, RFIs, contract change orders, and notice of potential claims; construction activities completed, ongoing, and upcoming; status of Project budget and schedule, and other highlights and critical issues.

- i. CONSULTANT shall review and ensure compliance with environmental requirements.
  - j. CONSULTANT shall participate in partnering sessions with the Contractor, SANBAG, and Local Agencies, as required.
  - k. CONSULTANT shall ensure that the Project meets all provisions of the Caltrans Quality Assurance Program Manual.
  - l. CONSULTANT shall review Contractors' certified payroll records and ensure compliance with the requirements of the construction contract.
  - m. CONSULTANT shall ensure that the Project meets all provisions of the Storm Water Pollution Prevention Plan (SWPPP).
  - n. CONSULTANT shall assure that the Project meets all applicable regulations of the Air Quality Management District (AQMD) and State Water Resources Control Board (SWRCB).
  - o. CONSULTANT shall maintain redlined as-built plans on an ongoing basis throughout the duration of the Project. Redlined plans shall show all changes made to the original contract plans, each change identified with the name of the approver, date of change approval, and CCO number, if applicable
4. Construction Coordination
- a. CONSULTANT shall provide a minimum of one qualified Resident Engineer to effectively manage the Project.
  - b. CONSULTANT Resident Engineer shall act as a prime point of contact between Contractor, SANBAG, CONSULTANT's construction surveyor, CONSULTANT's materials inspector, and utility companies. CONSULTANT may, when requested by SANBAG, act as point of contact between design engineers, cities, and the public. CONSULTANT shall ensure coordination with property owners adjacent to Project right-of-way to ensure timely communication regarding property-condition survey and construction activities and scheduling.
  - c. CONSULTANT shall maintain regular contact with SANBAG's Project/Construction Manager.
  - d. CONSULTANT shall coordinate utility relocations with utility companies and their designees, as well as the utility inspector.
  - e. CONSULTANT shall proactively review Project plans and special provisions for possible errors and deficiencies prior to construction of any specific element and report such findings to SANBAG. Should SANBAG determine that changes are necessary, CONSULTANT shall assist in implementation and processing of change orders in accordance with contract documents.
  - f. CONSULTANT shall proactively review Project plans and special provisions; monitor, coordinate, and track construction progress schedule and RFIs; and communicate with various agencies prior to construction of any specific elements

to ensure the Project proceeds on schedule and according to the order of work in the plans and special provisions. CONSULTANT shall expedite work, as required, to maintain schedule in conjunction with the overall construction staging program.

- g. CONSULTANT shall coordinate review of shop drawings and Requests for Information (RFI) with the Construction Manager. CONSULTANT shall log and track all submittals and requests.
- h. CONSULTANT shall provide a qualified SWPPP Coordinator who along with the Resident Engineer shall review and certify contractor prepared Storm Water Pollution Prevention Plans (SWPPP) and coordinate approval with SANBAG and the State Water Resource Control Board. The SWPPP Coordinator shall be at a minimum a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD) and a Qualified SWPPP Practitioner (QSP). CONSULTANT shall provide at a minimum weekly SWPPP monitoring and shall cooperate with all monitoring agency inspections and field reviews.
- i. CONSULTANT shall coordinate the implementation of any changes with the Construction Manager and the design engineer.
- j. CONSULTANT shall review and approve falsework and shoring plans.
- k. CONSULTANT shall review and approve Traffic Control Plans and forward to SANBAG for Caltrans/City/County approvals, as necessary.
- l. CONSULTANT shall coordinate all Project construction activities with other on-going projects within and adjacent to the Project limits.

5. Construction Inspection

- a. CONSULTANT shall coordinate all required inspections necessary for the Project. CONSULTANT shall ensure that appropriate City and local agencies are notified and present as required throughout the Project. CONSULTANT shall notify SANBAG immediately regarding any directives, recommendations, notices, etc. received from agencies other than SANBAG.
- b. CONSULTANT shall perform daily on-site observations of the progress and quality of construction to determine if the work being performed is in general conformance with the contract documents, all applicable laws, codes, and ordinances.
- c. CONSULTANT shall exercise reasonable care and diligence to discover and promptly report to SANBAG any and all defects or deficiencies in the materials or workmanship used in the Project.
- d. CONSULTANT personnel assigned to the Project shall be thoroughly familiar with Caltrans Standard Specifications, Caltrans Standard Plans, Caltrans Erosion Control and Highway Planting requirements, safety standards and State Water Resources Control Board requirements. CONSULTANT personnel shall have the ability to read and interpret construction plans and specifications. CONSULTANT personnel shall also have knowledge of State of California Construction Safety Orders (CalOSHA) and traffic control practices as specified in the Work Area Traffic Control Handbook (WATCH). In addition,

CONSULTANT personnel shall be thoroughly familiar with the construction requirements of Caltrans' Storm Water Pollution Prevention Program.

- e. Assignments to be performed by CONSULTANT personnel shall include, but are not limited to, the following:
- 1) Paving and subgrade inspection, sub-surface & finish surface drainage inspection, structures and foundation inspection, electrical inspection for traffic, ramp meter and irrigation control equipment, signing and striping inspection, quantity calculations, checking grade and alignment, construction traffic control, soil amendments and plant material identification & quality control, hardscape inspection, trenching & irrigation inspection and duties that may be required to determine that construction of the Project is being performed in accordance with the contract documents.
  - 2) Identifying actual and potential problems associated with the Project and recommending sound engineering solutions.
  - 3) Identifying common plant diseases and/or pests together with their respective eradication techniques, directing of plant adaptability requirements along with proper planting & pruning techniques, and avoiding potential problems associated with the Project by recommending sound engineering solutions.
  - 4) Perform basic sampling of construction materials in the field per California Test Method 105 and 125 by both the prime and subconsultant personnel.
  - 5) Maintaining awareness of safety and health requirements. Monitoring Contractors' compliance with applicable regulations and construction contract provisions for the protection of the public and Project personnel.
  - 6) Preparing complete and accurate daily reports, calculations, project records, payment quantity documents, reports, and correspondence related to Project activities.
  - 7) Preparing construction sketches, drawings, and cross-sections, as necessary.
  - 8) Assisting in the preparation of as-built plans.
  - 9) Providing inspections for environmental compliance.
  - 10) Maintaining awareness of water discharge requirements. Monitoring Contractors' compliance with applicable regulations and construction contract provisions.
  - 11) Monitoring Contractors' compliance with applicable regulations required by AQMD.
  - 12) Other duties as may be required or reasonably requested.

6. Project Support

a. Construction Surveys

CONSULTANT shall perform construction surveying services, field calculations, and home office calculations to support construction of the Project. CONSULTANT may be requested to review available survey data, construction plans, and right-of-way plans to confirm compatibility and to identify discrepancies prior to and during construction of proposed projects. The Resident Engineer will assign survey work to the CONSULTANT by issuing a "Request for Survey Services". Requests may include, but not be limited to, the following types of surveys and related services:

1) Construction Surveys

CONSULTANT shall assist the Resident Engineer in all phases of construction staking and calculations as needed.

- a) Survey calculations and adjustments shall be performed with established and computed coordinates based on the California Coordinate System.
- b) Cross-section data collection shall be performed by conventional and terrain line interpolation survey methods.
- c) Survey data will include topography, cross-section, and other survey data in computer formats compatible with the Caltrans computer survey and design systems.
- d) Prepare and maintain survey documents. Survey documents include survey field notes, maps, drawings, and other survey documents.
- e) Perform construction staking, including but not limited to:
  - i. Utility relocations
  - ii. Clearing limits
  - iii. Slope staking
  - iv. Storm drain, sanitary sewer, and irrigation systems
  - v. Drainage structures
  - vi. Curbs, gutters, and sidewalk
  - vii. Horizontal and vertical control for structures and portions of structures (bents, abutments, wingwalls, etc.)
  - viii. Rough grade
  - ix. Finish grade
- f) Monitor for settlement, if required.
- g) Global Positioning Satellite (GPS) equipment shall be made available if required by SANBAG

2) Grid Grades

Grid grade data shall provide pavement elevations at the station line, the left edge of pavement, the right edge of pavement, and the right edge of travel way at 25 foot intervals for travel lanes.

### 3) Open Ended Traverses and Profile Data Sheets

Separate open-ended traverse calculations and point maps shall depict plan data for station lines, utility lines, wall layout lines, and abutment/bent alignment. Specific information to be shown will be part numbers, coordinates, bearings, and curve data.

Profile data sheets are required for all profiles shown on the plans identifying vertical design elements such as grade, point of intersection (PI) location, beginning of vertical curve (BVC) location, end of vertical curve (EVC) location, and curve length.

### 4) Three Line Profiles

Separate profile plots are required for the left edge of pavement, the right edge of pavement, and the edge of shoulder for all travel lanes.

### 5) Right of Way Lines

Existing right of way and easements will be established from Local Agency's record information and existing monumentation.

- a) Right of way monumentation shall be renewed and restored in accordance with Section 10.4 of the Caltrans "Survey Manual" and the State of California Land Surveyor's Act.
- b) Corner records and records of surveys shall be prepared and filed in accordance with the applicable standards and the State of California Land Surveyor's Act and the California Subdivision Map Act.
- c) Perpetuate existing monumentation, which includes restoring, renewing, referencing, and resetting existing boundary related monumentation. In addition, stake areas where construction disturbs the existing right of way, preparing and filing required maps and records.

New right of way and easements will be established from plans, right of way maps, utility drawings, and Local Agency record information, and existing monumentation.

- a) Right of Way Surveys, which includes research and preparation filing of required maps and records. In addition, locate and set monuments for right of way and easement lines, staking for right of way and easement fences.
- b) Final monumentation, which includes setting of centerline points of control upon completion of construction.

**6) Special Design – Data Surveys**

Includes drainage, utility, and surveys required for special field studies.

**7) Control Survey**

Includes Project control surveys, aerial mapping control surveys, horizontal and vertical control surveys. In addition control surveys will include restoration, renewal, reference, relocation, and resetting of existing control monumentation. The CONSULTANT will be required to provide horizontal and vertical control at the end of each bridge.

**8) Topographic Surveys**

Topographic surveys will normally be compiled by ground survey methods only.

CONSULTANT will provide all necessary Project related surveys and construction staking, including horizontal and vertical control, right of way, and easements. CONSULTANT shall coordinate all staking and verify accuracy. CONSULTANT shall ensure timely coordination of all staking requests from the Contractor.

**b. Materials Testing, Source Inspection and Geotechnical Services**

- 1) CONSULTANT will provide experienced personnel, equipment, and facilities to perform various construction materials sampling and testing. Laboratory and field materials testing will be used to ensure that structure and roadway construction work conforms to California State Department of Transportation (Caltrans) standards, specifications, and special provisions for material quality and workmanship.
- 2) All field and laboratory testing is to be performed in accordance with California Test Methods.
- 3) CONSULTANT will be responsible for the accuracy and completeness of all test data compilation and results.

**c. Public Outreach**

- 1) **General Public Outreach Plan**
  - a) SANBAG's primary goal is to assure the public that SANBAG is a public agency that delivers quality transportation projects and trustworthy, accurate and timely public information.
  - b) SANBAG will provide the primary outreach effort with supplemental support as requested from CONSULTANT. This will be a targeted approach with incremental outreach based on construction schedule and staging. The primary target audiences identified for this Project include, but are not limited to:
    - i. LOCAL AGENCY
    - ii. SANBAG Board
    - iii. LOCAL AGENCY and area Emergency Service Providers
    - iv. School Transportation Coordinator(s)

- v. Local Business Community
    - i) Specific businesses with expanding priority based on proximity to work zone and detours
    - ii) Chamber of Commerce
  - vi. Commuters
  - vii. Recreational Travelers
  - viii. Trucking Industry
  - ix. Local media
    - i) Print
    - ii) Radio
    - iii) Television
- c) In the weeks prior to the selection of a construction contractor, SANBAG may coordinate an Emergency Responders Project Briefing to highlight the Project details and possible access challenges for consideration by the Project team.
  - d) Following the emergency responders briefing, SANBAG may coordinate a Chamber of Commerce Project Briefing to highlight the Project benefits, possible construction schedule and traffic management plan.
  - f) Just prior to the start of field construction activities, SANBAG and CONSULTANT (includes all PR subs) may coordinate a groundbreaking media event with the LOCAL AGENCY to ceremoniously open the Project. CONSULTANT will be called up on to develop (with input from SANBAG) and maintain a task list of deliverables for this event. CONSULTANT will acquire the necessary items authorized for the event. CONSULTANT will be responsible for set up and breakdown of the event site.
  - g) Prior to construction beginning, SANBAG and CONSULTANT may coordinate a community meeting to share Project information, construction scheduling, detour information and expected challenges with the general public. CONSULTANT will be called up on to develop (with input from SANBAG) and maintain a task list of deliverables for this event. CONSULTANT will acquire the necessary items authorized for the event. CONSULTANT will be responsible for set up and breakdown of the event site. Staffing this event will be determined based on availability.
  - h) Near the completion of the construction Project, SANBAG and CONSULTANT will coordinate a ribbon-cutting media event. CONSULTANT will be called upon in a similar fashion to the groundbreaking event.
  - i) At various stages throughout the Project, SANBAG will request support from CONSULTANT for the following items:
    - i. Establish and maintain stakeholder and/or 'interested parties' list(s) – used for sharing Project updates during

Project construction. May need to be filtered to specific audiences (i.e. emergency responders, city government, etc.)

- ii. Development of a Project fact sheet (include Project description, Project budget, Project schedule, SANBAG contact information, LOCAL AGENCY contact information, photos, logos, etc.)
- iii. Weekly media advisories (use SANBAG template). CONSULTANT (or sub) will make weekly contact with Project team to establish what road or lane closures (and associated detours if applicable) will be taking place, develop the advisory, send to SANBAG Public Information Office for approval, submit to webmaster for posting, distribute to appropriate media and stakeholder list.
- iv. Emergency notices – when needed.
- v. Develop web content for project tab on SANBAG website. This page should include same elements of fact sheet with expanded detail when possible. If the information is dynamic, please provide updates to SANBAG Public Information Office for approval prior to submitting to webmaster.

- 2) All requests for speaking to government councils, boards, chambers of commerce or similar business or social groups shall be directed to the SANBAG Public Information Office before agreeing to appear.
- 3) All media inquiries shall be directed to the SANBAG Public Information Office.

d. **Permits**

CONSULTANT shall review the Project for permit compliance and coordinate with SANBAG and the design engineer to ensure that necessary permits are obtained. CONSULTANT shall assist SANBAG in the coordination, timely processing and verification of approval for all permits. CONSULTANT shall maintain permits and permit documentation on site.

7. **Cost and Schedule**

a. **CONSULTANT shall monitor and track the following:**

- 1) Contract pay item quantities and payments
- 2) Contract change orders
- 3) Supplemental work items
- 4) Agency furnished materials
- 5) Contingency balance
- 6) Project budget

b. **CONSULTANT shall review and monitor Contractor's schedule and inform**

SANBAG of any significant changes or deviations in the schedule.

- c. CONSULTANT shall provide and maintain a Project staffing plan of field office personnel based on the Contractor submitted baseline schedule update. In cooperation with SANBAG, the staffing plan shall be periodically updated to reflect Project progress and needs.

8. Contract Change Orders and Claims

- a. CONSULTANT shall receive and evaluate requests for changes and/or substitutions by the Contractor. Contract Change Orders submitted to SANBAG shall be accompanied by CONSULTANT recommendations. Where applicable, CONSULTANT shall convey proposed changes to design engineer, or other Project consultants. If the requested changes are accepted, CONSULTANT shall negotiate and prepare appropriate Contract Change Orders.
- b. CONSULTANT shall attempt to avoid unnecessary Contract Change Orders. When a Contract Change Order is necessary, CONSULTANT shall consult with SANBAG prior to its preparation. Unless directed otherwise by SANBAG, the preferred method of payment for Contract Change Orders should be as follows
  - 1) Agreed Price
  - 2) Adjustment in compensation to a bid item
  - 3) Time and materials or Force Account

CONSULTANT shall perform force account analysis to validate cost submitted by the Contractor for contract change orders with agreed unit price, lump sum price, and adjustment in components. Analysis shall be based on realistic production and resource needs to complete the work.

- c. CONSULTANT shall attempt to identify all potential claims, track and monitor unresolved claims. The CONSULTANT shall implement appropriate claims avoidance processes where in the best interests of SANBAG as determined by SANBAG's Construction Manager.
- d. CONSULTANT shall assist SANBAG, as requested, in the identification, resolution, and final disposition of claims filed by the Contractor or third parties against SANBAG or the Project.

9. Safety

In addition to the requirements specified elsewhere in this contract, the following shall also apply:

- a. CONSULTANT shall implement and conduct a comprehensive safety program including regular tail-gate safety meetings for CONSULTANT personnel. CONSULTANT shall provide SANBAG with monthly status of safety reports.
- b. CONSULTANT shall comply with State of California Construction Safety Orders and provisions of the Caltrans Construction Manual.
- c. CONSULTANT shall provide appropriate safety training for all CONSULTANT field personnel.

- d. CONSULTANT shall provide all necessary safety equipment as required for CONSULTANT personnel.

10. Project Close Out

- a. CONSULTANT shall prepare a list of items to be completed and/or corrected by the Contractor for final completion of the Project.
- b. CONSULTANT shall collect and furnish as-built information to the design engineer for preparation of as-built drawings including pre-stress drawings and pile logs, as applicable.
- c. CONSULTANT shall review and verify completeness of as-built drawings.
- d. CONSULTANT shall conduct a final walk-through with SANBAG, Local Agencies, Contractors, and design engineers.
- e. CONSULTANT shall prepare final construction reports including the Project Completion Report.
- f. CONSULTANT shall prepare and deliver to SANBAG all Project files.
- g. CONSULTANT shall assist SANBAG and Contractor in obtaining final release of all Project permits.
- h. Project closeout services will be completed within two months of project acceptance.

D. DELIVERABLES

- 1. Inspector daily reports, extra work diaries and Resident Engineers' daily diaries.
- 2. Monthly Project Activity Summary Reports.
- 3. Monthly Contractor progress payments, back-up documentation, and Contractor payment records.
- 4. Contractor final payment documents, delivered to SANBAG no later than ten (10) working days after acceptance by SANBAG of the completed construction Project.
- 5. Project Completion Report documents per Local Assistance Procedure Manual and Caltrans Construction Manual.
- 6. All Project files, Project reports, correspondence, memoranda, shop drawings, Project logs, change order data, claims and claim reports, and Contractor payment records.
- 7. Certified payrolls and fringe benefit statements for all employees, CONSULTANT and Contractor, who are subject to the State and/or Federal prevailing wage rates.
- 8. All material test results will be provided in accordance with the applicable Standard Specifications and Special Provisions, and test methods. Failing tests will be immediately reported to the Resident Engineer or Structures Representative. All test

results will be recorded on the appropriate forms. The test documents will be legible and show the identity of the tester where appropriate. A notebook containing all test results and reports will be maintained by CONSULTANT throughout the duration of the Project and delivered to SANBAG with the Project files.

9. Unless otherwise specified in the survey request, the deliverables shall conform to the following:
- a. Survey points, lines, and monuments shall be established, marked, identified, and referenced as required by survey request and requirements herein.
  - b. Survey notes, drawings, calculations, and other survey documents and information shall be completed as required by the survey request and the requirements herein.
  - c. All original survey documents resulting from this contract, including original field notes, adjustment calculations, final results, and appropriate intermediate documents, shall be delivered to the Resident Engineer and shall become the property of SANBAG. A copy of all survey documents furnished by SANBAG shall be retained by CONSULTANT for future reference.

When the survey is performed with a total station survey system, the original field notes shall be a hard copy in a readable format of the data (observations) as originally collected and submitted by the survey party. The hard copy shall be signed by the Party Chief. If the Party Chief is not licensed, the person in "responsible charge" will be required to sign.

- d. Deliverables to the Resident Engineer shall follow the format specified below:
  - 1) Horizontal Control
  - 2) Alpha numeric hard copy point listing with adjusted California Coordinate System northing and eastings and the appropriate descriptions.
  - 3) Vertical Control
  - 4) Alpha numeric hard copy benchmark listing with adjusted elevations compatible with the design datum.
  - 5) Topography
  - 6) Alpha numeric hard copy listing, hard copy drawing, and computer aided drawing and design (CADD) digital drawing. The CADD drawing shall be compatible with the systems utilized by Caltrans.
- e. Data collection method used to collect cross-section data and the coding (feature description) of terrain data for cross-sections shall conform to the survey request requirements. Deliverables shall depend on the data collection method as follows:
  - 1) Conventional Cross – Sections (each cross – section):  
For each cross - section and alpha numeric listing, a hard copy drawing, and a computer formatted file compatible with the systems utilized by Caltrans.
  - 2) Terrain Line Interpolation Cross – Section Data (each terrain line interpolation survey):  
Terrain line interpolation cross – sections shall include an alpha numeric listing, a hard copy plan view drawing of the terrain lines, and a

computer input file. The computer input file shall be provided in a format compatible with the systems utilized by Caltrans.

- 3) **Data Collector Data**  
If specified in the survey request, the raw data from the data collector shall be provided in a format conforming to the survey request requirements.
- 4) **Other**—As specified in the survey request.

**E. EQUIPMENT AND MATERIALS TO BE PROVIDED BY CONSULTANT**

1. **CONSULTANT shall provide all necessary equipment including software, materials, supplies, miscellaneous tools, phones, vehicles, and safety equipment required for its personnel to perform the services accurately, efficiently, and safely. The above noted items are not to be included in Attachment B of Consultants Cost Proposal and are part of the consultants overhead. Only those items authorized by SANBAG in Attachment B, CONSULTANT Cost Proposal, shall be reimbursed by SANBAG.**
2. **CONSULTANT personnel shall be provided with vehicles suitable for the location and nature of the work involved. Vehicles shall be equipped with flashing yellow lights, either permanently or temporarily affixed.**
3. **CONSULTANT personnel shall be provided with a mobile radio, cellular phone, or other means to assure full-time communication. If a radio system is to be used, CONSULTANT shall provide a base station at the field office.**
4. **CONSULTANT personnel shall be provided with all applicable standard plans, specifications, and other standards as appropriate (see item G below).**
5. **For Materials Testing, CONSULTANT and its staff will be fully equipped at all times to perform the services required, including but not limited to the following:**
  - a. **An on-site mobile laboratory or laboratory in close proximity to the Project will be required. The type and location of the lab should be such that it can meet the needs of the Project in an efficient, time effective manner. The laboratory is to be fully staffed, equipped, and supplied to conduct all required soils, materials, and concrete breaking tests in a timely manner.**
  - b. **Field personnel will be provided with all necessary safety equipment to permit work to be performed safely and efficiently within operating highway and construction zone environments.**
  - c. **All equipment to be calibrated as per Section 3-10 and 3-11 of Caltrans' Quality Assurance Program Manual.**
6. **For construction surveying, CONSULTANT and staff shall have adequate equipment and supplies to complete the required survey work. Equipment and supplies shall, include, but not be limited to:**
  - a. **Survey vehicles:**  
**Survey vehicles will be suitable to perform the required work in varying terrain and conditions encountered on the Project. Vehicles shall be fully equipped with**

all necessary tools, instruments, supplies, and safety equipment required to perform the work accurately, efficiently, and safely. Vehicles shall be equipped with a flashing yellow beacon light.

b. **Data Processing Systems:**

Data processing systems shall include hardware and software to:

- 1) Performing survey and staking calculations from the design plans and specifications;
- 2) Reduce survey data collected with conventional and total station survey systems;
- 3) Perform network adjustments for horizontal and vertical control surveys;
- 4) Format survey data to be compatible with the Caltrans computer survey and data system.

c. **Drafting equipment and supplies.**

d. **Digital calculators.**

e. **Hand tools as appropriate for the requested survey work.**

f. **Traffic cones (minimum 25). Traffic cones shall be 28 inches in height (minimum).**

g. **Traffic control devices as required to perform the requested survey work. Traffic control devices include signs, sign bases, flags, and hand held signs.**

h. **Leveling instruments and equipment:**

- 1) Self-leveling level. Precision: standard deviation in one mile of double run leveling 0.005 feet or less.
- 2) Suitable level rods for the work to be performed.

i. **Distance measuring instruments and equipment:**

- 1) Electronic distance measurer (EDM). Precision: standard deviation 3 mm plus 3 PPM, or less; Range: Minimum one mile under average atmospheric conditions.
- 2) Prisms, sufficient to perform the required work.
- 3) Tapes; steel, cloth.

j. **Angle measuring instruments and equipment:**

- 1) Theodolite for non-control surveys; Precision: direct circle reading to three seconds, or equivalent, horizontal and vertical.
- 2) Targets as required to perform the work.

k. **When required for efficient survey operations, total station survey systems consisting of an electronic angle measuring instrument, EDM, and electronic data collector shall be provided. The angle measuring instruments and EDM shall conform to the requirements for the equipment previously listed.**

l. **Radio or cellular communications equipment for communication between field office and field crews.**

- m. Caltrans manuals, standards, forms, and other policies and procedures to be followed to perform the required work.

**F. MATERIALS TO BE FURNISHED BY SANBAG**

1. SANBAG will provide three (3) copies of all Project construction documents including plans, and special provisions, and one (1) copy of all other reports, designer prepared resident engineer files, and contracts. In addition, SANBAG will provide one (1) full size (24" x 36") sets of plans for use in the construction field office as record documents.
2. SANBAG will provide copies of all previously secured permits and Project authorizations.
3. Appropriate forms for recording test data in accordance with Caltrans practices and procedures outlined in the "Manual of Test".

**G. STANDARDS**

All construction inspection, surveys, materials sampling and testing, and contract administration shall be in accordance with the Project bid documents, special provisions, plans, and current Caltrans Manuals including:

1. Construction Manual and its revisions
2. Bridge Construction Records and Procedures Manual
3. Quality Assurance Program Manual
4. Manual of Traffic Controls for Construction and Maintenance Work Zones
5. Caltrans Standard Specifications and Standard Plans
6. Caltrans Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual
7. Manual of Test (3 volumes)
8. Survey Manual
9. District 8 Standard Staking Procedures Manual

Work not covered by the manuals shall be performed in accordance with accepted professional standards.

Surveys performed by CONSULTANT shall conform to the requirements of the Land Surveyor's Act. In accordance with the Land Surveyor's Act, "responsible charge" for the work shall reside with the Licensed Land Surveyor or a pre-January 1, 1982, Registered Professional Civil Engineer in the State of California.

Unless otherwise specified in the survey request, control surveys shall conform to second order (modified) accuracy standards as specified in the Caltrans "Survey Manual".

Additional standards for specific survey work may be included in the applicable request for survey. Such standards supplement the standards specified herein. If additional standards conflict with the standards specified herein, the "Survey Request's" standard shall govern.

The Resident Engineer and SANBAG will decide all questions, which may arise as to the quality or acceptability of deliverables furnished and work performed for this contract. Any CONSULTANT employee who does not perform adequately will be replaced if directed by the SANBAG Construction Manager.

#### H. AVAILABILITY AND WORK HOURS

The typical workday includes all hours worked by SANBAG's construction Contractor including nights and weekends. The construction Contractor's operations may be restricted to specific hours during the week, which will become the normal workday for CONSULTANT's personnel. On days when work is not performed by the construction contractor, such as rainy or unsuitable weather days, CONSULTANT services will not be provided unless authorized by the SANBAG Construction Manager.

Unless otherwise directed by SANBAG, the normal work week will consist of 40 hours. From time to time, overtime may be required. However, overtime will be worked only when approved in writing by SANBAG.

#### I. LIMITATIONS TO AUTHORITY

CONSULTANT does not have the authority to:

1. Authorize deviations from the contract documents.
2. Approve substitute materials or equipment; except as authorized in writing by SANBAG.
3. Conduct or participate in tests or third party inspections; except as authorized in writing by SANBAG.
4. Assume any of the responsibilities of the Contractors, Contractors' Superintendent, or subcontractors.
5. Exercise control over or be responsible for construction means, methods, techniques, sequences, procedures, or safety precautions.
6. Communicate directly with subcontractors or material suppliers without the prior consent of the Contractor.
7. Verbally authorize or approve change orders or extra work for the Project.
8. Offer or receive incentives, inducements, or other forms of enumeration to or from the Contractor to perform services or work outside the terms of any executed contracts for this Project.

J. THIRD PARTY RELATIONSHIPS

This Contract is intended to provide unique services for a specific project. In the development of the Project, SANBAG has worked closely with various professional consultants, agencies, and others in the preparation of the construction documents and other Project related materials. SANBAG, however, is solely responsible for and will be the sole point of contact for all contractual matters related to the Project. CONSULTANT shall take direction only from SANBAG and shall regularly inform only SANBAG of Project progress, outstanding issues, and all Project related matters.

During the course of the Project, CONSULTANT may find occasion to meet with Caltrans, City or County representatives, the design engineer, Project consultants, or other third parties who have assisted with the Project. These entities may, from time to time, offer suggestions and/or recommendations regarding the Project or elements of the Project. While SANBAG enjoys a close relationship with and has considerable confidence in the capabilities of these other parties, CONSULTANT shall not act on any suggestions, solicited or unsolicited, without obtaining specific direction from SANBAG. All oral and written communication with outside agencies or consultants related to the Project shall be directed only to SANBAG. Distribution of Project related communication and information shall be at the sole discretion of SANBAG representatives.

K. CONSTRUCTION SITE SAFETY

In addition to the requirements specified elsewhere in this contract, the following also will apply.

1. CONSULTANT will conform to the safety provisions of the Caltrans Construction Manual.
2. CONSULTANT's field personnel will wear white hard hats with proper suspension, orange vests with reflective tape, sleeved shirt, long pants, and leather boots with ankle support and rubber soled shoes at all times while working in the field.
3. CONSULTANT will provide appropriate safety training for all CONSULTANT's personnel, including work on and near highways.
4. All safety equipment will be provided by CONSULTANT.

L. BASIS FOR SURVEY AND MONUMENT STAKING

SANBAG will designate the existing horizontal and vertical control monuments that are the basis of CONSULTANT performed surveys. SANBAG will provide the California Coordinate System values and/or elevation values for these monuments. CONSULTANT shall adjust CONSULTANT performed surveys to be the designated control monuments and the values.

Monuments established by CONSULTANT shall be marked by CONSULTANT with furnished disks, plugs, tags. In addition, CONSULTANT shall identify CONSULTANT established monuments by tagging or stamping the monuments with the license or registration number of CONSULTANT'S surveyor who is in "responsible charge" of the work.

M. PERSONNEL QUALIFICATIONS AND RESPONSIBILITIES

The quantity and qualifications of field personnel to be assigned will be determined by the scope of the Project and the degree of difficulty of required tasks to be performed. All personnel and personnel assignments are subject to approval by SANBAG. While some areas of responsibility may overlap, as a guideline, CONSULTANT personnel assigned to the Project should have the

following qualifications:

1. Project Manager

- a. A minimum of six (6) years' project management experience on similar construction projects is desired.
- b. Accessible to SANBAG at all times during normal working hours.
- c. A thorough understanding of Caltrans construction practices and procedures. The Project Manager will assume the following functional responsibilities:
  - 1) Review, monitor, train, and provide general direction for CONSULTANT personnel.
  - 2) Assign personnel to projects on an as-needed basis.
  - 3) Administer personal leave.
  - 4) Prepare monthly reports for delivery to SANBAG.

2. Resident Engineer

- a. A minimum of eight (8) years' resident engineer experience on similar construction projects is desired.
- b. Licensed Professional Civil Engineer in the State of California.
- c. Ability to work independently, make effective decisions concerning construction work in progress, and solve field problems.
- d. Accessible to SANBAG at all times including weekends and holidays.
- e. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- f. A thorough understanding of Caltrans field methods, practices, and construction office procedures. The Resident Engineer will assume the following functional responsibilities:
  - 1) Monitor and provide daily direction to CONSULTANT Resident Engineers and inspection personnel.
  - 2) Assign field personnel to specific project tasks.
  - 3) Monitor and track Contractor progress.
  - 4) Prepare daily, weekly and monthly reports as required.
  - 5) Coordinate utility relocations with appropriate agencies and the utility inspector.
  - 6) Act as prime field contact between various project Contractors and SANBAG's Construction Manager.

3. Assistant Resident Engineer

- a. A minimum of four (4) years' experience on similar construction projects is desired.
- b. Licensed Professional Civil Engineer in the State of California.

- c. Ability to work independently, make effective decisions concerning construction work in progress, and solve field problems.
- d. Accessible to SANBAG at all times including weekends and holidays.
- e. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- f. Thorough understanding of Caltrans field methods, practices, and construction office procedures. The Assistant Resident Engineer shall act under the direction of the Resident Engineer and will assume the following functional responsibilities:
  - 1) Monitor and provide daily direction to CONSULTANT inspection personnel.
  - 2) Assign field personnel to specific project tasks.
  - 3) Monitor and track Contractor progress.
  - 4) Prepare daily, weekly and monthly reports as required.
  - 5) Coordinate utility relocations with appropriate agencies.

4. Lead Field Inspector

- a. A minimum of six (6) years' construction inspection experience in public works or similar projects or a four-year degree in the field of civil engineering, transportation and four years of similar construction experience is desired.
- b. Knowledge of Caltrans construction practices, physical characteristics and properties of highway construction materials, and approved methods and equipment used in making physical tests of construction materials.
- c. Ability to work independently, make effective decisions concerning construction work in progress, and solve field problems.
- d. Ability to direct the efforts of subordinate inspectors.
- e. Ability to use an automatic level and transit for the purpose of verifying line and grade.
- f. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- g. Understanding of Caltrans field and construction office procedures. The Lead Field Inspector will assume the following functional responsibilities:
  - 1) Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of construction.
  - 2) Assist in the preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project.
  - 3) Coordinate field testing of materials to monitor compliance with Project specifications and Caltrans Quality Assurance Program.
  - 4) Maintain accurate and timely Project records. Perform quantity calculations for progress pay estimates.
  - 5) Perform analytical calculations such as basic earthwork, grading, profiles, and special staking procedures.
  - 6) Provide input for the redesign of facilities to fit existing field conditions.

- 7) Monitor and track Contractor progress. Prepare daily, weekly, and monthly reports as required.

5. Field Inspector

- a. Two (2) years' construction inspection experience in public works or similar projects or a four-year degree in the field of civil transportation engineering is desired.
- b. Knowledge of construction practices, physical characteristics and properties of construction materials, and approved methods and equipment used in making physical tests of construction materials.
- c. Ability to work independently. Ability to make minor decisions concerning construction work in progress and to solve field and office problems.
- d. Ability to use an automatic level and transit for the purpose of verifying line and grade.
- e. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- f. Understanding of Caltrans construction methods and practices. The Field Inspector will assume the following functional responsibilities:
  - 1) Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of project construction.
  - 2) Assist in preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project.
  - 3) Coordinate field testing of materials to monitor compliance with Project specifications and Caltrans Quality Assurance Program.
  - 4) Perform quantity calculations for progress pay estimates and maintain Project records.
  - 5) Perform analytical calculations such as basic earthwork, grading, profiles, and special staking procedures.
  - 6) Provide input for the redesign of facilities to fit existing field conditions.
  - 7) Perform construction materials sampling.
  - 8) Perform labor compliance interviews of the Contractors' personnel.

6. Structural Representative or Lead Structural Inspector

- a. A minimum of six (6) years' of bridge or structural construction inspection as related to major public works projects and a four-year degree in civil engineering is desired.
- b. Licensed Professional Civil Engineer in the State of California.
- c. Knowledge of stress analysis, structural mechanics, and strength of materials.
- d. Knowledge of Caltrans construction practices and the physical characteristics and properties of various bridge construction materials including concrete.
- e. Experience in the following areas: foundations, pile driving, concrete

prestressing, bridge deck construction, cast-in-place wall construction, falsework, and shoring.

- f. Ability to work independently. Ability to perform duties in the construction field office and effectively make decisions concerning construction work in progress and solving field problems.
- g. Ability to direct the efforts of subordinate inspectors.
- h. Ability to use an automatic level and transit for the purpose of verifying line and grade.
- i. Thorough understanding of Caltrans field methods, practices, and construction office procedures. The Structural Representative shall assume the following functional responsibilities:
  - 1) Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of structural construction such as bridges, foundations, walls, falsework, shoring, and drainage structures.
  - 2) Make grade, alignment, quantity, falsework, and shoring calculations.
  - 3) Assist in the preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project. Coordinate the sampling and testing of construction materials to monitor compliance with contract specifications.
  - 4) Monitor and track Contractor progress. Prepare daily, weekly, and monthly reports as required.
  - 5) Coordinate with Resident Engineer, as well as the Construction Staking and Material Testing consultants.
  - 6) Direct the daily activities of subordinate inspectors.

7. Structural Inspector

- a. A minimum of two (2) years' of bridge design or structural construction inspection as related to Caltrans or major public works projects or a four-year degree in civil or structural engineering is desired.
- b. Knowledge of stress analysis, structural mechanics, and strength of materials.
- c. Knowledge of construction practices and the physical characteristics and properties of various highway bridge construction materials including concrete.
- d. Experience in one or more of the following areas: pile driving, concrete prestressing, bridge deck construction, retaining wall construction, falsework, and shoring.
- e. Ability to work independently and make minor decisions concerning construction work in progress and to solve field and office problems.
- f. Ability to use an automatic level and transit for the purpose of verifying line and grade.
- g. Understanding of Caltrans construction methods and practices. The Structural Inspector will assume the following functional responsibilities:

- 1) Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of structural construction such as bridges, foundation, walls, falsework, shoring, and drainage structures.
- 2) Make grade, alignment, quantity, falsework, and shoring calculations.
- 3) Assist in the preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project.
- 4) Sampling and testing of construction materials to monitor compliance with contract specifications and Caltrans Quality Assurance Program.

8. Office Engineer

- a. A minimum of two (2) years' experience as an office engineer on similar construction projects is desired.
- b. Knowledge of Caltrans Office of Highway Construction forms used to administer construction projects.
- c. Knowledge of Caltrans system of document organization.
- d. Knowledge of construction records and accounting procedures.
- e. Knowledge of documentation, procedures, and reporting for federally funded projects.
- f. Knowledge of laws and regulations governing the payment of prevailing wages.
- g. The Office Engineer will assume the following functional responsibilities:
  - 1) Process monthly progress pay estimates, monthly status reports, extra work reports, and weekly statements of working days.
  - 2) Prepare and process contract change orders.
  - 3) Monitor construction budget and schedule.
  - 4) Prepare, maintain, and/or file project documents including labor and equipment records, correspondence, memoranda, meeting minutes, claims, personnel records, labor compliance reports, and daily, weekly, and monthly reports.
  - 5) Perform routine calculations and checking of quantities.
  - 6) Coordinate all office activities and functions with SANBAG representatives.

9. Materials Testing/Source Inspection Project Manager

- a. A minimum four (4) years' project management experience on a similar highway/bridge construction project is desired.
- b. Licensed Civil Engineer in the State of California.

- c. Ability to use typical computer programs including word processing and spreadsheets.
- d. The materials testing/source inspection project manager will assume the following functional responsibilities:
  - 1) Review, monitor, train, and provide general direction for CONSULTANT's laboratory, field and source inspection personnel.
  - 2) Assign personnel to projects on an as-needed basis in coordination with the Resident Engineer.
  - 3) Administer personal leave, subject to approval of the Resident Engineer.
  - 4) Prepare monthly reports for delivery to the Resident Engineer.
  - 5) Provide direction, administration, and responsibility for Materials Certification per Caltrans Construction Manual, Section 8-01.
  - 6) Assist SANBAG and Resident Engineer in preparing the project specific Source Inspection Quality Management Plan (SIQMP) for Caltrans review and approval. (Reference Caltrans "Source Inspection Quality Management Plan (SIQMP Outline dated 04/17/12).
  - 7) Provide direction, administration, and responsibility for implementation of the approved SIQMP per Caltrans Construction Procedures Directive (CPD) 08-5 and FHWA Title 23 requirements.

Material testing/source inspection personnel will be certified by a California Registered Civil Engineer as being experienced and competent in the test procedures required for the work involved (and possess a current certificate of proficiency (Form MR-0111) in accordance with Quality Assurance Program Manual (Section 3-5). Independent certification of Caltrans test procedures may be performed at the discretion of the SANBAG Project Manager.

#### 10. Materials Technicians

CONSULTANT personnel provided under this contract will have a variety of skills and experience appropriate for the level of tasks to be assigned. Field personnel shall be certified by Caltrans and should have a minimum of two (2) years' experience in conducting material sampling and testing of the type required for the projects involved and possess the following additional capabilities:

- a. Have the ability to establish specific locations for appropriate tests when construction contract administration personnel are not available.
- b. Be familiar with construction practices and be fully aware of construction activities at the Project site.
- c. Have knowledge of and comply with safety and health regulations and requirements applicable to the Project.
- d. Specific qualifications for technicians are as follows:
  - 1) CONSTRUCTION TECHNICIAN I
    - a) Performs a variety of semi-skilled activities. Examples of duties assigned to this classification are:

- i. Conducting quality control tests such as soil densities, sieve analysis tests, operation scales and inspecting spread operations.
  - ii. Sampling and transporting produced construction materials from point of application or production to testing laboratory.
- b) Knowledge and Skills Required
- i. Knowledge of tools, equipment and vehicles utilized in construction.
  - ii. Knowledge of standard equipment and materials used for the sampling and testing of construction material.
  - iii. Knowledge of basic mathematics used in the computation of a variety of construction items.
  - iv. Knowledge of record keeping, preparing of documents and reports.

2) CONSTRUCTION TECHNICIAN II

- a) Performs a variety of skilled activities. Examples of duties assigned to this classification are:
- i. Inspecting minor construction items, sampling and inspection of steel reinforcement, sampling and inspection of concrete placing operation.
  - ii. Collect and analyze soil samples of construction materials to determine compaction and moisture content.
  - iii. Inspection and sampling of all phases of asphalt concrete and PCC paving operation, including plant inspection.
  - iv. Confers with construction engineers and contractors regarding construction in progress and its conformance to specifications and construction plans.
  - v. Answers questions and resolves problems.
  - vi. Inspects construction in progress to ensure conformance with specification, agreements, and established requirements.
  - vii. Keeps daily diary of work progress.
  - viii. Prepares reports on all field inspections and submits project quantities on a daily basis.
  - ix. Keeps accurate documentation for force accounts and possible claims.
- b) Knowledge and Skills Required
- i. All knowledge and skills required of lower classification.
  - ii. Knowledge of currently accepted methods, procedures and techniques used in highway construction inspection, survey, materials testing, and quality control equipment.
  - iii. Skill in interpersonal relations as applied to contact with

contractors, representatives of other governmental jurisdictions, and other SANBAG/Caltrans staff.

3) CONSTRUCTION TECHNICIAN III

a) Exercises considerable independent judgment within general Caltrans standards and guidelines. Examples of duties assigned to this classification are:

- i. Inspect Project construction on an ongoing basis to assure compliance with contract and in accordance with State and local standards.
- ii. Perform a variety of structural material tests and inspections.
- iii. Reviews construction plans and verified that these are in accordance with designated specifications and other requirements.
- iv. Participates in the preparation of completed work estimates, to calculate compensation due contractor.
- v. Examines and verifies numeric data and material specifications on project cost source documents, utilizing geometry and trigonometry calculations.
- vi. Supervises all work activities involved in construction projects, laboratory, and quality control work.
- vii. Recommends approval of proposed Project changes.

b) Knowledge and Skills Required

- i. All knowledge and skills required of lower classifications.
- ii. Knowledge of the principles and practices of Civil Engineering as applied to the construction of state highways.
- iii. Skill in analyzing and evaluating a wide variety of highly technical engineering data, including construction plans, field survey and quality control documents.
- iv. Skill in interpreting and implementing Caltrans standards, policies, procedures and regulations.
- v. Skill in interpersonal relations, as applied to contacts with contractors, representatives of other governmental jurisdictions, and other SANBAG/Caltrans staff.

11. Construction Surveying Project Manager

- a. A minimum four (4) years' project management experience on similar construction projects is desired.
- b. Licensed Surveyor or pre-January 1, 1982 Registered Professional Engineer in the State of California.
- c. Accessible to the Resident Engineer and SANBAG at all times during normal working hours as specified in this Scope of Services.

- d. Under the direction of the Resident Engineer, the Project Manager will be responsible for:
  - 1) Review, monitor, train, and provide general direction for CONSULTANT survey personnel.
  - 2) Assign personnel to projects on an as-needed basis.
  - 3) Administer personal leave, subject to approval of the Resident Engineer.
  - 4) Prepare monthly reports for delivery to the Resident Engineer.

12. Field Party Chief(s)

- a. The person(s) holding the position of Party Chief shall meet at least one of the following licensing requirements:
  - 1) A licensed Land Surveyor in the State of California.
  - 2) A pre-January 1, 1982, Registered Professional Civil Engineer in the State of California.
  - 3) An experienced surveyor who serves as chief under the direction or supervision of a person who is a licensed Land Surveyor or pre-January 1, 1982 Registered Professional Civil Engineer in the State of California. The direction or supervision shall place the supervisor in "responsible charge" of the work. "Responsible Charge" is defined in Chapter 15 of the Business and Professions Code (the Land Surveyor's Act) and Title 16, Chapter 5, of the California Administrative Code (regulations adopted by the Board of Registration for Professional Engineers and Land Surveyors).
- b. The Party Chief(s) should have a minimum two (2) years' survey experience on similar construction projects and possess the following additional capabilities:
  - 1) Thorough knowledge of construction survey practices and the ability to read and interpret plans and specifications.
  - 2) Ability to make effective decisions concerning field problems and work in progress.
  - 3) Familiarity with typical coordinate geometry computer programs.
  - 4) Familiarity with safety requirements for surveying near traffic.
- c. The Party Chief(s) will assume the following responsibilities:
  - 1) Perform construction staking services for Project construction.
  - 2) Administer day to day activities for the survey party.
  - 3) Perform analytical survey calculations for items such as grading, horizontal and vertical control, right of way, and minor in-field design.
  - 4) Maintain continuous communication with the Resident Engineer, field personnel, and construction administration staff.

13. Survey Crews

- a. Qualifications for survey crew members should include the following:
  - 1) A minimum of one (1) year of survey experience on similar construction projects is desired.

- 2) **Fundamental knowledge of construction survey practices and the ability to read and interpret plans and specifications.**
  - 3) **Ability to assist Party Chiefs and office personnel in all required surveying work.**
  - 4) **One survey crew member must have the ability to assume temporary leadership of the survey party in the absence of the Party Chief.**
- b. Under the direction of the Resident Engineer and the Party Chief, the survey crew members will assume the following responsibilities:**
- 1) **Perform basic calculations to support construction staking.**
  - 2) **Maintain continuous communication with Party Chiefs and office personnel.**

**ATTACHMENT B, "PRICE SCHEDULE"**



**LABOR & OTHER DIRECT COST (ODC) SUMMARY  
I-15 BASE LINE ROAD INTERCHANGE  
CONSTRUCTION MANAGEMENT SERVICES**

May 31, 2013

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		TOTAL HOURS	INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASES	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH									
Resident Engineer/PM		82	98.7	3,384	\$82.00	\$276,588.00	\$0.00	\$276,588.00	\$413,787.40	\$62,003.61	\$755,777.09	\$223.34
Utility Coordinator/Utility Inspector		52	64.6	3,040	\$62.00	\$168,080.00	\$5,160.00	\$183,240.00	\$241,591.54	\$38,633.15	\$441,246.97	\$146.15
Lead Roadway Inspector		56	61.70	3,620	\$58.85	\$230,822.00	\$7,517.01	\$238,339.01	\$362,549.33	\$53,088.25	\$443,926.60	\$144.27
Roadway Inspector #1		61	63.65	3,360	\$61.00	\$171,360.00	\$5,563.70	\$176,923.70	\$261,878.08	\$39,693.83	\$478,314.21	\$142.36
Roadway Inspector #2		61	63.56	3,360	\$61.00	\$171,360.00	\$5,563.70	\$176,923.70	\$261,878.08	\$39,693.83	\$478,314.21	\$142.36
Office Engineer/Scheduler		32	38.75	3,640	\$53.00	\$117,480.00	\$3,888.04	\$121,368.04	\$176,536.80	\$27,075.95	\$327,918.00	\$92.11
Roadway Inspector #3 (Peak)		51	67.76	640	\$51.00	\$32,640.00	\$0.00	\$32,640.00	\$48,307.20	\$7,295.25	\$88,232.45	\$137.86
Clerical/Admin Assistant		18	15	2,000	\$14.00	\$56,400.00	\$1,643.28	\$58,043.28	\$77,822.56	\$11,915.83	\$140,680.66	\$38.08
Budget Inspection OTR/HR Pay		68.5	75	500	\$68.00	\$54,250.00	\$0.00	\$54,250.00	\$60,860.00	\$7,844.80	\$92,594.80	\$105.17
Clerical Assistant (Peak)		32	33.6	6	\$32.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Structure Inspector		52.02	54.82	1,920	\$52.02	\$99,878.40	\$3,254.50	\$103,132.90	\$152,638.00	\$23,019.26	\$278,788.65	\$145.20
<b>TOTAL =</b>					<b>27,284</b>	<b>\$1,345,728.48</b>	<b>\$32,560.19</b>	<b>\$1,378,288.67</b>	<b>\$2,029,864.27</b>	<b>\$307,633.58</b>	<b>\$3,725,784.53</b>	

<b>INDIRECT COST</b>	
Overhead	100.00%
General & Admin	48.00%
<b>Total</b>	<b>148.00%</b>

<b>FEE (PROFIT)</b>	<b>9.00%</b>
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OTHER DIRECT COSTS (ODC's)	Price Per Unit	Unit	Quantity	Total	WBS
Office Supplies/Miscellaneous	\$1,000	T&M	25.00	\$25,000.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
<b>TOTAL OTHER DIRECT COSTS</b>					<b>\$25,000.00</b>

Year	# of Months	Execution Per Year =	
		Exc.	Value
2013/2014	6	1,000	6,000
2014/2015	12	1,000	12,000
2015/2016	8	1,000	8,000
<b>TOTAL</b>	<b>26</b>		<b>26,000</b>
		Execution Factor for Contract	
		1.003	

<b>TOTAL COSTS</b>	<b>\$3,751,784.53</b>
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# ATTACHMENT 'B'

SIMON WONG ENGINEERING

## San Bernardino Associated Governments (SANBAG)

Baseline Project

Construction Management, Construction Surveying, Materials Testing and Public Outreach

May 29, 2013

### I. DIRECT LABOR COSTS

Staff Classification	Initial Direct Hourly Rate	Hours	Total
Structures Inspector	\$56.70	2,360	\$133,812.00
Structures Representative	\$86.27	1,680	\$144,933.60
Public Relations Manager	\$66.68	130	\$8,668.40
Public Relations Liaison	\$31.00	208	\$6,448.00
Public Relations Assist	\$18.00	208	\$3,744.00

Subtotal Hours & Direct Labor Costs	4,586	
		\$297,606.00
Anticipated Salary Increases		\$4,974.77
<b>Total Direct Labor Costs</b>		<b>\$302,580.77</b>

(1)

### II. INDIRECT COSTS

INDIRECT RATE      131.93 % x      \$ 302,580.77      =      Subtotal      \$399,194.81      (2)

Subtotal (1)

### III. FEE (PROFIT)

9 % x      \$ 701,775.58      =      Subtotal      \$63,159.80      (3)

Total (1) + (2)

### IV. OTHER DIRECT COSTS

Item	Amount
Public Outreach ODC's	\$20,000.00

Subtotal \$      \$20,000.00      (4)

### V. SUBCONSULTANTS COST

Subtotal \$      \$0.00      (5)

### VI. TOTAL AMOUNT

\$784,935      (Total 1-5)

**SIMON WONG ENGINEERING**

**LABOR & OTHER DIRECT COST (ODC) SUMMARY**

Baseline Project  
Construction Management, Construction Surveying, Materials Testing and Public Outreach

May 28, 2013

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		TOTAL HOURS	INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASES	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH									
Structural Inspector		\$ 58.70	\$ 60.15	2,350	\$58.70	\$133,812.00	\$4,350.21	\$138,172.21	\$182,290.90	\$28,841.66	\$348,304.47	\$148.01
Structural Representative		\$ 68.27	\$ 71.52	1,980	\$68.27	\$144,933.60	\$0.00	\$144,933.60	\$191,210.90	\$30,253.00	\$368,387.50	\$218.09
Public Relations Manager		\$ 68.08	\$ 70.74	130	\$68.68	\$8,968.40	\$282.48	\$9,550.88	\$11,808.86	\$1,868.37	\$22,828.10	\$174.06
Public Relations Liaison		\$ 30.77	\$ 32.84	208	\$31.00	\$6,448.00	\$210.11	\$6,658.11	\$8,784.04	\$1,390.79	\$16,831.84	\$80.92
Public Relations Asst		\$ 17.24	\$ 18.40	208	\$18.00	\$3,744.00	\$122.00	\$3,866.00	\$5,100.41	\$306.98	\$9,775.39	\$48.90
<b>TOTAL =</b>					<b>4,586</b>	<b>\$287,508.00</b>	<b>\$4,974.77</b>	<b>\$302,580.77</b>	<b>\$398,194.81</b>	<b>\$63,159.90</b>	<b>\$764,935.39</b>	

INDIRECT COST	
Overhead	N/A
General & Admin	N/A
<b>Total</b>	<b>131.93%</b>

FEE (PROFIT)	
	<b>8.00%</b>

OTHER DIRECT COSTS (ODC's)	Price Per Unit	Unit	Quantity	Total	WBS
Public Outreach ODC's	\$20,000.00	T&M	1.0	\$20,000.00	
<b>TOTAL OTHER DIRECT COSTS</b>				<b>\$20,000.00</b>	

Escalation Per Year = 3.00%		
Year	# of Months	Esc. Value
2013/2014	6.00	1,000
2014/2015	12.00	1,030
2015/2016	6.00	1,061
<b>TOTAL</b>	<b>24.00</b>	<b>3,091</b>
Escalation Factor for Contract		<b>1.033</b>

TOTAL COSTS	
	<b>\$764,935.39</b>

**SIMON WONG ENGINEERING**

**Baseline Project**

**Construction Management, Construction Surveying, Materials Testing and Public Outreach**

May 29, 2013

Fully Loaded Hourly Rate (Direct Labor, Escalation, overhead, and profit)		\$148.01	\$218.00	\$174.08	\$80.82	\$46.99	TOTAL HOURS
PHASE	WBS	Staff Name	Staff Classification	Henry Stultz	Noelle Afualo	TBD	4586
		Steve Vargo	Structures Inspector	Structures Representative	Public Relations Manager	Public Relations Assst	
		2360		1680	130	208	208
<b>5</b>	<b>TOTAL FOR PROJECT</b>						<b>4586</b>
	<b>CONSTRUCTION</b>						
	5.270		<b>CONSTRUCTION ENGINEERING &amp; GENERAL CONTRACT ADMINISTRATION</b>				
	5.270.10		Constructibility Review & Cost Estimate, 4 month duration (PO Work)				0
	5.270.15		Bid and Award Process, 2 months	80			80
	5.270.20		Construction and Post Construction Phase, 26 months	1600	130	208	4506
	5.270.25		Construction Contract Administration Work	Inc	Inc	Inc	0
			<b>TOTAL FULLY LOADED LABOR COST PER CLASSIFICATION</b>	<b>\$349,304.47</b>	<b>\$366,397.50</b>	<b>\$22,628.10</b>	<b>\$16,831.94</b>
							<b>\$9,773.38</b>



**LABOR & OTHER DIRECT COST (ODC) SUMMARY**  
 Baseline Interchange Improvement Project  
 Construction Management Services

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		TOTAL HOURS	INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASES	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH									
Highway Inspector		58	60.9	1,760	\$38.00	\$102,080.00	\$3,328.24	\$105,408.24	\$129,136.23	\$22,008.82	\$286,561.29	\$161.45
				TOTAL =		\$102,080.00	\$3,328.24	\$105,408.24	\$138,136.23	\$22,008.82	\$286,561.29	

May 29, 2013

INDIRECT COST	
Overhead	100.00%
General & Admin	82.00%
<b>Total</b>	<b>182.00%</b>

FEE (PROFIT) 9.00%

OTHER DIRECT COSTS (ODC's)	Price Per Unit	Unit	Quantity	Total	WBS
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
<b>TOTAL OTHER DIRECT COSTS</b>				<b>\$0.00</b>	

Year	Escalation Per Year = 3.00%	
	# of Months	Esc. Value
2013/2014	6	1,000
2014/2016	12	1,030
2015/2016	8	1,061
<b>TOTAL</b>	<b>26</b>	<b>8,487</b>
Escalation Factor for Contract		1.033

**TOTAL COSTS**  
 \$286,561.29

**Falcon**

**Baseline Interchange Improvement Project  
Construction Management Services  
05/29/2013**

Fully Loaded Hourly Rate (Direct Labor, Escalation, overhead, and profit)		\$151.45		
PHASE	WBS	Staff Name	Staff Classification	TOTAL HOURS
		Ibrahim Massoud, PE	Roadway Inspector	1760
				1760
<b>5</b>	<b>CONSTRUCTION</b>			<b>1760</b>
	<b>5.270</b>	<b>CONSTRUCTION ENGINEERING &amp; GENERAL CONTRACT ADMINISTRATION</b>		<b>1760</b>
	5.270.10	Constructibility Review & Cost Estimate, 4 month (PO Work)		0
	5.270.15	Bld and Award Process, 2 months		0
	5.270.20	Construction and Post Construction Phase, 26 months		1760
	5.270.25	Construction Contract Administration Work		0
		<b>TOTAL FULLY LOADED LABOR COST PER CLASSIFICATION</b>		<b>\$266,551.29</b>

# ATTACHMENT 'B'

Dynamic Engineering Services

## San Bernardino Associated Governments (SANBAG)

Baseline Interchange Improvement Project  
Construction Management Services

May 29, 2013

### I. DIRECT LABOR COSTS

Staff Classification	Initial Direct Hourly Rate	Hours	Total
Electrical Inspector	\$58.00	1,520	\$88,160.00
SWPPP (Reviewer)	\$55.00	40	\$2,200.00
<b>Subtotal Hours &amp; Direct Labor Costs</b>			<b>1,560</b>
<b>Anticipated Salary Increases</b>			<b>\$2,944.35</b>
<b>Total Direct Labor Costs</b>			<b>\$93,304.35</b> (1)

### II. INDIRECT COSTS

INDIRECT RATE 148.00 % x \$ 93,304.35 = Subtotal \$136,224.34 (2)  
Subtotal (1)

### III. FEE (PROFIT)

9 % x \$ 229,528.69 = Subtotal \$20,657.58 (3)  
Total (1) + (2)

### IV. OTHER DIRECT COSTS

Item	Amount
NA	\$0.00
<b>Subtotal \$</b>	
	<b>\$0.00</b> (4)

### V. TOTAL AMOUNT

\$250,186 (Total 1-4)

**Dynamic Engineering Services**

**LABOR & OTHER DIRECT COST (ODC) SUMMARY**  
 Baseline Interchange Improvement Project  
 Construction Management Services

May 28, 2013

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		TOTAL HOURS	INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASES	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH									
Electrical Inspector		58	80.8	1,520	\$58.00	\$88,160.00	\$2,872.00	\$91,032.00	\$132,907.00	\$20,154.63	\$244,094.97	\$160.50
SWPPP (Reviewer)		55	57.75	40	\$55.00	\$2,200.00	\$71.00	\$2,271.00	\$3,316.00	\$502.95	\$8,081.50	\$192.28
				<b>TOTAL =</b>	<b>1,560</b>	<b>\$80,360.00</b>	<b>\$2,944.25</b>	<b>\$83,304.25</b>	<b>\$136,224.24</b>	<b>\$20,657.58</b>	<b>\$250,106.27</b>	

INDIRECT COST	
Overhead	100.00%
General & Admin	48.00%
<b>Total</b>	<b>148.00%</b>

FEE (PROFIT)	
	8.00%

OTHER DIRECT COSTS (ODC's)	Price Per Unit	Unit	Quantity	Total	WBS
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
<b>TOTAL OTHER DIRECT COSTS</b>				<b>\$0.00</b>	

Year	Escalation Per Year =		2.00%
	# of Months	Esc.	
2013/2014	6	1.000	6.000
2014/2015	12	1.030	12.360
2015/2016	6	1.061	6.487
<b>TOTAL</b>	<b>26</b>		<b>26.847</b>
Escalation Factor for Contract			1.033

<b>TOTAL COSTS</b>	<b>\$250,106.27</b>
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**Dynamic Engineering Services**

**Baseline Interchange Improvement Project**

**Construction Management Services**

05/29/2013

Fully Loaded Hourly Rate (Direct Labor, Escalation, overhead, and profit)		\$160.59	\$152.28	
PHASE	WBS	Staff Name	Staff Classification	TOTAL HOURS
		Victor Moore	Electrical Inspector	1520
		Cinla Chi Wang	SWPPP (Reviewer)	40
<b>5</b>	<b>CONSTRUCTION</b>			<b>1560</b>
	<b>5.270</b>	<b>CONSTRUCTION ENGINEERING &amp; GENERAL CONTRACT ADMINISTRATION</b>		<b>1560</b>
	5.270.10	Constructibility Review & Cost Estimate, 4 month (PO Work)		0
	5.270.15	Bid and Award Process, 2 months		0
	5.270.20	Construction and Post Construction Phase, 26 months		40
	5.270.25	Construction Contract Administration Work		1520
				<b>1520</b>
			<b>TOTAL FULLY LOADED LABOR COST PER CLASSIFICATION</b>	<b>\$6,091.30</b>
			<b>\$244,094.97</b>	



**LABOR & OTHER DIRECT COST (ODC) SUMMARY**  
 Baseline Interchange Improvement Project  
 Construction Management Services

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		TOTAL HOURS	INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASES	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH									
Landscape Inspector		58.82	58.82	1,184	\$58.02	\$68,327.68	\$2,181.28	\$68,488.94	\$118,431.20	\$18,642.81	\$201,562.96	\$170.24
				<b>TOTAL =</b>								

May 29, 2013

FEE (PROFIT) 8.00%

INDIRECT COST	
Overhead	170.00%
General & Admin	0.00%
<b>Total</b>	<b>170.00%</b>

Cap at 170%

OTHER DIRECT COSTS (ODC's)	Price Per Unit	Unit	Quantity	Total	WBS
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
<b>TOTAL OTHER DIRECT COSTS</b>				<b>\$0.00</b>	

Year	# of Months	Esc.	Escalation Per Year = 3.00%	
			Value	Value
2013/2014	8	1,000	6,000	6,000
2014/2015	12	1,030	12,360	12,360
2015/2016	8	1,061	8,487	8,487
<b>TOTAL</b>	<b>28</b>		<b>26,847</b>	<b>26,847</b>
<b>Escalation Factor for Contract</b>			<b>1.033</b>	

**TOTAL COSTS** \$201,562.96



# ATTACHMENT 'B'

Meadows Consulting

## San Bernardino Associated Governments (SANBAG)

I-15 Baseline Interchange

Construction Management - Labor Compliance and Clerical

May 29, 2013

### I. DIRECT LABOR COSTS

Staff Classification	Initial Direct Hourly Rate	Hours	Total
Labor Compliance	\$59.78	520	\$27,965.60
Clerical Support	\$32.00	640	\$20,480.00

Subtotal Hours & Direct Labor Costs	1,160		\$48,445.60
Anticipated Salary Increases			\$1,578.58
<b>Total Direct Labor Costs</b>			<b>\$50,024.18</b> (1)

### II. INDIRECT COSTS

INDIRECT RATE	45.00 % x	\$ 50,024.18	= Subtotal	
		Subtotal (1)		\$22,510.88 (2)

### III. FEE (PROFIT)

	9 % x	\$ 72,535.08	= Subtotal	
		Total (1) + (2)		\$6,528.16 (3)

### IV. OTHER DIRECT COSTS

Item	Amount
NA	\$0.00

Subtotal \$	\$0.00 (4)
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### V. TOTAL AMOUNT

**\$79,063** (Total 1-4)

Meadows Consulting

LABOR & OTHER DIRECT COST (ODC) SUMMARY

I-15 Baseline Interchange

Construction Management - Labor Compliance and Clerical

May 29, 2013

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASES	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH								
Labor Compliance	Karen Meadows	\$3.78	\$5	\$3.78	\$7,965.80	\$911.25	\$8,877.05	\$12,964.58	\$3,768.43	\$12,608.61	\$87.77
Clerical Support	TBD	20.00	\$2	\$20.00	\$20,480.00	\$687.33	\$21,167.33	\$9,518.30	\$2,758.73	\$23,926.03	\$92.22
				TOTAL =	\$48,445.80	\$1,578.58	\$50,024.38	\$22,510.88	\$6,528.16	\$78,063.22	

INDIRECT COST	
Overhead	0.00%
General & Admin	45.00%
<b>Total</b>	<b>45.00%</b>

FEE (PROFIT)	9.99%
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OTHER DIRECT COSTS (ODC's)	Price Per Unit	Unit	Quantity	Total	WBS
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
<b>TOTAL OTHER DIRECT COSTS</b>				\$0.00	

Year	Escalation Per Year = 3.00%	
	# of Months	Value
2013/2014	6	1,000
2014/2015	12	1,030
2015/2016	8	1,061
<b>TOTAL</b>	<b>26</b>	<b>26,847</b>
Escalation Factor for Contract		1.033

<b>TOTAL COSTS</b>	<b>\$78,063.22</b>
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## ATTACHMENT 'B'

Leighton Consulting, Inc.

### San Bernardino Associated Governments (SANBAG)

SANBAG I-15/Baseline Road

Source Inspection

May 29, 2013

#### I. DIRECT LABOR COSTS

Staff Classification	Initial Direct Hourly Rate	Hours	Total
Project Principal	\$0.00	0	\$0.00
Structural Material Representative (SMR)	\$51.44	480	\$24,691.20
Material Testing Manager	\$43.27	40	\$1,730.80
Word Processor	\$20.25	32	\$648.00
Project Administrator	\$18.70	32	\$598.40
Source Inspector	\$23.85	340	\$8,109.00
Source Inspector	\$29.48	280	\$8,254.40

<b>Subtotal Hours &amp; Direct Labor Costs</b>	1,204	<b>\$44,031.80</b>	
<b>Anticipated Salary Increases</b>		<b>\$533.20</b>	
<b>Total Direct Labor Costs</b>		<b>\$44,565.00</b>	(1)

#### II. INDIRECT COSTS

<b>INDIRECT RATE</b>	170.00 % x	\$ <u>44,565.00</u>	= Subtotal	<b>\$75,760.49</b>	(2)
		Subtotal (1)			

#### III. FEE (PROFIT)

	9 % x	\$ <u>120,325.49</u>	= Subtotal	<b>\$10,829.29</b>	(3)
		Total (1) + (2)			

#### IV. OTHER DIRECT COSTS

Item	Amount
Source Inspection Laboratory Testing Budget	\$85,000.00
Inspector Mileage @\$0.57/mile	\$1,710.00
Mail/Couier	\$200.00
Travel - Out of State with prior Approval	\$2,000.00

<b>Subtotal \$</b>	<b>\$88,910.00</b>	(4)
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#### V. TOTAL AMOUNT

	<b>\$220,065</b>	(Total 1-4)
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Leighton Consulting, Inc.

**LABOR & OTHER DIRECT COST (ODC) SUMMARY**  
**SANBAG I-15/Baseline Road**  
**Source Inspection**  
**May 29, 2013**

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		TOTAL HOURS	INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASE	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH									
Project Principal		86.34	88.61	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Structural Material Representative (SMR)		51.44	54.01	480	\$51.44	\$24,691.20	\$0.00	\$24,691.20	\$41,378.04	\$5,888.96	\$79,868.20	\$161.28
Material Testing Manager		43.27	45.43	40	\$43.27	\$1,730.80	\$0.00	\$1,730.80	\$2,942.36	\$420.56	\$3,093.74	\$127.34
Word Processor		20.25	21.28	32	\$20.25	\$648.00	\$0.00	\$648.00	\$1,101.80	\$157.48	\$1,807.00	\$56.80
Project Administrator		18.7	19.8	32	\$18.70	\$598.40	\$0.00	\$598.40	\$1,017.28	\$145.41	\$1,761.09	\$55.03
Source Inspector		21.85	25.04	240	\$21.85	\$5,244.00	\$254.23	\$5,498.23	\$14,234.48	\$2,094.88	\$24,842.41	\$72.48
Source Inspector		28.48	30.95	280	\$28.48	\$7,974.40	\$288.97	\$8,263.37	\$14,488.72	\$2,071.16	\$25,094.27	\$88.59
				<b>TOTAL =</b>	<b>1,204</b>	<b>\$44,031.80</b>	<b>\$633.20</b>	<b>\$44,665.00</b>	<b>\$78,760.48</b>	<b>\$10,828.28</b>	<b>\$151,164.78</b>	

<b>INDIRECT COST</b>	
Fringe	51.00%
General & Admin	119.00%
<b>Total</b>	<b>170.00%</b>

FEE (PROFIT) 9.00%

CAPPED AT 170%

OTHER DIRECT COSTS (ODCs)	Total	WBS
Source Materials Laboratory Testing (Misc. TBD - dependent on Contractor)	\$25,000	
Aggregate quality/durability for base, HMA and JPCP	\$3,000	
The-batch components	\$4,000	
Concrete masonry units (CMU, one supplier)	\$4,500	
Structural nuts and bolts (signs, etc.)	\$4,000	
Rebar couplers (brigs, one supplier)	\$5,000	
Preinsulating components (brigs, one supplier)	\$4,000	
Headed rebar (brigs, one supplier)	\$5,000	
Bridge elastomeric bearing pads (one supplier)	\$4,500	
Load seal materials	\$3,500	
Electrical and electronics items	\$17,000	
Striping paint, thermoplastic, signs and glass beads	\$5,500	
Inspector Message @ \$0.57/mile	\$8,000	
Mail/Courier	\$1,710	
Out of state Travel with Prior SANBAG Approval	\$2,000	
<b>TOTAL</b>	<b>\$98,910</b>	

Year	Escalation Per Year =		Value
	# of Months	Esc.	
2014	6	1.000	8,000
2015	12	1.030	12,360
2016	8	1.061	8,487
<b>TOTAL</b>	<b>26</b>		<b>28,847</b>
Escalation Factor for Contract			1.033

**TOTAL COSTS \$228,064.78**





Leighton Consulting, Inc.

SANBAG I-15/Baseline Road  
Special Inspection and Material Testing Services

05/29/2013

PHASE	WBS	Fully Loaded Hourly Rate (Direct Labor, Excitation, overhead, and profit)		Staff Name	Staff Classification	Tom Benson, PE, DE	Siva Shrivastava, PE, GE	Roderick Marich, PE	Mike Grace	Various	Various	Project Administrator	Bob/Asphalt Technician (Prevailing Wage)	Concrete Technician (Prevailing Wage)	TOTAL HOURS	TOTAL FULLY LOADED LABOR COST PER TASK
		\$0.00	\$161.29													
5	TOTAL FOR PROJECT	0	26	32	32	32	32	32	32	32	32	32	32	32	1964	\$228,341.68
	CONSTRUCTION	0	26	32	32	32	32	32	32	32	32	32	32	32	1964	\$228,341.68
5-270	CONSTRUCTION ENGINEERING & GENERAL CONTRACT ADMINISTRATION	0	26	32	32	32	32	32	32	32	32	32	32	32	1964	\$228,341.68
	Contract Item Work Inspection	Inc	Inc	Inc	Inc	Inc	Inc	Inc	Inc	Inc	Inc	Inc	Inc	Inc	0	Inc
5-270.35	Construction Material Sampling and Testing	0	26	32	32	32	32	32	32	32	32	32	32	32	1964	\$228,341.68
	TOTAL FULLY LOADED LABOR COST PER CLASSIFICATION	\$0.00	\$3,936.00	\$4,076.00	\$3,273.56	\$1,907.06	\$1,761.00	\$111,394.07	\$102,004.82						1964	\$228,341.68

**GEOTECHNICAL AND MATERIAL LABORATORY TESTING DURING CONSTRUCTION**

**SANBAG's I-15 BASELINE ROAD INTERCHANGE IMPROVEMENTS**

<u>Geotechnical and Materials Laboratory Tests</u>	<u>Quantity</u>	<u>Unit Rate</u>	<u>Amount</u>
Concrete cylinder compression tests (13,000 cubic-yards)	520	\$25	\$13,000
Flexural strength of concrete (CTM 523)	536	\$65	\$34,840
Aggregate and soil sieve analyses (CTM 201 and 202)	50	\$135	\$6,750
Caltrans wet density compaction curves (CTM 216)	44	\$250	\$11,000
Sand Equivalent (SE, CTM 217)	11	\$105	\$1,155
Corrosion suite (pH, minimum resistivity, soluble sulfate and chloride)	5	\$245	\$1,225
R-value (untreated subgrade or base, CTM 301)	8	\$310	\$2,480
Hot Mix Asphalt (HMA) extraction by ignition oven (percent asphalt)	8	\$200	\$1,600
HMA theoretical maximum density and specific gravity	8	\$130	\$1,040
HMA Stabilometer Value (CTM 366)	8	\$265	\$2,120
Abrasion resistance of coarse aggregate (CTM 211)	8	\$190	\$1,520
Cleaness value of coarse aggregate (CTM 227)	8	\$210	\$1,680
Aggregate Durability Index (DI, CTM 229, June 2011 Version)	8	\$200	\$1,600
Misc Subconsultant testing	Various	Various	\$1,000
Misc Testing per Leighton 2012 Lab testing Schedule TBD	Various	Various	\$20,000
		<b>Laboratory Subtotal:</b>	<b>\$101,010</b>

# LEIGHTON CONSULTING, INC.

## LABORATORY FEE SCHEDULE, 2012

### GEOTECHNICAL LABORATORY TESTING

METHOD	\$/TEST	METHOD	\$/TEST
<b>CLASSIFICATION &amp; INDEX PROPERTIES</b>		<b>SOIL CHEMISTRY &amp; CORROSIVITY</b>	
Moisture Content (ASTM D 2216)	\$20	Soil pH (ASTM 4972 or CTM 643 Method A)	\$45
Moisture & Density (ASTM D 2937) ring samples	30	Electrical Resistivity - single point at as-received moisture	45
Moisture & Density (ASTM D 2937) Shelby tube or cutting	40	Minimum Resistivity - 3 moisture content points (CTM 643)	90
Atterberg Limits (ASTM D 4318) 3 points:	150	pH + Minimum Resistivity (CTM 643)	130
- single point, non-plastic	85	Sulfate Content - Gravimetric (CTM 417 B Part II)	70
- Atterberg Limits (Organic ASTM D 2487 / 4318)	180	Sulfate Screen - HACH kit	30
- Visual classification as non-plastic (ASTM D 2488)	10	Chloride Content (AASHTO T291/CTM 422)	70
Particle Size		Corrosion Suite: minimum resistivity, sulfate, chloride, pH (CTM 643)	245
- sieve only 1½" to #200, (ASTM D 6913/CTM 202)	110	Organic Matter Content (ASTM D 2974)	65
- large sieve - 6" to #200 (ASTM D 6913/C 136/CTM 202)	175		
- hydrometer only (ASTM D 422)	110	<b> SHEAR STRENGTH</b>	
- sieve + hydrometer (ϕ3" sieve, ASTM D 422)	185	Pocket Penetrometer	15
Dispersive Characteristics of Clay Soil (double hydrometer, ASTM D 4221)	90	Direct Shear (ASTM D 3080, mod., 3 points):	
Specific Gravity-fine (passing #4, ASTM D 854/CTM 207)	125	- Consolidated Undrained - 0.05 inch/minute	285
Specific Gravity-coarse (ASTM C 127/CTM 206) retained on #4	100	- Consolidated Drained - <0.05 Inch/minute	345
- Total Porosity - on Shelby tube sample (calculated from density & specific gravity)	165	Residual Shear EM 1110-2-1906-IXA	50
- Total Porosity - on other sample	155	(price per each additional pass after shear)	
Photograph of sample	10	Remolding or hand trimming of specimens (3 points)	90
Shrinkage Limits (Wax Method, ASTM D 4943)	126	Oriented or block hand trimming (per hour)	65
Pinhole Dispersion (ASTM D 4847)	210	Single Point Shear	105
Percent Passing #200 Sieve, wash only (ASTM D 1140)	70	Torsional Shear (ASTM D 6467 / ASTM D 7608)	820
As-Received Moisture & Density (chunk/carved samples)	80		
Sand Equivalent (CTM 217)	105	<b> TRIAXIAL TESTS</b>	
		Unconfined Compression Strength of Cohesive Soil (with stress/strain plot, ASTM D 2166)	135
<b>COMPACTION &amp; PAVEMENT SUBGRADE TESTS</b>		Unconsolidated Undrained Triaxial Compression Test on Cohesive Soils (USACE Q test, ASTM D 2850, per confining stress)	170
Relative Compaction of Untreated & Treated Soils & Aggregates (CTM 216)	250	Consolidated Undrained Triaxial Compression Test for Cohesive Soils, (ASTM D 4767, CU, USACE R-bar test) with back pressure saturation & pore water pressure measurement (per confining stress)	375
Relative Density (0.1 ft <sup>3</sup> mold, ASTM D 4253, D 4254)	235	Consolidated Drained Triaxial Compression Test (CD, USACE S test, with volume change measurement. Price per soil type below EM 1110-2-1906(X):	
California Bearing Ratio (ASTM D 1883)		- Sand or silty sand soils (per confining stress)	375
- 3 point	500	- Silt or clayey sand soils (per confining stress)	500
- 1 point	185	- Clay soils (per confining stress)	705
R-Value (CTM 301) Untreated	310	- Three-stage Triaxial (sand or silty sand soils)	655
R-Value (CTM 301) Lime or cement treated soils	340	- Three-stage Triaxial (silt or clayey sand soils)	875
Standard Proctor Compaction, (ASTM D 698) 4 points:		- Three-stage Triaxial (clay soils)	1,235
- 4 inch diameter mold (Methods A & B)	180	Remolding of Test Specimens	65
- 6 inch diameter mold (Method C)	215		
Modified Proctor Compaction (ASTM D 1557) 4 points:		<b> HYDRAULIC CONDUCTIVITY TESTS</b>	
- 4 inch diameter mold (Methods A & B)	220	Triaxial Permeability in Flexible-Wall Permeameter with backpressure saturation at one effective stress (EPA 9100/ASTM D 5084, falling head Method C)	310
- 6 inch diameter mold (Method C)	245	- Each Additional Effective Stress	120
Check Point (per point)	65	- Hand Trimming of Soil Samples for Horizontal K	60
		Remolding of Test Specimens	65
<b>CONSOLIDATION &amp; EXPANSION/SWELL TESTS</b>		Permeability of Granular Soils (ASTM D 2434)	135
Consolidation (ASTM D 2435)	195		
- Each additional time curve	45		
- Each additional load/unload w/o time reading	40		
Expansion Index (EI, ASTM D 4829)	130		
Swell/Collapse - (ASTM D 4546-A, up to 10 load/unloads w/o time curves)	290		
Single Load Swell/Collapse - (ASTM D 4546-B, seat, load & inundate only)	105		
Collapse Potential of Soils (ASTM D 5333)	220		

METHOD	\$/TEST
<b>SOIL-CEMENT</b>	
Soil Cement Moisture-Density Curve (ASTM D 558)	\$240
Soil Cement Wet-Dry Durability (ASTM D 559)**	1,205
Molded Soil-Cement Cylinders Compressive Strength (ASTM D 1633) per cylinder**	60

METHOD	\$/TEST
Soil-Cement Remolded Specimen, each specimen (for shear strength, consolidation, etc.)**	\$235

\*\*Soil cement compaction curve (ASTM D 558) should also be performed for each mix design; not included in above unit rates

## CONSTRUCTION MATERIALS LABORATORY TESTING

TECHNICIAN SERVICES	\$/UNIT
Pick-up & Delivery – (weekdays, per trip, <50 mile radius from Leighton office)	\$80
Coring & Sizing (at Leighton laboratory per core)	80

METHOD	\$/TEST
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### CONCRETE STRENGTH CHARACTERISTICS

Concrete Cylinders Compression (ASTM C 39) (8" x 12")	25
Compression, Concrete or Masonry Cores (testing only) ≤8-inch-diameter (ASTM C 42)	40
Trimming concrete cores (per core)	20
Flexural Strength of Concrete (Simple Beam with 3rd pt. Loading, ASTM C 78/CTM 523)	65
Flexural Strength of Concrete (simple beam w/ center point loading, ASTM C 293/CTM 523)	65
Mix Design, (review of existing data)	215
Non Shrink Grout Cubes, 2-inch (ASTM C 109/C 1107)	25
Drying Shrinkage (four readings, up to 90 days, 3 bars, ASTM C 157)	400

### ASPHALT CONCRETE, HMA, SPECIMEN TESTING

Extraction by Ignition Oven (CTM 382)	150
Extraction by Ignition Oven, percent asphalt & gradation (CTM 382/CTM 202)	195
Extraction, Percent Asphalt & Gradation, Centrifuge (ASTM D 2172/D 5444)	195
Extraction & Percent Asphalt, centrifuge (ASTM D 2172)	155
Extraction & Gradation, centrifuge (ASTM D 2172 /C 136)	175
Stabilometer Value (CTM 366)	265
Bituminous Mixture Preparation (CTM 304)	60
Moisture Content of Asphalt (CTM 370)	60
Bulk Specific Gravity – Molded Specimen or Cores (ASTM D 1188/CTM 306)	55
Maximum Density - Hveem (CTM 308)	125
Theoretical Maximum Density & Specific Gravity of HMA, (CTM 309)	130
Ignition Oven Correction/Correlation Values	quote
Compacted Bituminous Specimen Height (ASTM 3549)	40
Rubberized Asphalt (add to above rates)	+ 25%

### AGGREGATE PROPERTIES

Sieve Analysis (fine & coarse aggregate ASTM C 136)	135
Sieve Analysis-(finer than #200, Wash, ASTM C 117)	90
LA Rattler-smaller coarse aggregate <1.5" (ASTM C 131)	165
LA Rattler-larger coarse aggregate 1-3" (ASTM C 535)	190
Durability Index (CTM 229)	200
Cleaness Value of Coarse Aggregate (CTM 227)	210
Unit Weight of Aggregate (CTM 212)	50

METHOD	\$/TEST
Soundness Magnesium (ASTM C 88)	\$225
Soundness Sodium	650
Uncompacted Void Content -fine aggregate (CTM 234)	130
Flat & Elongated Particles in Coarse Aggregate (CTM 235)	215
Percent of Crushed Particles (CTM 205)	135
Organic Impurities in Concrete Sand (CTM 213)	60
Apparent Specific Gravity of Fine Aggregate (CTM 208)	130
Moisture Content of Aggregates by Oven Drying (CTM 228)	40
Clay Lumps, Friable Particles (ASTM C 142)	175

### MASONRY

Mortar Cylinders (2" by 4", ASTM C 780)	25
Grout Prisms (3" by 6", ASTM C 1019)	25
Masonry Cores Compression, ≤8" diameter (testing only, ASTM C 42)	25
CMU Compression to size 8" x 8" x 16" (3 required, ASTM C 140)	40
CMU Moisture Content, Absorption & Unit Weight (6 required, ASTM C 140)	45
CMU Linear Drying Shrinkage (ASTM C 426)	175
CMU Grouted Prisms (compression test ≤8" x 8" x 16", ASTM E 447 C 1314)	180
CMU Grouted Prisms (compression test > 8" x 8" x 16", ASTM E 447 C 1314)	250
Masonry Core-Shear Title 24 (test only)	250

### BRICK

Compression (5 required, cost for each, ASTM C 67)	40
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### SLAB-ON-GRADE MOISTURE EMISSION KIT

Moisture Test Kit (excludes labor to perform test, ASTM E 1907)	60
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### REINFORCING STEEL

Rebar Tensile Test, Up to No. 10 (ASTM A 370)	45
Rebar Tensile Test, No. 11 & over (ASTM A 370)	100
Rebar Bend Test, Up to No. 11 (ASTM A 370)	45

### STEEL

Tensile Strength, ≤100,000 pounds axial load (ASTM A 370)	45
Prestressing Wire, Tension (ASTM A 416)	150
Sample Preparation (cutting)	50

### SPRAY APPLIED FIREPROOFING

Unit Weight (Density, ASTM E 605)	60
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## EQUIPMENT, SUPPLIES AND MATERIALS

	\$/UNIT		\$/UNIT		
1/4-inch grab plates	\$5	each	Pachometer	\$125	day
1/4-inch-diameter tubing (bonded)	0.55	foot	pH/Conductivity/Temperature Meter	155	day
1/4-inch-diameter tubing (single)	0.35	foot	Photo-Ionization Detector (PID)	210	day
3/8-inch tubing, clear vinyl	0.55	foot	Pump, Typhoon 2 or 4 stage	50	day
Box of 10 soil drive-sample rings	45	day	QED Bladder Pump w/QED control box	180	day
Brass sample tubes	15	each	Resistivity field meter with cables and pins	150	day
"Caution" tape (1000-foot roll)	20	each	Safety fence (100-foot roll)	50	day
Combination lock or padlock	11	each	Silp/threaded cap, ≤4-inch-diameter PVC Schedule 40	15	each
Compressed air tank and regulator	50	day	Slope inclinometer	250	day
Consumables (gloves, rope, soap, tape, etc.)	35	day	Stainless steel bailer	40	day
Core sample boxes	15	each	Submersible pump, 10 gpm, high powered	280	day
Crack monitor	25	each	Grunfos 2-inch with controller		
Cutoff saws, reciprocating, electric (Saws-All)	75	day	Submersible sump/transfer pump, 10-25 gpm	150	day
Disposable bailers	12	each	Survey/fence stakes	8	each
Disposable bladders	10	each	Tedlar® bags	18	each
Dissolved Oxygen Meter	45	day	Traffic cones (≤25)/barricades (single lane)	180	day
DOT 55-gallon containment drum with lid	85	each	Turbidity meter	70	day
Double-ring infiltrometer	225	day	Tyvek® suit	18	each
Generator, portable gasoline fueled (3,500 watts)	190	day	Vapor sampling box	45	day
Global Positioning System (GPS)	180	day	Visqueen (20' x 100')	100	roll
Hand auger set	190	day	Water level indicator (electronic well sounder)	180	day
In-Situ Level Troll 500 (each)	190	day	<300 feet deep well		
In-Situ Troll 9500 low flow water sampler	150	day			
Lockable equipment box	15	day			
Magnahelic gauge	35	day			
Manometer (for floor level measurements)	125	day			
Nitrile gloves	20	pair			

Other specialized geotechnical and geoenvironmental testing and sampling equipment are available, and priced per site.

## TERMS AND CONDITIONS

- **Earth Material Samples:** Quoted testing unit rates are for soil and/or rock (earth) samples free of hazardous materials. Additional costs will accrue beyond these standard testing unit rates for handling, testing and/or disposing of soil and/or rock containing hazardous materials. Hazardous materials will be returned to the site or the site owner's designated representative at additional cost not included in listed unit rates. Standard turn-around time for geotechnical-laboratory test results is 10 working days. Samples will be stored for 2 months, after which they will be discarded. Prior documented notification is required if samples need to be stored for a longer time. A monthly storage fee of \$10 per bag & \$5 per sleeve or tube will be applied. Quoted unit rates are only for earth materials sampled in the United States. There may be additional cost for handling imported samples.
- **Construction Material Samples:** After all designated 28-day breaks for a given set meet specified compressive or other client-designated strength, all "hold" cylinders or specimens will be automatically disposed of, unless specified in writing prior to the 28-day break. All other construction materials will be disposed of after completion of testing & reporting.
- **Client Disclosures:** Client agrees to provide all information in Client's possession about actual or possible presence of hazardous materials in sampled materials prior to delivery to Leighton laboratory, and agrees to reimburse Leighton for all costs related to unanticipated discovery of hazardous materials.
- **Invoicing:** Invoices are rendered monthly, payable upon receipt in United States dollars. A service charge of 1½-percent per month will be charged for late payment.
- **Insurance & Limitation of Liability:** These rates are predicated on standard insurance coverage & a limit of Leighton's liability equal to our total fees for a given project.
- **Proposal Expiration:** Proposals are valid for at least 30 days, subject to change after 30 days; unless otherwise stated in the attached proposal.

## ATTACHMENT 'B'

TOWILL, Inc.

### San Bernardino Associated Governments (SANBAG)

#### INTERSTATE 15 / BASELINE ROAD INTERCHANGE PROJECT CONSTRUCTION MANAGEMENT SERVICES

May 29, 2013

#### I. DIRECT LABOR COSTS

Staff Classification	Initial Direct Hourly Rate	Hours	Total
Survey Task Manager	\$72.00	240	\$17,280.00
PLS Party Chief	\$46.86	2,460	\$115,275.80
Certified Party Chief	\$44.28	110	\$4,868.80
Party Chief	\$42.21	100	\$4,221.00
Instrument Person	\$39.71	2,160	\$85,773.80
Chain Person	\$39.13	338	\$13,147.68
Apprentice A-G	\$27.00	10	\$270.00
Project Coordinator	\$25.00	10	\$250.00
PLS Surveyor	\$56.00	10	\$560.00
Project Surveyor	\$48.00	100	\$4,800.00

Subtotal Hours & Direct Labor Costs	5,556	
Anticipated Salary Increases		\$7,496.37
<b>Total Direct Labor Costs</b>		<b>\$254,835.05</b> (1)

#### II. INDIRECT COSTS

INDIRECT RATE	170.00 % x	\$	254,835.05	=	Subtotal	\$433,219.59	(2)
			Subtotal (1)				

#### III. FEE (PROFIT)

	9 % x	\$	688,054.64	=	Subtotal	\$61,924.92	(3)
			Total (1) + (2)				

#### IV. OTHER DIRECT COSTS

Item	Amount
Agency Fees	\$200.00
Monumentation	\$337.90

Subtotal \$	\$875.80	(4)
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#### V. TOTAL AMOUNT

**\$750,855** (Total 1-4)

TOWILL, Inc.

**LABOR & OTHER DIRECT COST (ODC) SUMMARY  
INTERSTATE 16 / BASELINE ROAD INTERCHANGE PROJECT  
CONSTRUCTION MANAGEMENT SERVICES**

May 28, 2013

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		TOTAL HOURS	INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASES	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH									
Survey Task Manager		70.00	75.00	240	\$72.00	\$17,280.00	\$0.00	\$17,280.00	\$20,376.00	\$4,196.04	\$20,855.04	\$211.90
PLS Party Chief		48.86	48.86	2,400	\$48.86	\$115,275.60	\$3,795.21	\$119,070.81	\$20,354.08	\$28,004.73	\$350,910.62	\$142.40
Certified Party Chief		44.28	44.28	110	\$44.28	\$4,870.80	\$198.64	\$5,069.44	\$5,069.44	\$1,281.82	\$14,796.17	\$134.50
Party Chief		42.21	42.21	100	\$42.21	\$4,221.00	\$137.64	\$4,358.64	\$7,408.52	\$1,059.13	\$12,827.18	\$128.27
Instrument Person		39.71	39.71	2,100	\$39.71	\$83,373.60	\$2,794.90	\$86,168.50	\$150,506.45	\$21,592.16	\$300,667.09	\$120.67
Chain Person		38.13	38.13	336	\$38.13	\$12,771.48	\$428.41	\$13,200.00	\$23,079.38	\$3,238.99	\$39,554.44	\$118.61
Apprentice A-G		18.43	31.30	10	\$27.00	\$270.00	\$8.80	\$278.80	\$473.96	\$67.75	\$600.50	\$62.05
Project Coordinator		25.00	30.00	10	\$25.00	\$250.00	\$8.15	\$258.15	\$438.95	\$62.73	\$769.72	\$75.97
PLS Surveyor		50.00	60.00	60	\$50.00	\$3,000.00	\$18.25	\$3,182.25	\$683.02	\$140.51	\$1,701.76	\$170.18
Project Surveyor		42.00	50.00	100	\$48.00	\$4,800.00	\$156.41	\$4,956.41	\$8,426.89	\$1,204.41	\$14,586.70	\$145.87
				<b>TOTAL =</b>		<b>\$247,338.68</b>	<b>\$7,496.37</b>	<b>\$254,835.05</b>	<b>\$433,219.59</b>	<b>\$81,934.92</b>	<b>\$749,979.56</b>	

FEE (PROFIT) 8.00%

INDIRECT COST	
Overhead	120.00%
General & Admin	50.00%
<b>Total</b>	<b>170.00%</b>

OTHER DIRECT COSTS (ODC's)	Price Per Unit	Unit	Quantity	Total	WBS
Agency Fees				\$200.00	
Survey Trucks and Equipment				\$0.00	
Message				\$0.00	
Monumentation			10	\$337.00	
				\$0.00	
				\$0.00	
<b>TOTAL OTHER DIRECT COSTS</b>				<b>\$537.00</b>	

Year	Escalation Per Year = 3.00%	
	# of Months	Value
2013/2014	6	1,000
2014/2015	12	1,030
2015/2016	6	1,061
<b>TOTAL</b>	<b>24</b>	<b>28,847</b>
Escalation Factor for Contract		1.033

**TOTAL COSTS \$759,517.48**



# ATTACHMENT 'B'

PSOMAS

## San Bernardino Associated Governments (SANBAG)

### INTERSTATE 15 / BASELINE ROAD INTERCHANGE PROJECT CONSTRUCTION MANAGEMENT SERVICES

May 29, 2013

#### I. DIRECT LABOR COSTS

Staff Classification	Initial Direct Hourly Rate	Hours	Total
Survey Task Manager	\$72.00	240	\$17,280.00
PLS Party Chief	\$48.88	2,480	\$115,275.60
Certified Party Chief	\$44.26	110	\$4,868.60
Party Chief	\$42.21	100	\$4,221.00
Instrument Person	\$39.71	2,180	\$85,773.60
Chain Person	\$39.13	338	\$13,147.68
Apprentice A-G	\$27.00	10	\$270.00
Project Coordinator	\$25.00	10	\$250.00
PLS Surveyor	\$56.00	10	\$560.00
Project Surveyor	\$48.00	100	\$4,800.00

Subtotal Hours & Direct Labor Costs	5,558		\$247,338.68
Anticipated Salary Increases			\$7,498.37
<b>Total Direct Labor Costs</b>			<b>\$254,835.05</b>

(1)

#### II. INDIRECT COSTS

INDIRECT RATE 170.00 % x \$ 254,835.05 = Subtotal \$433,219.59 (2)  
Subtotal (1)

#### III. FEE (PROFIT)

9 % x \$ 688,054.64 = Subtotal \$61,924.92 (3)  
Total (1) + (2)

#### IV. OTHER DIRECT COSTS

Item	Amount
Agency Fees	\$200.00
Monumentation	\$337.90

Subtotal \$ \$875.80 (4)

#### V. TOTAL AMOUNT

\$750,855 (Total 1-4)

PSOMAS

**LABOR & OTHER DIRECT COST (ODC) SUMMARY  
INTERSTATE 16 / BASELINE ROAD INTERCHANGE PROJECT  
CONSTRUCTION MANAGEMENT SERVICES**

May 29, 2013

STAFF CLASSIFICATION	STAFF NAME	RANGE OF DIRECT HOURLY RATES		TOTAL HOURS	INITIAL DIRECT HOURLY RATE	SUB-TOTAL DIRECT LABOR COST	ANTICIPATED SALARY INCREASES	TOTAL DIRECT LABOR COST	TOTAL INDIRECT COST	FEE (PROFIT)	TOTAL LABOR COST	FULLY LOADED HOURLY RATE
		LOW	HIGH									
Survey Task Manager		70.00	75.00	240	\$72.00	\$17,280.00	\$0.00	\$17,280.00	\$28,376.00	\$4,188.04	\$21,468.04	\$211.90
PLS Party Chief		48.86	48.86	2,480	\$48.86	\$119,081.60	\$3,759.21	\$119,081.61	\$202,354.08	\$28,924.73	\$350,310.92	\$142.40
Certified Party Chief		44.26	44.26	110	\$44.26	\$4,868.60	\$168.64	\$5,037.24	\$8,548.31	\$1,221.82	\$14,796.17	\$134.50
Party Chief		42.21	42.21	100	\$42.21	\$4,221.00	\$137.54	\$4,358.54	\$7,408.32	\$1,058.13	\$12,827.18	\$128.27
Instrument Person		38.71	38.71	2,160	\$38.71	\$83,773.60	\$2,794.90	\$86,568.50	\$150,568.45	\$21,522.15	\$208,090.65	\$128.87
Chain Person		36.13	36.13	336	\$36.13	\$12,141.68	\$428.41	\$12,570.09	\$23,078.36	\$3,298.99	\$25,869.44	\$118.81
Apprentice A-G		18.43	31.30	10	\$27.00	\$270.00	\$8.80	\$278.80	\$473.86	\$67.78	\$346.58	\$82.05
Project Coordinator		25.00	30.00	10	\$26.00	\$260.00	\$8.19	\$268.19	\$438.85	\$62.73	\$331.58	\$75.87
PLS Surveyor		50.00	60.00	10	\$54.00	\$540.00	\$18.25	\$558.25	\$983.02	\$140.51	\$701.76	\$170.18
Project Surveyor		42.00	50.00	100	\$48.00	\$4,800.00	\$168.41	\$4,968.41	\$9,435.89	\$1,304.41	\$14,596.70	\$143.87
<b>TOTAL =</b>					<b>5,556</b>	<b>\$247,338.88</b>	<b>\$7,486.37</b>	<b>\$254,825.25</b>	<b>\$433,219.59</b>	<b>\$61,824.92</b>	<b>\$716,650.17</b>	

INDIRECT COST	
Overhead	120.00%
General & Admin	60.00%
<b>Total</b>	<b>178.00%</b>

FEE (PROFIT)	8.00%
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OTHER DIRECT COSTS (ODC's)	Price Per Unit	Unit	Quantity	Total	WBS
Agency Fees				\$500.00	
Survey Trucks and Equipment				\$0.00	
Manage				\$0.00	
Monumentation	\$33.790		10	\$337.90	
				\$0.00	
				\$0.00	
<b>TOTAL OTHER DIRECT COSTS</b>				<b>\$837.90</b>	

Escalation Per Year =			3.00%
Year	# of Months	Esc.	Value
2013/2014	6	1.000	8,000
2014/2015	12	1.030	12,360
2015/2016	6	1.061	8,487
<b>TOTAL</b>	<b>26</b>		<b>28,847</b>
Escalation Factor for Contract			1.039

<b>TOTAL COSTS</b>	<b>\$789,517.46</b>
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PSOMAS

INTERSTATE 15 / BASELINE ROAD INTERCHANGE PROJECT  
CONSTRUCTION MANAGEMENT SERVICES

05/29/2013

PHASE	WBS	Fully Loaded Hourly Rate (Direct Labor, Escalation, overhead, and profit)	\$211.90	\$142.40	\$134.50	\$128.37	\$120.87	\$118.91	\$62.08	\$146.87	\$75.87	\$134.80	TOTAL HOURS
		Staff Name											
		Staff Classification											
		Survey Task Manager	240	2460	110	100	2160	336	10	100	10	10	5536
		PLS Party Chief		2460	110	100	2160	336	10	100	10	10	5536
		PLS Party Chief	240	2460	110	100	2160	336	10	100	10	10	5536
		Party Chief		2460	110	100	2160	336	10	100	10	10	5536
		Instrument Person		2460	110	100	2160	336	10	100	10	10	5536
		Chain Person		2460	110	100	2160	336	10	100	10	10	5536
		Apprentice A-C		2460	110	100	2160	336	10	100	10	10	5536
		Project Surveyor		2460	110	100	2160	336	10	100	10	10	5536
		Project Coordinator		2460	110	100	2160	336	10	100	10	10	5536
		PLS Surveyor		2460	110	100	2160	336	10	100	10	10	5536
5	CONSTRUCTION		240	2460	110	100	2160	336	10	100	10	10	5536
	5.100.20	PROJECT MANAGEMENT - CONSTRUCTION COMPONENT											0
	5.270	CONSTRUCTION ENGINEERING & GENERAL CONTRACT ADMINISTRATION	240	2460	110	100	2160	336	10	100	10	10	5536
	5.270.10	Construction Staking Package and Control	40	160	10	0	160	0		0	0	0	390
	5.270.15	Construction Stakes	200	2300	100	100	2000	336	10	100	10	10	5146
		TOTAL FULLY LOADED LABOR COST PER CLASSIFICATION	\$50,855.04	\$350,310.62	\$14,795.17	\$12,827.18	\$260,657.09	\$38,954.44	\$820.50	\$14,586.70	\$759.72	\$1,345.02	



- 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: 17

**Date:** July 10, 2013

**Subject:** Interstate 215 (I-215) Barton Road Interchange

**Recommendations:** Acting as the San Bernardino County Transportation Authority:

1. Approve Amendment No. 4 of Contract No. A03045 with LSA Associates, Inc., for the completion of the I-215/Barton Road Interchange Project Environmental Document with an increase of \$245,218.63 to the contract value for a not-to-exceed total of \$2,296,169.40 which includes previously released contingency of \$235,355.00 and to extend the contract duration through June 30, 2014.
2. Approve contingency amount of \$24,521.00, for Contract No. A03045 Measure I Valley Fund – Freeway Projects and authorize the Executive Director or designee to release contingency as necessary for the project.

**Background:** This is an amendment to an existing contract. In May 2003, the Board approved Contract No. A03045 with LSA Associates, Inc. to provide environmental services for the Ultimate I-215 Bi-County projects which included the Bi-County HOV project and interchanges at I-215/Barton Road and the I-215/Washington. Subsequently, the contract underwent three amendments in October 2007, May 2009 and December 2012 which involved revisions to scope and duration. The first amendment expanded the

*Approved  
Board of Directors*

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

Moved:                      Second:

In Favor:      Opposed:      Abstained:

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

COG	CTC	CTA	X	SAFE	CMA
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BRD1307g-mkb

Attachments:

- <http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared Documents/A03045-04.docx>
- <http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared Documents/A03045-04 CSS.docx>
- <http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared Documents/A03045-04 DCSS.xlsx>

environmental services to support the completion of an environmental document for the ultimate projects. The second amendment reduced the scope consistent with the down scoping of the ultimate I-215 project to a gap closure project. The third amendment simply extended the contract duration.

Most of the work under Contract No. A03045 has been completed, with the exception of the task involving the Environmental Document for the I-215/Barton Road Interchange Improvement project. Work on this task, which was scheduled to be completed by December 31, 2012, was delayed due to a late design change in response to local opposition to the project alternatives which restricted or eliminated access from La Crosse Avenue to Barton Road. As a result of this local opposition, Federal Highway Administration (FHWA), Department of Transportation (Caltrans), and staff discussed the possibility of a roundabout design at both north and southbound ramps. The northbound on and off ramp roundabout was not feasible, however, the southbound roundabout, in lieu of the signalized intersections at the southbound ramps, was feasible and provided access to La Crosse Avenue. FHWA and Caltrans approved this design because of the maintained access and improved safety. Staff is currently incorporating this design change into the environmental studies and anticipates the Environmental Document to be completed by late 2013. Staff is requesting the LSA contract be extended to June 30, 2014, which will allow for the completion of the document and to answer questions from the design team.

Staff recommends approval of Contract No. A03045 Amendment No. 4 with LSA Associates, Inc., for the completion of the I-215/Barton Road Interchange Project Environmental Document for a total not-to-exceed contract amount of \$2,296,169.40 and a contract extension through June 30, 2014; a contingency for Contract No. A03045 for a not-to-exceed amount of \$24,521.00; and to authorize the Executive Director or designee to release contingency as necessary for the project.

**Financial Impact:** This item is consistent with the adopted SANBAG Fiscal Year 2013/2014 budget under Task No. 0840.

**Reviewed By:** This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and Amendment.

**Responsible Staff:** Garry Cohoe, Director of Project Delivery



## CONTRACT SUMMARY SHEET

Contract No.     A03045     Amendment No.     4    

By and Between

San Bernardino Associated Governments and LSA Associates Inc.

Contract Description Environmental Services for I-215 Bi-County Projects, Task 840 Barton Interchange

**Board of Director's Meeting Date:** July 3, 2013  
**Overview of BOD Action:** Approve Amendment 4 to Contract A03045, Task 840 Barton Interchange between SANBAG and LSA Associates, Inc.

Is this a Sole-Source procurement?  Yes  No

CONTRACT OVERVIEW			
Original Contract Amount	\$	1,500,000.00	Original Contingency Amount
			\$ 0.00
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	1,815,595.77	Revised Contingency Amount <i>Inclusive of prior amendments</i>
			\$ 235,355.00
Current Amendment Amount	\$	245,218.63	Contingency Amendment
			\$ 24,521.00
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>2,060,814.40</b>	<b>TOTAL CONTINGENCY VALUE</b>
			<b>\$ 259,876.00</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			<b>\$ 2,320,690.40</b>

<b>Contract Start Date</b> 05/07/2003	<b>Current Contract Expiration Date</b> 12/31/2013	<b>Revised Contract Expiration Date</b> 06/30/2014
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Has the contract term been amended?  No  Yes - please explain.  
 Contract extended under amendment 3 to modify documents to accommodate FHWA design change.

**FINANCIAL INFORMATION**

Budget authority for this contract currently exists in Task No. 0830, 0839, 0840, 0845.  
 A Budget Amendment is required.

How are we funding current FY? MSI Valley Fund-Freeway Projects

Federal Funds     State Funds     Local Funds     TDA Funds     Measure I Funds

*Provide Brief Overview of the Overall Funding for the duration of the Contract:*  
 MSI Valley Fund-Freeway Projects  
 Payable     Receivable

**CONTRACT MANAGEMENT INFORMATION**

Check all applicable boxes:

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

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

<u>Garry Cohoe</u>	<u>[Signature]</u> 5/30/13
Task Manager (Print Name)	Signature Date
<u>Mary Brown</u>	<u>[Signature]</u> 5/28/13
Project Manager (Print Name)	Signature Date
<u>Jeffery Hill</u>	<u>[Signature]</u> 6/13/13
Contracts Administrator (Print Name)	Signature Date
<u>W. S. [Signature]</u>	<u>[Signature]</u> 6/3/13
Chief Financial Officer (Print Name)	Signature Date
<u>Andrea Zureick</u>	<u>[Signature]</u> 6/3/13
Director of Fund Administration & Programming	Signature Date

**AMENDMENT NO. 4 TO**

**CONTRACT NO. A03045**

**BY AND BETWEEN**

**SAN BERNARDINO ASSOCIATED GOVERNMENTS, acting in its capacity as the  
SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

**AND**

**LSA ASSOCIATES, INC.**

**FOR**

**INTERSTATE 215 (I-215) BI COUNTY PROJECTS –PROJECT APPROVAL AND  
ENVIRONMENTAL DOCUMENT PHASE SERVICES**

AMENDMENT No. 4 to CONTRACT No. A03045 is made by and between the San Bernardino Associated Governments acting in its capacity as the San Bernardino County Transportation Authority (referred to hereafter as SANBAG), whose address is 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, California 92410-1715; and LSA Associates, Inc., whose address is 20 Executive Park, Suite 200, Irvine, CA 92614, (hereafter called CONSULTANT). SANBAG and CONSULTANT are each "Party" and collectively the "Parties" herein.

**WITNESSETH**

**WHEREAS**, SANBAG, under Contract No. A03045 (CONTRACT) has engaged the services of CONSULTANT to prepare the Environmental Documentation in support of the Project's Services for the I-215 Bi-County Projects, Task 0840 I-215/Barton Interchange Improvement Project, described in Attachment A.2 to the Contract; and

**WHEREAS**, the CONTRACT dated May 7, 2003, as amended by Amendment No. 1 dated October 3, 2007, by Amendment No. 2 dated May 6, 2009, and by Amendment No. 3 dated January 9, 2013, has engaged the services of CONSULTANT to provide Project Report and Environmental Document services for I-215 Bi- County Projects; and

**WHEREAS**, the parties desire to amend the CONTACT terms and increase the not to exceed value to compensate CONSULTANT for the additional Services in Attachment A.2.

**NOW, THEREFORE**, the Parties hereto agree to amend the CONTRACT as follows:

1. **ARTICLE 1. DESCRIPTION OF SERVICES**, is amended to add the following at the end of the Article:

"In addition to the services set forth in Attachment A, CONSULTANT agrees to perform services set forth in Attachment A.2, I-215/Barton Road Improvement Project, Modified Alternative 7."

2. **ARTICLE 2. PERFORMANCE SCHEDULE AND FORCE MAJEURE**, Sub-Article 2.1 is amended to read: "The period of performance by CONSULTANT under this Contract shall commence on May 7, 2003, and shall continue in effect until the earlier of June 30, 2014, the date the work is completed, or the Contract is otherwise terminated, conancelled or extended as hereinafter provided.

3. **ARTICLE 3. CONTRACT PRICE AND COST PRINCIPLES (COMPENSATION)** is amended as follows:

(a) Delete sub-Article 3.2 in its entirety and replace with the following:

"The Not-To-Exceed amount is Two Million, Two Hundred and Ninety-Six Thousand, One Hundred Hundred Sixty-Nine Dollars and Forty Cents (\$2,296,169.40) which includes previously released contingency of Two Hundred Thirty-Five Thousand, Three Hundred and Fifty-Five Dollars (\$235,355.00). All Services to be provided under this CONTRACT are to be performed as set forth in Attachment A, Additional Technical Studies Scope of Work and shall be reimbursed pursuant to the hourly labor rates identified in Attachment B "Billing Rate Schedule" amended for 2013 rates, shall remain fixed for the term of the CONTRACT, with the exception of payment of Prevailing Wages as identified in 3.4 herein, and shall include CONSULTANT's direct labor costs, indirect costs and profit. All expenses shall be reimbursed per the amount shown in Attachment B. Any travel expenses must be pre-approved, in writing by SANBAG and shall be reimbursed per diem at a rate not to exceed the currently authorized rates for state employees under the State Department of Personnel Administration rules. SANBAG will not reimburse CONSULTANT for any expenses not identified in Attachment B or agreed to and approved by SANBAG as required under this CONTRACT."

(b) Add sub-Article 3.4 as follows:

"Wage increases for personnel subject to prevailing wage rates as described in California Labor Code, and all salary increases, which are the direct result of changes in the prevailing wage rates, are reimbursable."

4. **ARTICLE 6. INVOICING AND PAYMENTS** is amended to:

(a) Add the following at the end of sub-Article 6.1:

"Costs shall be collected and invoices submitted under separate cover for each I-215 Bi-County Project."

(b) Add the following at the end of sub-Article 6.2:

"The final invoice shall be marked "FINAL" and will be submitted after any and all closeout documents are submitted to SANBAG. Invoices shall be submitted to SANBAG as follows:

San Bernardino Associated Governments  
1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor  
San Bernardino, CA 92410-1715  
Contract No. C12137  
Attention: Accounts Payable"

(c) Add sub-Article 6.8 as follows:

“Any costs for which payment has been made to CONSULTANT that are determined by subsequent audit to be unallowable under 48 CFR, Federal Acquisition Regulations (FAR) System, Chapter 1, Part 31, et. seq., are subject to repayment by CONSULTANT to SANBAG.”

5. ARTICLE 9. REPORTING AND DELIVERABLES is deleted in its entirety and replaced with the following:

“All reports and deliverables shall be submitted in accordance with Attachments A and A.2.”

6. ARTICLE 12. CHANGES is amended to add the following sub-Article 12.4:

“12.4 SANBAG may modify this Contract for certain administrative changes without issuing a written amendment. Administrative changes as defined herein are limited to: changes to the personnel identified in this Contract, including Key Personnel and subcontractors; modifications to Attachment B, Billing Rate Schedule; and changes to the name and/or the address of the CONSULTANT. All administrative changes shall be documented in writing between the Parties.”

7. ARTICLE 16. REPRESENTATIONS is amended to change the last phrase in the Article from “that are generally accepted in the State of California” to “which is generally accepted in the industry.”

8. ARTICLE 28. COMMUNICATIONS AND NOTICES is amended to add under notices “For SANBAG” the following:

“Attn: Contract Administrator, Jeffery Hill”

9. ARTICLE 32. SAFETY, is deleted in its entirety and replaced with the following:

“32.1 CONSULTANT shall strictly comply with all OSHA regulations, local, municipal, state, and federal safety and health laws, orders and regulations applicable to CONSULTANT’s operations in the performance of Work under the Contract. CONSULTANT shall comply with safety instructions issued by SANBAG and their representatives. CONSULTANT personnel shall wear hard hats and safety vests at all times while on the project construction site.

32.2 CONSULTANT agrees to comply with the Drug Free Workplace Act of 1990 per Government Code Section 8350 et seq.”

10. Add ARTICLE 41. PREVAILING WAGES as follows:

“Certain labor categories under the Scope of Services may be subject to prevailing wages as identified in the State of California Labor Code Section 1770 et. seq. It is required that all mechanics and laborers employed or working on this Project shall be paid not less

than the basic hourly rates of pay and fringe benefits as shown in the current wage schedules of the Department of Industrial Relations, Division of Labor Statistics and Research, (<http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>).

Additionally, any contract awarded pursuant to this procurement will be subject to Chapter 1 of Part 7 of Division 2 of the Labor Code (commencing with Section 1771) and Subchapters 4 and 4.5 of Chapter 8 of Division 1 of Title 8 of the California Code of Regulations (commencing with Section 16421) as it will be funded in whole or in part by California state bond funds, or is a design build project with Labor Compliance Program (LCP) requirements pursuant to statute. The selected firm shall comply with these cited sections, including the obligation to furnish certified payroll records directly to the California Labor Commissioner in accordance with Title 8 CCR § 16461. The Compliance Monitoring Unit (CMU) of the Division of Labor Standards Enforcement (DLSE), which is part of the California Department of Industrial Relations (DIR), shall be responsible for monitoring and enforcement of the prevailing wage laws on any contract awarded under this project.”

11. Except as amended by this Amendment No. 4, all other provisions of Contract No. A03045 and its amendments shall remain in full force and effect.
12. Exhibit 1 (Contract Attachment A.2) is attached to and incorporated into this Amendment by this reference.
13. The Contract is incorporated into this Amendment.
14. Except as amended by this Amendment, all other provisions of the Contract shall remain in full force and effect.
15. This Amendment No. 4 is effective on the date executed by SANBAG.

**LSA Associates, Inc.**

By: \_\_\_\_\_

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

**SANBAG**

By: \_\_\_\_\_  
Bill Jahn  
President, Board of Directors

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

**APPROVED AS TO FORM**

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

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

**Exhibit 1**  
**Attachment A.2**  
**Bi-County – I-215/Barton Road Interchange**  
**Modified Alternative 7 Scope of Work**



LSA ASSOCIATES, INC.  
 10 EXECUTIVE PARK, SUITE 100  
 IRVINE, CALIFORNIA 92614

949.553.8666 TEL  
 949.553.8076 FAX

BERKELEY  
 CARLSBAD  
 FORT COLLINS

FRESNO  
 PALM SPRINGS  
 FT. RICHMOND

RIVERSIDE  
 ROCKLIN  
 SAN LOUIS OBISPO

May 9, 2013

Ms. Mary Brown  
 San Bernardino Associated Governments  
 1170 West 3<sup>rd</sup> Street  
 San Bernardino, CA 92410-1715

**Subject: Additional Background Information for Budget Amendment Request and Contract Changes: Environmental Services for the I-215 Bi-County Improvement Project (Contract 03-045)**

Dear Mary:

LSA Associates, Inc. (LSA) has reviewed the independent review documentation for the Budget Amendment Request and Contract Changes submitted by LSA on April 19, 2013. There are two major themes presented in the independent review: (1) that tasks that have not previously been prepared should not receive any allocated hours; and (2) that the project manager has too many hours.

The Interstate 215 (I-215)/Barton Road Interchange Improvement Project (I-215/Barton; Task Order 6) is unusual in that work commenced in May 2007, eight alternatives have been developed, four alternatives have been considered and rejected, and the Locally Preferred Alternative has been modified four times. Some technical studies have been revised eight times. In addition, Contract 03-045 covers three separate projects, and budget was moved between task orders depending on what changes in the scope of work were needed.

I-215/Barton was originally scheduled to open prior to the I-215 Bi-County High-Occupancy Vehicle (HOV) Gap Closure Project. When the schedules were switched, all of the technical documentation for I-215/Barton was revised in 2009 to accommodate the HOV project. In 2010, when Alternative 6 was the Locally Preferred Alternative, it was anticipated that Project Approval/Environmental Documentation (PA/ED) would be completed by the middle of 2011. Once California Department of Transportation (Caltrans) Traffic Operations determined that Alternative 6 should not be the Locally Preferred Alternative, LSA continued to be involved in meetings and in project development. When the Locally Preferred Alternative was switched to a new alternative, Alternative 7, in early 2011, it was anticipated that PA/ED would be completed by early 2012. When Alternatives 6 and 7 were modified to a right-in/right-out configuration at La Crosse Avenue and Barton Road in October 2011, it was anticipated that PA/ED would be completed by the end of 2012. LSA continued to be involved in meetings and in project development. When it was determined that a roundabout configuration should be studied in August 2012, LSA continued to be involved in meetings and in project development. At each successive change, LSA was involved in project development for several months, and it was understood by the San Bernardino Associated Governments (SANBAG) Project Manager that additional costs were incurred. The total contract budget did not become a concern for LSA until it was determined that a new alternative would delay the project for another year (through 2013) and require edits to all technical studies. Because of all of these changes described above, the

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budget allocated for tasks not already completed, i.e., Draft and Final Environmental Document, had been expended.

The hours assigned to the project manager reflect the degree of my involvement required to maintain the schedule as well as the consistency in environmental documentation. I not only act as the project manager, I am also a technical lead in community, relocation, and visual impacts. Because of the minor modification to Alternative 7. I am taking the lead in revising the project description and ensuring consistency in the figures and analysis in all of the technical reports. For instance, because of my long tenure with the project and my direct involvement in alternative development, I prepared the latest Cultural Resources and Paleontological Resources Memorandum and submitted it to the technical specialists for review. This method is actually more efficient, and makes it easier to transfer the technical changes to the previously prepared Draft Initial Study/Environmental Assessment (IS/EA). Therefore, my involvement is more hands-on than usual.

I hope this background and explanation provides enough information to support the hours that LSA submitted in its budget amendment request. The hours listed are based on my review of previous hours spent revising the technical studies, coordinating with Caltrans, and attending focus meetings/workshops to resolve comments. Please call me at (949) 553-0666 if you have additional questions.

Sincerely,

LSA ASSOCIATES, INC.



Lisa Williams  
Associate

## **BUDGET AMENDMENT REQUEST: TASK ORDER 6, I-215/BARTON ROAD INTERCHANGE IMPROVEMENT PROJECT (CONTRACT 03-045)**

The LSA Associates, Inc. (LSA) environmental project team commenced work on the Interstate 215 (I-215)/Barton Road Interchange Improvement Project in June 2007. Over the past 5.5 years, several project alternatives have been studied, and technical reports have been modified accordingly. LSA has previously made eight revisions to the technical studies and submitted the Administrative Draft Initial Study/Environmental Assessment (IS/EA) to the California Department of Transportation (Caltrans) for review in August 2012.

Recently, Caltrans and the Federal Highway Administration (FHWA) have concurred with a modification to Alternative 7, which was the locally preferred alternative. The new Modified Alternative 7 will include a roundabout configuration at the southbound I-215 ramps at Barton Road, instead of a traditional intersection. Based on preliminary design, the roundabout modification will not require additional full acquisitions. In addition, Modified Alternative 7 is within the previously approved Area of Potential Effects (APE) and Biological Study Area (BSA). This alternative will, however, change the traffic circulation, profile, and elevation of the intersection. Modified Alternative 7 will be analyzed in the technical studies, and a revised Administrative Draft IS/EA will be prepared. Based on communication from Caltrans, Alternative 7 will be removed from the technical studies and replaced with Modified Alternative 7.

LSA's contract with the San Bernardino Associated Governments (SANBAG) included several task orders, most of which have since been closed. Since February 2009, the only open task orders have been Task Order 6, I-215/Barton Road; Task Order 7, I-215/Washington Street; and Task Order 9, I-215 Bi-County High-Occupancy Vehicle (HOV) Lane Gap Closure. LSA's scope of work for Task Orders 6 and 7 has changed several times; funds have been shifted from Task Order 7 and contingency funds have been released three times as shown in the table below. At this time, Task Orders 7 and 9 have been completed and there is no additional budget left in these tasks. In addition, only \$16,642 of the contingency funding is remaining. Approximately \$32,000 is remaining in the Task Order 6 budget. For these reasons, there is not enough budget for LSA to update all the technical studies and prepare a new Administrative Draft IS/EA or complete the other tasks as part of Project Approval and Environmental Documentation (PA&ED) while extending the schedule from December 2012 to December 2013 to accommodate a new alternative. Since September 2012, LSA has expended approximately \$24,000 at meetings, preparing memos and schedules and coordinating with Caltrans regarding the modifications to Alternative 7 (Modified Alternative 7). Now that LSA has received confirmation regarding the extent of the technical scope of work required to evaluate the impacts of Modified Alternative 7 during the focused environmental meeting on April 4, 2013, the company is requesting the additional funds necessary to complete the scope of work for completion of PA&ED for the I-215/Barton Road Interchange Project.

	Task Order 6: I-215/Barton	Task Order 7: I-215/Washington	Task Order 9: I-215 Bi-County HOV Lane Gap Closure Project
Amendment No. 1, October 3, 2007	\$310,450: CIA, Visual Memo, Noise Study, Air Quality Analysis, WQAR, DRIS, Paleontology Study, NESMI, HPSR, HRER, ASR, IS/EA, Section 4(f) Evaluation, Public Outreach	Scope of Work \$332,090: PEAR, CIA, Visual Memo, Noise Analysis, Air Quality Analysis, WQAR, DRIS, Paleontology Study, NESMI, HPSR, HRER, ASR, IS/EA, Public Outreach	N/A
Amendment No. 2, May 6, 2009	\$47,684: Value Analysis, ISA, Updated Noise Study, Noise Abatement Decision Report, Updated Air Quality Analysis, additional survey area for Alternative 6, additional historic properties	\$30,484: ISA, Noise Abatement Decision Report	\$733,221: PEAR, Noise Study, Noise Abatement Decision Report, Air Quality Analysis, WQAR, Floodplain Encroachment Report, Paleontology Study, NES, Section 4(f) Evaluation, HPSR, ASR, IS/MIND and CE, Public Outreach
Contingency Release No. 1			\$126,305: Bat Surveys, APE map revisions, HRER, VIA
Transfer from Task Order 9, April 8, 2010	\$100,000: Reformat CIA per Caltrans sample, VIA, additional noise measurements, revisions to Noise Study to include HOV geometrics		
Contingency Release No. 2 and Transfer from Task Order 7, April 5, 2011	\$195,477: Addition of Alternative 7. Updates to technical studies, extended schedule, extended public outreach, updated Administrative Draft IS/EA, sound barrier surveys		
Transfer from Task Order 7, April 2011			\$31,089: Remodel Noise Study with revised geometrics, quantitative construction analysis in Air Quality Analysis, additional survey area, revised APE map, Section 7 Consultation, CIA, ISMIND reformat, sound barrier surveys.

LEA ASSOCIATES, INC.  
APRIL 2015

I-215 BI-COUNTY IMPROVEMENT PROJECT  
AMENDMENT REQUEST

Contingency Release No. 3	Task Order 6: I-215/Barton \$72,408: Revision to Alternatives 6 and 7. Updates to technical studies, extended schedule, updated Administrative Draft IS/EA, rejection of Alternative 5	Task Order 7: I-215/Washington	Task Order 9: I-215 BI-County HOV Lane Gap Closure Project
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## ADDITIONAL TECHNICAL STUDIES SCOPE OF WORK

The scope of work specified below is based on the results of the April 4, 2013, meeting. A draft meeting summary was prepared and distributed to the meeting attendees for comment and the final meeting summary was also distributed.

- **Paleontological Identification Report/Paleontological Evaluation Report:** A memo will be prepared that describes Modified Alternative 7 and documents that there is no change to the Area of Disturbance; therefore, no changes to impacts would occur.
- **Historic Property Survey Report:** A memo will be prepared that describes Modified Alternative 7 and documents that there is no change to the Archeological Study Area or APE; therefore, no changes to impacts would occur.
- **Air Quality Analysis:** The previously approved report will be updated based on the traffic data for Modified Alternative 7. An update to the August 14, 2012, particulate matter memorandum will be presented to the Southern California Association of Governments' (SCAG) Transportation Conformity Working Group (TCWG). The Greenhouse Gas Analysis will be updated based on the latest template in the Standard Environmental Reference (SER). Alternative 7 will be removed from the report.
- **Air Quality Conformity Report:** This report is required to be submitted to Caltrans for review after public review of the environmental document (ED). Once recommended for approval by Caltrans, it is submitted to FHWA for approval.
- **Natural Environment Study (Minimal Impacts):** The NESMI will be updated with Modified Alternative 7. LSA has conducted an updated site visit (March 2013), and no new concerns were noted. Adam Compton of Caltrans will request an updated species list from the United States Fish and Wildlife Service (USFWS).
- **Noise Study Report and Noise Abatement Decision Report:** A Supplemental Noise Study Report (NSR) will be prepared that only addresses Modified Alternative 7 based on the traffic data, geometrics, profiles, and right-of-way limits. Sound barriers will be evaluated independently from the I-215 Bi-County HOV Lane Gap Closure Project to be consistent with the previously approved NSR. The discussion of the No Build Alternative in the IS/EA will include a discussion and noise data that incorporates the two HOV sound barriers. A Supplemental Noise Abatement Decision Report will be prepared based on the Supplemental NSR. Any required Noise Survey of benefitted receptors will be completed prior to circulation of the Draft ED, with results incorporated.
- **Sound Barrier Surveys:** If the sound barrier adjacent to the Grand Terrace Mobile Home Park is found to be reasonable and feasible, LSA will circulate sound barrier surveys to affected property owners and the responses will be incorporated into the IS/EA. No other sound barriers are anticipated to be reasonable and feasible beyond those already planned for the I-215 Bi-County HOV Lane Gap Closure Project.
- **Community Impact Assessment:** This report will be updated with Modified Alternative 7 and will incorporate James Shankel's previous comments on the Administrative Draft IS/EA. Alternative 7 will be removed from the report. Right-of-way acquisitions will be updated. The changes in circulation will be evaluated in the Community Impact Assessment (CIA). In addition,

all relevant data will be updated including property tax and sales tax for all of the Build Alternatives. A new site visit will be conducted to verify businesses that would be displaced by this alternative.

- **Water Quality Assessment Report:** This previously approved report will be updated with Modified Alternative 7. The impervious area and disturbance area will be updated. In addition, revised locations of best management practices (BMPs) will be incorporated, as applicable. As previously agreed to by Mr. Shankel, this report will not be updated based on the SER template. Alternative 7 will be removed from the report.
- **Draft Relocation Impact Statement:** The Draft Relocation Impact Statement (DRIS) will be updated with Modified Alternative 7. New searches for available and comparative properties will be conducted for all Build Alternatives. Alternative 7 will be removed from the report. Right-of-way acquisitions will be updated.
- **Final Relocation Impact Statement:** This task was not part of the original scope of work, and in the past, it has been prepared by Caltrans during preparation of the Final ED. However, Mr. Shankel has requested that this be included in LSA's scope of work. The budget assumes that no major revisions to the DRIS will be required.
- **Initial Site Assessment:** A supplemental memo/report will be prepared by Kleinfelder that describes Modified Alternative 7 and indicates that no additional right-of-way is needed. A new database and agency records search and site visit will be conducted, and the report will be updated accordingly.
- **Visual Impact Assessment:** This report will be updated with Modified Alternative 7. Alternatives 5 and 7 will be removed from the report. Two new view simulations will be prepared for Modified Alternative 7: (1) from the I-215 southbound off-ramp; and (2) on eastbound Barton Road, west of the roundabout. Caltrans landscaping will provide a concept of the roundabout landscaping to include in the view simulations.

Because Caltrans reviewers are familiar with the I-215/Barton Road Interchange Project and have previously approved the technical studies (with exception of the CLA and DRIS), it is specified that LSA will submit two drafts of each technical study (one for Caltrans review and one for Caltrans concurrence that the comments were addressed).

All submittals will receive peer review by VCS Environmental. VCS Environmental's comments will be incorporated into documents or resolved through discussions with Peter Carlson.

LSA will attend monthly Project Development Team (PDT) meetings through December 2013, as well as weekly conference calls. LSA will also attend up to four focused environmental meetings in addition to the workshops described above.

## DRAFT AND FINAL ENVIRONMENTAL DOCUMENT TASKS

LSA previously submitted the Administrative Draft IS/EA for Caltrans review in June 2012. Verbal comments were received from Mr. Shankel in three day-long workshops. LSA revised all the sections of the IS/EA but did not resubmit the document since it was known that there would be a

modification to Alternative 7. Mr. Shankel indicated that he does not want to see responses to his comments and that the revised Administrative Draft IS/EA will be reviewed as a new submittal.

As part of its additional scope of work, LSA will revise all of the sections of the Administrative Draft IS/EA based on the results of the technical studies and Modified Alternative 7. This document will be prepared based on the latest SER template. Because this document has been previously reviewed by Caltrans, it is specified that LSA will prepare one draft for review and a second draft for concurrence that the comments were addressed. LSA will attend two all day workshop meetings to resolve comments, if necessary.

Neither the Public Review Draft IS/EA nor the Final IS/EA has been prepared. Because of the delay in the project and the development of Modified Alternative 7, insufficient budget is available to complete these tasks. The Draft and Final ED tasks are listed below.

LSA will prepare one copy of the Draft IS/EA for Caltrans signature for approval to circulate the document for public review.

#### **DRAFT ENVIRONMENTAL DOCUMENT CIRCULATION AND PUBLIC HEARING**

LSA will update the draft public distribution list. The IS/EA will be circulated for public review and submitted to the Office of Planning and Research (OPR) (up to 15 hard copies and 50 CDs). LSA will prepare and publish a Notice of Availability (NOA) and Opportunity for Public Hearing. LSA will attend one public hearing under this task and will provide aerial photoboards for public viewing.

#### **PUBLIC COMMENT RESPONSES**

The Draft Response to Comments table will be submitted to Caltrans and SANBAG for review and comment. Changes will be incorporated into the table and inserted in the Final IS/EA.

#### **ADMINISTRATIVE DRAFT FINAL ENVIRONMENTAL DOCUMENT**

The Administrative Draft Final IS/EA and Mitigated Negative Declaration (MND) will be submitted to Caltrans and SANBAG for review (18 copies).

#### **FINAL ENVIRONMENTAL DOCUMENT**

The Final IS/EA and MND will be submitted to Caltrans and SANBAG for approval. As part of the process for the Final MND/Finding of No Significant Impact (FONSI), LSA will circulate the Response to Comments table to agencies that submitted comments on the Draft IS/EA, and will prepare and file a Notice of Determination (NOD) and Notice of Availability (NOA) of the FONSI. LSA will provide up to 20 copies of the approved MND and FONSI.

## **PUBLIC OUTREACH**

Arellano Associates, Inc. will continue to provide ongoing public outreach tasks. The following public outreach tasks will be completed:

- Monthly review and responses to comments on the helpline;
- Updates to SANBAG fact sheets;
- Update to mailing list;
- Public notice translation to Spanish, distribution, and publication;
- Room arrangement for public hearing; and
- Management of public hearing.

**Attachment B**  
**Bi-County – I-215/Barton Road Interchange**  
**Modified Alternative 7**  
**Labor Rates, Manhour Estimate and Direct Expenses**

**LSA Associates, Inc.**

ATTN: Lisa Williams  
 LSA Associates, Inc.  
 20 Executive Park, Suite 200  
 Irvine, CA 92614

**LSA**

LSA ASSOCIATES, INC.

Contract No.: 03-045

Task Order No.: 6

Task Order Period of Performance: May 2007 to January 2014

Amendment No.: 4

**Consultant Costs:**

**Direct Labor Costs:**

Employee Name	Classification	Regular / OT	WBS	Billing Rate	Hours	Labor Cost
[REDACTED]	Principal-Env QA/QC	Regular	varies	\$ 186.95	97	\$18,134.15
[REDACTED]	Project Manager	Regular	varies	\$ 151.34	503	\$76,124.02
[REDACTED]	Associate	Regular	varies	\$ 134.51	65	\$8,743.15
[REDACTED]	Associate, Air Quality	Regular	varies	\$ 134.51	88	\$11,836.88
[REDACTED]	Associate, Biology	Regular	varies	\$ 134.51	29	\$3,900.79
[REDACTED]	Senior Cultural Resources Mgr	Regular	varies	\$ 103.02	20	\$2,060.40
[REDACTED]	Senior Noise Specialist	Regular	varies	\$ 101.72	140	\$14,240.80
Staff	Principal-Technical QC	Regular	varies	\$ 186.95	16	\$2,991.20
Staff	Senior Env Planner/Specialist	Regular	varies	\$ 103.02	16	\$1,648.32
Staff	Environmental Planner/Specialist	Regular	varies	\$ 82.58	330	\$27,251.40
Staff	Asst. Env Planner/Specialist	Regular	varies	\$ 70.00	188	\$13,160.00
Staff	Word Processing/Editor	Regular	varies	\$ 74.99	192	\$14,398.08
Staff	GIS/Graphics	Regular	varies	\$ 114.99	160	\$18,398.40
Staff	Office Assistant	Regular	varies	\$ 54.98	98	\$5,388.04
<b>Total Sub Consultant Direct Labor Cost:</b>					<b>1,942</b>	<b>\$218,275.63</b>

**LSA Associates, Inc.**

ATTN: Lisa Williams  
 LSA Associates, Inc.  
 20 Executive Park, Suite 200  
 Irvine, CA 92614

**LSA**

LSA ASSOCIATES, INC.

Contract No.: 03-045  
 Task Order No.: 6  
 Task Order Period of Performance: May 2007 to January 2014  
 Amendment No.: 4

**Other Direct Costs:**

Name / In House / Vendor	Description	WBS	Unit Price	ODC
Outside Vendor ODC	Mileage/Parking/Tolls			\$1,000.00
In House	Printing / Reproduction			\$2,000.00
Outside Vendor ODC	Printing / Reproduction			\$15,000.00
Outside Vendor ODC	Mail/Courier			\$500.00
Outside Vendor ODC	View Simulations			\$9,990.00
CDFW	NOD Filing Fee			\$2,156.00
<b>Total Consultant Other Direct Cost:</b>				<b>\$30,646.00</b>

**\$248,921.63**

**Total Consultant Cost:**

**Sub-Consultant Costs:**

Name of Sub-Consultant	DBEDVBE/SBE	reference	Descriptio	WBS	Labor + ODC
Klienfelder	No	ISA	External QC		\$12,593.00
Arellano Associates	Yes	Public	Outreach		\$32,613.00
<b>Total Sub Consultant Costs:</b>					<b>\$45,206.00</b>

**Total Amount**

**\$294,127.63**

**Grand Total (Prime + Subs):**

EXISTING BUDGET AS OF 4/7/13  
 REMAINING CONTINGENCY  
 ADDITIONAL LABOR BUDGET NEEDED

\$32,267

\$16,642

**\$246,218.63**

**LSA Associates, Inc.**

Contract No.: 03-045

Task Order No.: 6

Task Order Period of Performance: May 2007 to January 2014

Amendment No.: 4

**LSA**

LSA ASSOCIATES, INC

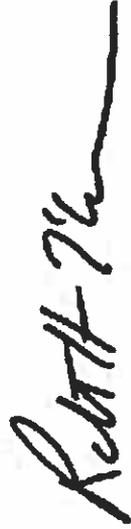
Classification	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	\$181.32	Hours	Labor Cost
PROJECT MANAGEMENT AND MEETINGS	24	165																		189	\$29,458
INTERNAL/EXTERNAL QUALITY CONTROL	45	65	8	12	4	4	4	4	16	4	16	4	16	4	16	12	12	8	8	206	\$29,726
PEER REVIEW REVISIONS	4	20	4	4	4	4	4	4										8	8	104	\$11,059
SUPPLEMENTAL NOISE STUDY		4																12	12	12	\$11,243
SUPPLEMENTAL NOISE ABATEMENT DECISION REPORT		2	5															8	4	63	\$6,324
AIR QUALITY ANALYSIS	4	4	44															8	4	64	\$7,804
NATURAL ENVIRONMENT STUDY MEMO	4	4	5															4	4	15	\$1,848
COMMUNITY IMPACT ASSESSMENT	24	24																12	12	102	\$10,009
HPSP MEMO	4	4																2	2	12	\$1,277
PALEONTOLOGY MEMO	4	4																2	2	12	\$1,277
VISUAL IMPACT ASSESSMENT	6	6																8	12	70	\$6,411
STATEMENT	6	6																6	4	44	\$4,020
WATER QUALITY ASSESSMENT REPORT	2	24																8	4	42	\$4,811
ADMIN DRAFT ED	50	16																40	36	274	\$26,925
PUBLIC REVIEW DRAFT ED	40																	24	24	146	\$14,945
DEE PUBLICATION AND CIRCULATION	16																	16	16	64	\$5,742
SOUND BARRIER SURVEYS	4																	8	4	16	\$1,486
PUBLIC HEARING	8	16																12	16	52	\$6,748
PUBLIC COMMENT RESPONSES	16	30	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	24	24	160	\$18,153
AIR QUALITY CONFORMITY REPORT	1		24															6	6	33	\$3,939
ADMIN DRAFT ED	16																	24	12	80	\$7,503
FINAL RELOCATION IMPACT STATEMENT		4																4	4	28	\$2,576
FINAL ED		16																10	12	54	\$4,951
<b>TOTAL LABOR</b>	<b>37</b>	<b>503</b>	<b>65</b>	<b>88</b>	<b>29</b>	<b>20</b>	<b>140</b>	<b>16</b>	<b>1942</b>	<b>\$218,276</b>											

SBA330		Rates Increased for April 2013					
Name	Classification	Old Direct Rate	Old Loaded Rate	New Direct Rate	New Loaded Rate		
Calderine	Principal	\$ 59.27	\$ 164.74	\$ 60.00	\$ 166.77		
Carterbury	GIS Specialist	\$ 23.85	\$ 66.29	\$ 25.04	\$ 69.61		
Carpenter	Senior Biologist	\$ 29.20	\$ 81.16	\$ 30.66	\$ 85.22		
Chung	Principal - Air & Noise	\$ 60.00	\$ 166.77	No Change	\$ 166.77		
Dow	GIS/Graphics	\$ 41.37	\$ 114.99	No Change	\$ 114.99		
Erickson	Associate	\$ 43.17	\$ 119.99	No Change	\$ 119.99		
Flashive	Senior GIS Specialist	\$ 34.18	\$ 95.00	\$ 35.89	\$ 99.75		
Henderson	Principal - GIS / Graphics	\$ 40.83	\$ 113.49	\$ 49.81	\$ 138.45		
Lay	Associate	\$ 41.35	\$ 114.93	\$ 43.17	\$ 119.99		
Lo	Environmental Planner	\$ 25.24	\$ 70.15	\$ 26.50	\$ 73.66		
Lui	Senior Noise Specialist	\$ 31.09	\$ 86.41	\$ 32.64	\$ 90.74		
Makakaufaki	Support Staff	\$ 19.78	\$ 54.96	No Change	\$ 54.96		
McCann	Principal	\$ 60.00	\$ 166.77	No Change	\$ 166.77		
Phillips	Graphics Technician	\$ 28.67	\$ 79.69	\$ 30.10	\$ 83.67		
Rojas	Support Staff	\$ 17.64	\$ 49.03	\$ 18.52	\$ 51.48		
Roos	Senior GIS Specialist	\$ 40.79	\$ 113.36	No Change	\$ 113.36		
Starakis	Word Processing	\$ 26.98	\$ 74.99	No Change	\$ 74.99		
Thomas	Associate	\$ 43.17	\$ 119.99	No Change	\$ 119.99		
Tibbet	Sr. Cultural Resources Mana	\$ 31.49	\$ 87.53	\$ 33.06	\$ 91.90		
Davis	Associate	\$ 34.18	\$ 95.00	\$ 43.17	\$ 119.99		
West	Associate	\$ 34.18	\$ 95.00	\$ 43.17	\$ 119.99		
Williams	Project Manager	\$ 46.38	\$ 134.47	\$ 48.57	\$ 135.00		
Word Processing (Various)		\$ 26.98	\$ 74.99	No Change	\$ 74.99		

**LSA IN-HOUSE DIRECT EXPENSES  
JANUARY 2013**

		<b>Unit Cost</b>
Reproduction	(8.5 x 11) B/W	\$.07 per page
Reproduction	(8.5 x 11) Color	\$.40 per page
Reproduction	(11 x 17) B/W	\$.10 per page
Reproduction	(11 x 17) Color	\$.75 per page
CD Production		\$5.00 per CD
Plotting		\$3.75 per sf
Mileage On Road		\$.565 per mile
Mileage Off-Road		\$.715 per mile
GPS Unit		\$75.00 per day
Total Station Surveying Instrument		\$50.00 per day
Level (Laser or Optical)		\$25.00 per day
Laser Rangefinder		\$25.00 per day
Sound Meter		\$75.00 per day
Aerial Photo		Cost
Boat Rental		\$50.00/day
Water Quality Meter		\$25.00/day

**Signature:**



**Rob McCann  
President**

**04/25/2013**

**Date**



- 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: 18

**Date:** July 10, 2013

**Subject:** SANBAG Contract No. 04-024, Amendment No. 3 to Gold Line Joint Powers Agreement to include the City of Montclair

**Recommendation:\*** Approve Amendment No. 3 to the Metro Gold Line Foothill Extension Construction Authority, San Bernardino Associated Governments Contract No. 04-024 to include the City of Montclair.

**Background:** The Metro Gold Line Foothill Extension Construction Authority (Construction Authority) is an independent transportation planning, design and, construction agency created in 1998 by the California State Legislature, SB 1847 (later updated in 2011-AB706 and 2012-AB1600).

The Construction Authority is governed by a nine-member board of directors. Five (5) members are voting members, while four (4) are non-voting. Each member is appointed by a city or other government entity, as directed in the legislation that created the agency, SB 1847 (later updated in 2011-AB706 and 2012-AB1600). Below is the text regarding governance from AB 1600.

*132415. (a) The authority shall be governed by a board consisting of five (voting members and four nonvoting members who shall be appointed as follows:*

\*

*Approved  
 Board of Directors*

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

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

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

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

COG		CTC	X	CTA	X	SAFE		CMA	
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*(1) Three members shall be appointed by the City Councils of the Cities of Los Angeles, Pasadena, and South Pasadena, with each city council appointing one member by a majority vote of the membership of that city council.*

*(2) One member shall be appointed by the President of the Governing Board of the San Gabriel Valley Council of Governments, subject to confirmation by that board.*

*(3) One member shall be appointed by the LACMTA.*

*(4) One nonvoting member shall be appointed by the Governor.*

*(5) Two nonvoting members shall be appointed by the City Councils of the Cities of Pasadena and South Pasadena, with each city appointing one nonvoting member.*

*(6) One nonvoting member shall be appointed by the president of the board of directors of the San Bernardino Associated Governments, subject to confirmation by that board.*

The city councils of Pasadena and South Pasadena appoint members from the corridor cities. The City of Pasadena appointed Glendora City Councilman Doug Tessitor and the City of South Pasadena appointed Ontario Mayor Paul Leon.

In addition, cities from South Pasadena to Ontario are represented on two additional boards to the Construction Authority--the Joint Powers Authority (comprised of elected official representatives appointed by each corridor cities) and Technical Advisory Committee (comprised of city managers or their staff appointees). The JPA has added members to the original board membership via Amendments to its Joint Powers Authority Agreement (Amendment One - SANBAG; Amendment Two - Ontario). Currently, Amendment No. 3 seeks to add Montclair as a member to the JPA. All members of the JPA must approve the Amendment in order to add a member. SANBAG is the only agency that has not taken action to approve the amendment. The City of Montclair wants to appoint council member Bill Rue to the JPA.

The Joint Powers Authority (JPA) also votes to make recommendations to three appointing entities for the Construction Authority Board. Those entities are the Cities of South Pasadena and Pasadena as well as the SGVCOG. Claremont City Councilmember Sam Pedroza was appointed by the SGVCOG.

Lastly, SANBAG approved Memorandum of Understanding (MOU) 04-023 with the Los Angeles to Pasadena Metro Blue Line Construction Authority in September 2003. This MOU facilitated the inclusion of the extension of Gold Line to Montclair for both Draft and Final Environmental Impacts Statement/Environmental Impact Report (EIS/EIR), Preliminary Engineering and

financial assistance for conduction the Phase II project L.A./Ontario International Airport Strategic Planning Study.

SANBAG staff is recommending the approval of Amendment No. 3.

**Financial Impact:** Amendment No. 3 to Contract 04024 is currently consistent with the Fiscal Year 2013/14 budget. If by September a budget amendment is needed for the JPA annual dues, it will be processed in an agency wide budget amendment lead by the finance department in September 2013.

**Reviewed By:** This item was reviewed and unanimously recommended for approval by the Commuter and Rail Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have approved this item and Contract as to form.

**Responsible Staff:** Mitch Alderman, Director of Transit and Rail Programs

## CONTRACT SUMMARY SHEET

Contract No. C 04024 Amendment No. 3

By and Between

San Bernardino Associated Governments and Gold Line Phase II Joint Powers Authority

Contract Description Gold Line Joint Powers Agreement: To include City of Montclair

<b>Board of Director's Meeting Date:</b> July 10, 2013	
<b>Overview of BOD Action:</b> That the Committee recommend the Board approve Amendment No. 3 to the Metro Gold Line Foothill Extension Construction Authority, San Bernardino Associated Governments Contract No. 04-024 to include the City of Montclair	
<b>Is this a Sole-Source procurement?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW					
Original Contract Amount	\$	31,445.00 (Initial Dues)	Original Contingency Amount	\$	
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	00.00	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	
Current Amendment Amount	\$	00.00	Contingency Amendment	\$	
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>31,445 plus annual dues</b>	<b>TOTAL CONTINGENCY VALUE</b>	<b>\$</b>	
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>				<b>\$</b>	<b>31,445 plus annual dues</b>

Contract Start Date 9/3/03	Current Contract Expiration Date N/A	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>0377</u>				
<input type="checkbox"/> A Budget Amendment is required.				
How are we funding current FY? Local Transportation Funds - Planning				
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input type="checkbox"/> Local Funds	<input checked="" type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
Provide Brief Overview of the Overall Funding for the duration of the Contract:				
Local Transportation Funds - Planning				
<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 _____ %	

Monica Morales  
Project Manager (Print Name)

MITCHELL A. ALDERMAN  
Task Manager (Print Name)

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

Jeffery Hill  
Contract Administrator (Print Name)

W SWANKS  
Chief Financial Officer (Print Name)

Monica Morales 6/11/13  
Signature Date

M. A. Alderman 6/11/13  
Signature Date

Andrea Zurick 6/18/13  
Signature Date

[Signature] 6/25/13  
Signature Date

[Signature] 6/26/13  
Signature Date

**AMENDMENT THREE****Joint Exercise of Powers Agreement****Gold Line Phase II Joint Powers Authority**

This Amendment Three to the Joint Exercise of Powers Agreement for the Gold Line Phase II Joint Powers Authority ("Amendment Three") is approved and executed by the current members of the Metro Gold Line Phase II Joint Powers Authority ("Joint Powers Authority") as set forth in Exhibit 1-B, attached hereto, and each of which must approve and execute this Amendment Three in order for Amendment Three to be effective.

WITNESSETH:

The Parties hereto agree as follows:

Section 1. Recitals. This Amendment Three is made and entered into with respect to the following facts:

- a. The Joint Powers Authority was formed pursuant to Section 6500 *et seq.* of the Government Code with the goal and intent to cooperate among members in support of the funding, planning, design and construction of the Metro Gold Line Phase II light rail project ("the Gold Line Phase II"); and
- b. The City of Montclair has demonstrated an interest to join the Joint Powers Authority in order to work cooperatively with the Joint Powers Authority and its member cities and agencies to complete the Gold Line Phase II including a possible extension to the City of Ontario; and
- c. The City of Montclair has agreed to pay initial dues and assume other required financial responsibilities as a condition of its membership in the Joint Powers Authority.
- d. The City of Pasadena was a founding member of the Joint Powers Authority and by an administrative error was removed and is at this time re-inserted and not subject to any other provisions stated below; and

Section 2. Initial Dues. The Initial Dues in the amount of Thirty-One Thousand Four Hundred Forty Five Dollars (\$31,455.00) for the City of Montclair shall be due and payable thirty-days (30) after the effective date of membership in the Joint Powers Authority.

Section 3. Terms Remain in Effect. All terms of the Joint Exercise of Powers Agreement for the Gold Line Phase II Joint Powers Authority ("Agreement") that are not deleted or amended by this Amendment Three remain fully in effect and the execution of this Amendment Three by each of the parties hereto signifies approval and acceptance of the Agreement as modified by this Amendment Two.

Section 4. Annual Dues. Section 29c (Annual Dues) of the Agreement is hereby reinstated and after a three-fourths majority vote of the JPA Board Members at its April 14, 2011 Board

Meeting. Annual Dues will be billed at the beginning of the fiscal year commencing fiscal year 2014 (July 1, 2013).

With the increase of activities along the project, it remains integral to the project planning and implementation to keep information and engagement with constituent cities. The forecast budget which includes administrative expenses, fees, legal support, etc. are expected to be approximately \$45,000 annually (\$3,000 per member city) as follows:

<u>Revenues:</u>	
<u>15 Member Cities X \$3,000</u>	<u>\$45,000</u>
Total	\$45,000
 <u>Expenses:</u>	
Board Meetings Per Diem	\$18,000
Meetings	\$ 5,000
<u>Legal, Administrative, &amp; Other</u>	<u>\$22,000</u>
Total	\$45,000

Section 5. Effective Dates. The Effective date of this Amendment Three shall be the first date on which each of the current members of the JPA, as listed in Exhibit 1-B, shall have approved and signed this Amendment Three. The effective date of Montclair's membership in the JPA shall be the first date on which each of the current members of the Joint Powers Authority as well as the respective candidate city shall have approved and signed this Amendment Three.

Section 6. Counterparts. This Amendment Three may be executed in several counterparts, and all counterparts so executed shall constitute one Amendment Three, binding on all the parties hereto, notwithstanding that all of the parties are not signatory to the original or same counterpart.

----- signature pages to follow -----

The current members of the JPA have caused this Amendment Three to be executed on their behalf, respectively, as follows:

**City of Arcadia**

By: Robert C. Harbicht, Mayor *Dated*

**City of Azusa**

By: Joseph R. Rocha, Mayor *Dated*

**City of Claremont**

By: Larry Schroeder, Mayor *Dated*

**City of Duarte**

By: John Fasana, Mayor *Dated*

**City of Glendora**

By: Gene Murabito, Mayor *Dated*

**City of Irwindale**

By: David Fuentes, Mayor *Dated*

**City of La Verne**

By: Don Kendrick, Mayor *Dated*

**City of Monrovia**

By: Mary Ann Lutz, Mayor *Dated*

**City of Ontario**

By: Paul Leon, Mayor *Dated*

**City of Pasadena**

By: Bill Bogaard, Mayor *Dated*

**City of Pomona**

By: Elliott Rothman, Mayor *Dated*

**San Bernardino Associated Governments**

By: Brad Milzefelt, President *Dated*

**City of San Dimas**

By: Curtis W. Morris, Mayor *Dated*

**City of South Pasadena**

By: Michael Cacciotti, Mayor *Dated*

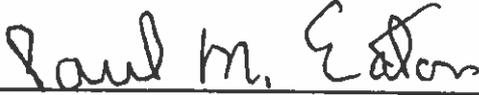
ATTEST

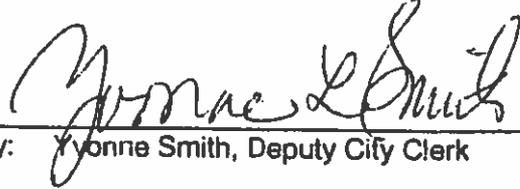
By: Chris Lowe, Clerk of the Board

The authorized representative of the City of Montclair has caused this Amendment Three to be executed on the City of Montclair's behalf, respectively, as follows:

City of Montclair

ATTEST:

  
By: Paul M. Eaton, Mayor

  
By: Yvonne Smith, Deputy City Clerk

**Exhibit 1-B**

**Current Members of the Gold Line Phase II Joint Powers Authority**

Arcadia

Azusa

Claremont

Duarte

Glendora

Irwindale

La Verne

Monrovia

Ontario

Pasadena

Pomona

**San Bernardino Associated Governments (SANBag)**

San Dimas

South Pasadena



- 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: 19

**Date:** July 10, 2013

**Subject:** Fiscal Year 2013/2014 Transportation Development Act (TDA) Unmet Transit Needs Public Hearings

**Recommendation:**\* That the Board:

1. Adopt Definitions of “Unmet Transit Needs” and “Reasonable to Meet” as identified in Attachment A.
2. Set Times, Dates and Locations for TDA Unmet Transit Needs Public Hearings.

**Background:** Each year the San Bernardino County Transportation Commission is required by Public Utilities Code Sections 99238.5 and 99401.5 to hold public hearings for obtaining testimony regarding unmet transit needs that can be reasonably met and must adopt findings prior to making an allocation of Local Transportation Funds (LTF) for street purposes. Per the Board action of 1993, a public hearing will not be held in the Valley as all LTF revenues are committed to transit. The information obtained at these hearings will be used in the planning and budget development of the affected transit operators for the subsequent Fiscal Year, as recommend in the transit operators’ performance audit.

In January 2003, the Board approved the definitions of “Unmet Transit Needs” and “Reasonable to Meet”. An amendment to Section C – Equity, under the definition of “reasonable to meet”, was approved by the Board in

\*

	<p><i>Approved</i>          Board of Directors</p> <p>Date: _____</p> <p>Moved: _____ Second: _____</p> <p>In Favor: _____ Opposed: _____ Abstained: _____</p> <p>Witnessed: _____</p>
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COG		CTC	X	CTA		SAFE		CMA	
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Check all that apply.

BRD1307a-ns

Attachment: <http://portal.sanbag.ca.gov/mgmt/committee/commuter/crtc2013/crtc1306/AgendaItems/CRCT1306a1-ns.docx>

September 2004. These definitions were the result of an extensive effort to update them, with input from organizations representing the transit dependent and the affected transit operators during 2002. The California Department of Transportation has suggested that the definitions be reviewed and adopted on a periodic basis. The definitions were again approved by the Board on July 2008. Attachment A contains the current definitions and no change is being proposed at this time. These definitions will be used to respond to the testimony received.

Two public hearings are proposed for this year with the locations being the Morongo Basin and Victor Valley. The Boards of the Morongo Basin Transit Authority (MBTA) and the Victor Valley Transit Authority (VVTa) will serve as the hearing boards at their respective locations.

The schedules for the proposed hearings are as follows:

**Upper Desert Region**  
Monday, September 16, 2013 at 9:30am  
Victor Valley Transit Authority  
17150 Smoketree Street  
Hesperia, California 92345

**Lower Desert Region**  
Thursday, September 26, 2013 at 5:00 pm  
HELEN GRAY CENTER  
6601 White Feather Road  
Joshua Tree, California 92252

**Financial Impact:** This item is consistent with the adopted Fiscal Year 2013/2014 Budget. Funding for the public hearings is provided under Task No. 0309 the funding source is LTF Planning

**Reviewed By:** This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013.

**Responsible Staff:** Mitch Alderman, Director of Transit and Rail Programs

## Attachment A

### Definitions of “Unmet Transit Needs” and “Reasonable to Meet” adopted by the San Bernardino County Transportation Commission Board of Directors in January 2008

**Unmet Transit Needs:** Unmet transit needs are any deficiency in the provision of public transit services, specialized transit service or private for-profit and non-profit transportation.

**Reasonable to Meet:** Reasonable to meet is a determination to be made based upon the following guidelines, performance and financial standards:

- A. **Community acceptance** – The proposed service has community acceptance and support as determined by the Unmet Transit Needs public hearing record, the inclusion of adopted programs and plans, the adoption of governing board positions and other existing information.
- B. **Timing**
  - 1. The proposed service shall be in response to an existing rather than future need.
  - 2. The proposed service shall be implemented consistent with the timing for federal and state grant approval if such a grant is the most appropriate primary method of funding.
- C. **Equity** – the proposed service shall:
  - 1. Not unreasonably discriminate against or in favor of any particular segment of the community.
  - 2. Not result in reduced service levels for other parts of the transit system that have equal or higher priority.
  - 3. Require a subsidy per passenger generally equivalent to a 120% of similar services being operated within the first two full Fiscal Years of operation unless overriding reasons so justify.
- D. **Cost effectiveness** – the proposed service shall:
  - 1. Not duplicate other existing transportation services or resources.

2. Consider opportunities for coordinating amount adjoining public entities or with private transportation providers and/or funding agencies in order to maximize existing resources (including financial) as well as legal or customary responsibilities of other entities such as social service agencies, religious organizations and schools.
3. Not adversely affect the operator's ability to meet the required ratio of fare revenue to operating cost after two full Fiscal Years of operations.
4. Meet a productivity level of 80% of the average number of passengers per hour for similar services being operated within the first two full Fiscal Years of operation unless overriding reasons so justify.

**E. Operational feasibility** – The proposed service must be safe to operate, including the operation of vehicles on adequately maintained roadways.



- 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: 20

**Date:** July 10, 2013

**Subject:** Unmet Transit Needs Public Hearings and Findings

**Recommendation:**\* That the Board acting in its capacity as the San Bernardino County Transportation Commission:

1. Review the testimony from the September 2012 Unmet Transit Needs Public Hearings.
2. Adopt Resolution No. 13-043 making Unmet Transit Needs Findings.

**Background:** This item was reviewed and approved by San Bernardino Associated Governments Board of Directors meeting on April 11, 2013. However, Resolution No. 13-043 was not included in the Board agenda packet. Therefore, this item is again presented to the Board, so the resolution may be properly adopted.

During September 2012, SANBAG, acting as the County Transportation Commission, held two public hearings for the Mountain/Desert Region in the San Bernardino County in response to the Transportation Development Act (TDA) requirement to obtain testimony regarding unmet transit needs that can be reasonably met (PUC Sections 99238.5 and 99401.5). The first meeting was held

*Approved  
 Board of Directors*

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

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

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

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

COG	CTC	X	CTA	SAFE	CMA
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Check all that apply.  
 BRD1307b-ns

Attachment: <http://portal.sanbag.ca.gov/mgmt/APR-Mgmt/Shared%20Documents/Res/f2013043.docx>  
<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1306b1-ns.docx>  
<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1306b2-ns.pdf>

on September 17, 2012, in Hesperia, covering the upper desert and the second meeting was held on September 27, 2012, in Joshua Tree covering the lower desert region. The governing bodies of the Victor Valley Transit Authority (VVTA) and the Morongo Basin Transit Authority (MBTA) served as the hearing boards.

Attachment A provides the definitions of “unmet transit needs” and “reasonable to meet” that were adopted by the Commission on August 1, 2012. Attachment B provides a summary of the testimony received and recommended staff response. The definitions have been used to determine the recommended formal findings contained in Resolution No. 13-043. Attachment C is Resolution No. 13-043 that contains the formal findings from the public hearing process.

#### **Upper Desert Region**

##### **Victor Valley Transit Authority Service Area:**

- Service expansion requests, to increase service frequency and coverage;
- Service connectivity and fare structure;
- Additional bus stop requests at the Juvenile Detention Center, Santiago mobile home estates and on Route 43 as well as a general request shelters and benches through the service area;
- Adding Sunday Service;
- Service expansion for Lucerne Valley and Outlying Area;
- Service Performance;
- Down-the-Hill Transportation Service;
- Service Animal Policy;
- Driver Stop Announcement; and
- North Desert/Barstow Area would like to see a subsidized fare for the low-income population.

#### **Lower Desert**

##### **Morongo Basin Transit Authority Service Area:**

- Service expansion requests to Banning/Beaumont, to Johnson Valley and Wonder Valley and Landers Loop;
- Preventative Maintenance concerns related to seatbelts, signals and general maintenance of the bus;
- Ready Ride concerns related to wheel-chair position in a vehicle, waiting time, missed pick-ups, and carry-on package policy;
- On-Time Performance;
- Adding Sunday Service;
- Bus Stop Improvements, including shelters, for stops on existing routes; and
- Rider compliments.

During this hearing process, it was determined and is recommended that a finding of unmet needs can reasonably be met and that VVTA be directed to implement Sunday Service potentially in conjunction with other service modifications. In accordance with the TDA farebox exemption statute which allows for up to three years to test new services before applying minimum farebox standards, it is also recommended that VVTA use at least a two-year trial period to operate and market this new service. It is important to note that during the past seven (7) unmet needs hearings adding Sunday service was a major request. During previous hearings, VVTA was not able to reasonably meet this request due to the expenses to revenue and the ability to generate sufficient ridership. At this time VVTA has the ability to implement this service without a major impact to their budget and is looking towards implementing Sunday service that will best generate the most ridership.

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

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel has reviewed this item and the Resolution.

***Responsible Staff:*** Mitch Alderman, Director of Transit and Rail Programs

## Attachment A

### Definitions of “Unmet Transit Needs” and “Reasonable to Meet” adopted by the San Bernardino County Transportation Commission Board of Directors in January 2008

**Unmet Transit Needs:** Unmet transit needs are any deficiency in the provision of public transit services, specialized transit service or private for-profit and non-profit transportation.

**Reasonable to Meet:** Reasonable to meet is a determination to be made based upon the following guidelines, performance and financial standards:

- A. **Community acceptance** – The proposed service has community acceptance and support as determined by the Unmet Transit Needs public hearing record, the inclusion of adopted programs and plans, the adoption of governing board positions and other existing information.
- B. **Timing**
  - 1. The proposed service shall be in response to an existing rather than future need.
  - 2. The proposed service shall be implemented consistent with the timing for federal and state grant approval if such a grant is the most appropriate primary method of funding.
- C. **Equity** – the proposed service shall:
  - 1. Not unreasonably discriminate against or in favor of any particular segment of the community.
  - 2. Not result in reduced service levels for other parts of the transit system that have equal or higher priority.
  - 3. Require a subsidy per passenger generally equivalent to a 120% of similar services being operated within the first two full Fiscal Years of operation unless overriding reasons so justify.
- D. **Cost effectiveness** – the proposed service shall:
  - 1. Not duplicate other existing transportation services or resources.

2. Consider opportunities for coordinating amount adjoining public entities or with private transportation providers and/or funding agencies in order to maximize existing resources (including financial) as well as legal or customary responsibilities of other entities such as social service agencies, religious organizations and schools.
3. Not adversely affect the operator's ability to meet the required ratio of fare revenue to operating cost after two full Fiscal Years of operations.
4. Meet a productivity level of 80% of the average number of passengers per hour for similar services being operated within the first two full Fiscal Years of operation unless overriding reasons so justify.

**E. Operational feasibility** – The proposed service must be safe to operate, including the operation of vehicles on adequately maintained roadways.

ATTACHMENT B  
 San Bernardino Associated Governments  
 Transportation Development Act – Unmet Transit Needs Public Hearing  
 Upper Desert Region – September 17, 2012

Testimony	Response
<p style="text-align: center;"><i>Note: Comments include both testimony given at the VVTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i></p>	
<p><b>SERVICE EXPANSION REQUESTS</b></p>	
<p><b>Service Frequency and Coverage</b></p> <ul style="list-style-type: none"> <li>• Need to extend the ½ hour frequency to 5:30 a.m. on Route 31 and Route 45.</li> </ul>	<p>These recommendations for <i>increased service frequency, greater coverage and more days of operation</i> are being assessed and addressed through the Comprehensive Operational Analysis (COA) that VVTA is currently conducting. An in-depth analysis of most aspects of VVTA's services, its recommendations provides a long-term plan for VVTA for the next five to seven years. The COA recommendations will be available for public comment early in 2013.</p>
<ul style="list-style-type: none"> <li>• Increased frequency to every ½ hour is needed on Routes 41 and 52.</li> </ul>	
<p style="text-align: center;"><i>Terry Martini, Adelanto Peggy Funk, via email Terry Martini, Adelanto</i></p> <ul style="list-style-type: none"> <li>• Connections from Route 23 to Routes 40, 41, or 47 are difficult because of the 1 hour headway. Need to shorten route 23 and create a bus that stays in the area.</li> </ul>	
<p style="text-align: center;"><i>Robert Hanna, Lucerne Valley</i></p> <ul style="list-style-type: none"> <li>• Need for NTC route to add Barstow Jr. High School as a drop-off and p/u location</li> </ul>	
<ul style="list-style-type: none"> <li>• Need for earlier and later buses and more frequent routes, especially on routes that service schools</li> </ul>	
<p style="text-align: center;"><i>Hasan Hasan, Adelanto Alyssa Hackett, Apple Valley Teresa Olivo, Dept. of Aging and Adult Services</i></p> <ul style="list-style-type: none"> <li>• Suggests that a small circulator be created for residents of Just Ranch and Spring Valley to travel to the Apple Valley shopping areas.</li> </ul>	
<ul style="list-style-type: none"> <li>• No service to Brewster Park or the trailer park at Waterloo and Dale Evans. Nearest stop is a mile away</li> </ul>	<p style="text-align: center;"><i>Lia Hamilton, Apple Valley</i></p>
<ul style="list-style-type: none"> <li>• Need a bus that can deviate and service the medical facilities on Corwin</li> </ul>	

Testimony	Response
<p><i>Note: Comments include both testimony given at the VVTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i></p> <p><b>Service Connections and Fares</b></p> <ul style="list-style-type: none"> <li>• Need for improved connectivity between buses. Currently missing transfers during peak hours</li> <li>• Deviation route to Hesperia Lake is too expensive <i>Lee Ann Mercer, Hesperia</i></li> </ul>	<p>These issues of <i>service connectivity</i> and <i>fare structure</i> are being assessed and addressed through the Comprehensive Operational Analysis (COA) that VVTA is currently conducting. An in-depth analysis of most aspects of VVTA's services, its recommendations will provide for a long-term plan for VVTA for the next five to seven years. The COA recommendations will be available for public comment early in 2013.</p>
<p><b>Juvenile Detention Center Service Request</b></p> <ul style="list-style-type: none"> <li>• A stop is needed at the High Desert Juvenile Detention Center- 21101 Dale Evans Parkway, Apple Valley. Visitors, largely parents and many dependent upon public transit, travel here on Monday through Thursday for visiting hours from 4:30 p.m. to 9 p.m. There are 110 minors housed at the facility and 30 to 40 family members visit weekly. <i>Peter Bockman High Desert Juvenile Detention and Assessment Center</i></li> </ul>	<p>This facility is approximately 6 miles beyond Route 40's Wanaque/Serrano and Carlisle stops, at its northernmost locations. At present, it is not feasible to serve the Detention Center. However, VVTA is encouraged to consider future year tripper-type services that might provide periodic service, perhaps just several nights a week, if other northward Apple Valley destinations can also be served. Further, facility administrators may wish to pursue vehicle donation opportunities – through VVTA – where visiting parents could conceivably be met at the Route 40 stops. The Detention Center would become responsible for maintaining and operating the vehicle, to assist family members in making connections to or from available public transit. If no such vehicle was anticipated from the VVTA vehicle replacement program, the Detention Center may be eligible for a capital project through the March 2013 High Desert JARC/New Freedom grant cycle.</p>
<p><b>Sunday Service</b></p> <ul style="list-style-type: none"> <li>• Riders need [restoration of] Sunday service in order to do shopping, go to the mall, pharmacy to get medicine, go to church and go to work and maintain independence. <i>Laura Mancha, Rolling Start Terry Martini, Adelanto Robert Hanna, Lucerne Valley Cruz Vizcaino, Victorville Hasan Hasan, Adelanto Alyssa Hackett, Apple Valley</i></li> </ul>	<p>Recommend that this is a finding of unmet need that can reasonably be met and that the VVTA be directed to implement Sunday service, potentially in conjunction with other service modifications that are recommended through the COA process. In accordance with the TDA fare box exemption statute which allows for up to three years to test new services before applying minimum fare box standards, SANBAG recommends at least a two-year trial period to operate and market this new service. It is further recommended that the specific operational design be focused on serving work and work-related trips, such as retail jobs where employees have Sunday shifts. Addition of Sunday service often creates increased weekday ridership as well.</p>

Testimony	Response
<p><i>Note: Comments include both testimony given at the VVTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i></p> <p><b>Lucerne Valley and Outlying Area Service Request</b></p> <ul style="list-style-type: none"> <li>• Need extended late night service in Lucerne Valley after 7pm especially during the minor league baseball season in Adelanto for the Mavericks games.</li> <li>• Route 23 only services Foothill and Mesa on return from Apple Valley and makes for a 1½ hour trip.</li> <li>• Currently no return trip from Lucerne to Foothill, Mesa, Esmeralda and Crystal Creek roads.</li> </ul> <p><i>Robert Hanna, Lucerne Valley</i></p>	<p>These recommendations for additional service to <i>Lucerne Valley and outlying area services</i> are being assessed and addressed through the Comprehensive Operational Analysis (COA) that VVTA is currently conducting. COA recommendations will be available for public comment early in 2013.</p>
<p><b>Service Performance</b></p> <ul style="list-style-type: none"> <li>• Missed connections with deviated route from route 40. Stranded after missing deviation pick-up on last bus of the evening, put to voice mail. No one was manning the phone after hours.</li> </ul> <p><i>Lia Hamilton, Apple Valley</i></p>	<p>VVTA's COA will address service performance matters and will make specific recommendations to improve service reliability. Additionally, VVTA is directed to review any safe-ride-home practices, including procedures and timing of dispatch at the end of the day and in communication protocols between paratransit and fixed-route dispatch. Such procedures, and any last run procedural clarifications, should be communicated to the ridership in a variety of ways.</p>
<p><b>Down-the-Hill Transportation Service</b></p> <ul style="list-style-type: none"> <li>• Lifeline service is helpful, but down-the-hill services is needed more than three times per week</li> </ul> <p><i>Lee Ann Mercer, Hesperia</i></p> <p>B-V Link services is very helpful in getting low-income people from Barstow to Apple Valley [and now on to the San Bernardino Valley].</p> <p><i>Sheri Randolph, Desert Mama</i></p>	<p>The new service between Barstow, Victorville and San Bernardino, called the B-V Link was initiated in January 2011 and expanded Oct. 1<sup>st</sup>, 2012 to originate in Fort Irwin National Training Center. Three days a week, there are two daily roundtrips from Fort Irwin and four daily round trips between Victorville and the San Bernardino Valley. Operating grants to make this possible only fund the Lifeline service at its current three-day-a-week schedule. This service was a recommendation of the 2009 <i>Victor Valley Long Distance Commuter Needs Assessment</i>. That study concluded that there was insufficient demand to support a VVTA fixed-route commuter service.</p> <p>VVTA's new van pool service commenced this fall to address down-the-hill trip needs for work and other commute purposes and is proving highly successful. This also was a recommendation of the 2009 <i>Commuter Needs Assessment</i>. The program provides up to \$400 monthly to each vanpool riders' commuting expense. Early indications suggest this is being well utilized.</p> <p>The program will be now open to general public. For more information, send an email to: <a href="mailto:vanpool@vvta.org">vanpool@vvta.org</a> Or visit <a href="http://www.vvta.org/vanpool">www.vvta.org/vanpool</a></p>

Testimony	Response
<p><i>Note: Comments include both testimony given at the VVTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i></p> <p><b>North Desert/ Barstow Area</b></p> <ul style="list-style-type: none"> <li>• B-V Link services is very helpful in getting low-income people from Barstow to various destinations. However there is still a need for free transportation – Desert Manna was initially provided with 50 free round trip tickets that were helpful but the organization has no funds with which to purchase more.</li> <li>• Need more subsidized fares for the low-income population that uses the BV-Link. These fares, while low for the general public, are still difficult for those of lowest income who need to use health care services in the San Bernardino Valley.</li> </ul> <p><i>Sheri Randolph, Desert Manna</i></p>	<p>With regard to B-V Link fares, public transit programs cannot routinely provide free fare tickets – initial promotion was a time-limited exception. And unfortunately the grant funding supporting the BV Link explicitly disallows providing ongoing funds for fare subsidy or fare card purchasing with transit funding. The human service agency is encouraged to seek philanthropic funding for this.</p> <p>VVTA is encouraged to review the B-V Link fare structure within its COA analysis, given that the B-V Link ridership has been solid and actual operating experience exists, to report on its fare box recovery rate. Current fares approximate 20 cents per mile for these long trip legs. The fare structure should be reviewed at the fiscal year end, in the context of the high ridership levels the service has attracted. Unfortunately, it is not feasible to comply with state law regarding minimum fare box requirements and offer fare reductions or discount group ridership rates.</p> <p>Finally, Desert Manna administrators may wish to pursue grant funding to secure a vehicle to provide trips that cannot be served by public transportation. The agency could pursue procuring a donated vehicle from VVTA to meet some of its consumers’ trip needs. Also it is eligible for the March 2013 vehicle grant program, FTA 5310 state-level competition that Caltrans manages.</p>
<p><b>BUS STOP AMENITIES – Benches/ New Stops/ Wheelchair Pads</b></p> <ul style="list-style-type: none"> <li>• More shelters and benches to aid the travel of persons with disabilities</li> </ul> <p><i>Laura Mancha, Rolling Start</i></p> <ul style="list-style-type: none"> <li>• A stop is needed at the Santiago Mobile Home Estates. Clear cemented area near High School</li> </ul> <p><i>Florence Macy, Apple Valley</i></p> <ul style="list-style-type: none"> <li>• Stop on Route 43 past Nisqually is just dirt and when it rains someone will get stuck in the mud.</li> </ul> <p><i>Florence Macy, Apple Valley</i></p>	<p>VVTA Administrators should undertake improvements that may be possible to existing stops within currently budgeted funds. The COA is expected to provide recommendations by which to prioritize bus stop improvements.</p> <p>Additionally, for stop improvements that cannot otherwise be funded, VVTA should continue to work with the Cities to make application for JARC/ New Freedom funding during the next funding cycle and to SANBAG’s Title III call for projects. Both grant programs will be making funds available during 2013. Such stop improvements are eligible projects for both funding sources.</p>

Testimony	Response
<p><i>Note: Comments include both testimony given at the VVTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i></p> <p><b>Driver Stop Announcement</b></p> <ul style="list-style-type: none"> <li>• Drivers are sometimes reluctant to announce the next stop which is difficult for those that are visually impaired. <i>Laura Mancha, Rolling Start</i></li> </ul>	<p>VVTA is directed to ensure its contractor undertakes additional driver training to address and review existing policy with regard to federal Americans with Disabilities Act (ADA) stop announcement requirements and with respect to service animal regulations.</p>
<p><b>Service Animal Policy</b></p> <ul style="list-style-type: none"> <li>• Operators must recognize that service animals are not pets and play a vital role in the life of the person who relies upon them. <i>Laura Mancha, Rolling Start</i></li> </ul>	<p>Resources to facilitate this include excellent training tools available through Easter Seal's Project Action and regulatory summaries from FTA and the US Dept. of Civil Rights:</p> <p><b>Project Action -</b>  <b>ADA Stop Announcement Program: Training Transit Operators and Supervisors on Calling Out Stops</b>  <a href="http://bussafety.fta.dot.gov/uploads/resource/3174_filename">http://bussafety.fta.dot.gov/uploads/resource/3174_filename</a></p>
	<p><b>Federal Transit Administration -</b>  <b>ADA Regulatory Changes – Fact Sheet (Updated May 2011)</b>  <a href="http://www.ada.gov/regs2010/factsheets/title2_factsheet.html">http://www.ada.gov/regs2010/factsheets/title2_factsheet.html</a></p> <p><b>US Dept. Civil Rights Division -</b>  <b>ADA 2010 Revised Service Animal Requirements</b>  <a href="http://www.ada.gov/service_animals_2010.htm">http://www.ada.gov/service_animals_2010.htm</a></p>

**San Bernardino Associated Governments  
Transportation Development Act – Unmet Transit Needs Public Hearing  
Morongo Basin/Lower Desert Region – September 27, 2012**

<b>Morongo Basin/Lower Desert Region</b>	
<b>Testimony</b>	<b>Response</b>
<i>Note: Comments include both testimony given at the MBTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i>	
<p>Concerned about vehicle preventative maintenance on the bus; bus signal for stopping may not be working; wants to ensure that bus driver is not responsible for everything.</p> <p>Concerned about safety and seat belts, needing better seat belts for persons in wheel chairs which use two spaces but only one wheelchair seatbelt seems to be available. Concerned this will not be enough to stop a wheelchair [in the event of a bus accident].</p> <p style="text-align: right;"><i>Debra Sands, Yucca Valley</i></p>	<p>MBTA vehicle maintenance follows all Federal Transit Administration and California Highway Patrol prescribed requirements. MBTA maintenance practices are inspected annually by the California Highway Patrol under its terminal inspection program. MBTA currently holds a "satisfactory" inspection certificate indicating no concerns. Additionally, all vehicles are subject to a mandatory internal Preventative Maintenance Schedules and daily preventative maintenance checks.</p>
<p><b>SERVICE TO OUTLYING AREAS – Wonder Valley and Johnson Valley</b></p> <p>Reach-Out 29 is concerned about unmet transportation needs due to cuts in the budget of San Bernardino County DAAS [Dept. of Aging and Adult Services]. We are seeing significant needs in Wonder Valley, among other areas outside of Morongo Basin communities along 29 Palms Highway:</p> <ul style="list-style-type: none"> <li>• Along dirt roads in three miles from nearest paved roads</li> <li>• To destinations that include medical appts. / doctors' offices.</li> </ul> <p style="text-align: right;"><i>Robin Schlosser, Reach-Out Morongo</i></p> <p>Johnson Valley, even service once daily to and from the Johnson Valley Improvement Association would be extremely helpful.</p> <p style="text-align: right;"><i>Atia Baig, DAAS for Betty Munson, Gloria Williams, John Withrow and Marilyn Kuder of Johnson Valley</i></p> <p>Desiring Johnson Valley service beyond the existing terminus of Rt. 21 at Linn Rd. and Highway 24.</p> <p style="text-align: right;"><i>William Jensen, Landers</i></p>	<p>MBTA is still working to implement and improve its core services, ensuring on-time performance and moving towards more frequent service and so cannot provide additional or expanded services to Johnson Valley or Wonder Valley at this time.</p> <p>Resources for these outlying areas include:</p> <ol style="list-style-type: none"> <li>1. MBTA's Route 34 on Tuesday and Wednesday mornings, for service within 17 miles to the east of Adobe Road on Amboy Rd.-7 miles to the east on Hwy 62 near Godwin Rd. for trips to the north and south of those roads up to approx. two to three miles.</li> <li>2. The V-Trans and DAAS-administered volunteer driver mileage reimbursement program which recently received a grant from MBTA's TAG program for expanded service.</li> </ol> <p>SANBAG encourages the MBTA to track trip requests and demand levels from these areas over the next year to determine whether additional service could have a reasonable prospect of meeting the agency's minimum productivity requirements and therefore be considered for implementation.</p>

<b>Morongo Basin/ Lower Desert Region</b>	
<b>Testimony</b>	<b>Response</b>
<p><i>Note: Comments include both testimony given at the MBTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i></p>	
<p><b>READY RIDE –Service Issues and Guidelines</b></p> <p>Ready Ride appears to have gone from a two-wheelchair position vehicle to a one-wheelchair position vehicle.</p> <ul style="list-style-type: none"> <li>• ReadyRide – insufficient room for two persons in wheelchairs but Ready Ride will only accept a single wheelchair rider at a time. The second person has to wait for a return vehicle; need larger vehicles or more wheelchair capacity.</li> <li>• ReadyRide – each month on the first and third of the month when SSI and SSC checks come out; the two Ready Ride buses in Joshua Tree are often at capacity during these first days of the month.</li> </ul> <p><i>Phyllis Kimes, Joshua Tree, as reported by Atia Baig, DAAS</i></p> <p>Ready Ride did not pick up an individual on three separate occasions in Yucca Valley.</p> <p style="text-align: right;"><i>Atia Baig, DAAS</i></p> <p>DAR requires waiting at both ends of the trip; takes a big portion of the day to use DAR.</p> <p style="text-align: right;"><i>Kari Grimes, Morongo Basin Senior Support Center</i></p> <p>DAR rider picked up with other riders who live in the north 40, far out of town. She is late because they are picked up first. Need an additional van so that people in town can be picked up together and those on outskirts picked up by themselves.</p> <p style="text-align: right;"><i>Kathi Schmidt [via telephone]</i></p>	<p><b>Wheelchair Positions and Capacity Problems on Ready Ride -</b> The mid-term changes include some service modifications which will introduce some modifications to service provision. However, the COA recommends no changes to the vehicle type which would have increased the number of wheel chair positions on MBTA vehicles.</p> <p>Dispatch staff will monitor passenger reservations and note when vehicle wheelchair boarding capacity is exceeded and invite riders to take a later trip. Similarly, riders are encouraged to travel in the mid-day, off-peak periods during these high use times to increase the likelihood of sufficient space on-board the vehicles.</p> <p>All MBTA Ready Ride vehicles are equipped with two mobility device securement locations. However, on rare occasions, the driver has encountered a situation where only one person in a wheelchair can be loaded at a time, due to the length of the mobility device. When this occurs, dispatch does its best to make arrangements for a rider that is inconvenienced.</p> <p><b>Ready Ride Trip Scheduling –</b> MBTA dispatch will review and consider the ride-times of individual riders and if possible modify the size of the batched trips, if it seems that ride-times are becoming excessive. Passengers are encouraged to remember, however, that Ready Ride is a shared-ride service and cannot provide direct point-to-point transportation for individuals.</p>

<b>Morongo Basin/ Lower Desert Region</b>	
<b>Testimony</b>	<b>Response</b>
<p><i>Note: Comments include both testimony given at the MBTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i></p>	
<p><b>Ready Ride - Carry-on Package Policy</b></p> <p>Ready Ride – it would be helpful to increase the number of carry-on items; allowing six grocery bags would be helpful.</p> <p><i>Phyllis Kimes, Joshua Tree, as reported by Atia Baig, DAAS</i></p>	<p><b>Rider Policies Regarding Packages</b> – MBTA policy currently allows six (6) grocery bags per rider. This is a generous policy and in light of the capacity issues for Ready Ride, it is not feasible to increase the number of allowable carry-on items. Existing policy should be reviewed, in terms of how clearly it is communicated to rider, in print, on-line, and posted on the buses.</p>
<p><b>ON TIME PERFORMANCE</b></p> <p>Sometimes buses are running early and they don't stop to wait. If one is not at the stop the MBTA buses won't wait at the stop until the scheduled departure time.</p> <p><i>Atia Baig, DAAS</i></p>	<p>MBTA's recent COA did identify challenges experienced by the operator with regard to on-time performance, noting a system-wide level of performance of 78 percent on-time. Sometimes when drivers realize they will be running late, they may leave stops early to off-set later eroding schedules. The MBTA is in the process of implementing COA recommendations with regard to improving on-time performance at the earliest possible timeframes and the schedules are being revised accordingly with appropriate advance notice of these changes to be provided the ridership public.</p>
<p><b>LANDERS LOOP and WEEKEND SERVICE</b></p> <p>Saturday and Sunday service would be very helpful to residents.</p> <p><i>Atia Baig, DAAS</i></p> <p>Need more dial-a-ride service on Saturdays and Sundays.</p> <p><i>Mary Lou Almond, Joshua Tree</i></p>	<p>MBTA's COA provided for recommendations for adding Sunday service and plans to do so effective July 1<sup>st</sup>, 2013. Some increase in fares is expected to accompany this, the first fare increase to the system since the late 1990's.</p>
<p><b>ROUTE 30 STEP STOOL</b></p> <p>It would be helpful if Route 30 could have a stepstool like Route 31 does.</p> <p><i>Regina Wagner, as reported by Teresa (MBTA)</i></p>	<p>This Route is normally served by a low-floor bus which most riders can readily step into, negating the need for a stool.</p>

<b>Morongo Basin/ Lower Desert Region</b>	
<b>Testimony</b>	<b>Response</b>
<p><i>Note: Comments include both testimony given at the MBTA public hearing on September 17, 2012 or otherwise provided in writing to SANBAG.</i></p>	
<p><b>BUS STOP/ TURN-OUT LANE</b></p> <p>Need a bus near Sunburst and Highway 62, near the anticipated Dollar Tree Store. We need a safe turn-out lane making it safer for passengers to get on or disembark the bus.</p> <p style="text-align: center;"><i>Mary Lou Almond, Joshua Tree</i></p> <p>Need a shelter at Avalon and Paxton as it is a very busy stop.</p> <p style="text-align: center;"><i>Janice Simes as reported by Teresa (MBTA)</i></p> <p><b>SERVICE ROUTING AND FREQUENCY</b></p> <ul style="list-style-type: none"> <li>• Need more direct route between Joshua Tree FROM Twenty-nine Palms.</li> <li>• Dial-a-Ride service takes a long time; riders have to wait a long time.</li> <li>• There is no stop near facility at all; seniors are walking a distance.</li> <li>• Increase the number of routes.</li> </ul> <p style="text-align: center;"><i>Kari Grimes, Morongo Basin Senior Support Center, Yucca Valley</i></p> <p><b>COMPLIMENTS</b></p> <ul style="list-style-type: none"> <li>- Many seniors use Dial-a-Ride; it is a wonderful service.</li> <li>- Thank you for the rides and the great service.</li> <li>- Thank you for the drivers and dispatch.</li> <li>- Residents of Morongo Basin appreciate the TREP mileage reimbursement program.</li> </ul> <p style="text-align: right;"><i>Atia Baig, DAAS // Regina Wagner // Janice Simes</i></p>	<p>A request has been made to County Land Use Planning that the Dollar General project provide this amenity. Such improvements are outside of the authority of the MBTA.</p> <p>The Avalon and Paxton stop was evaluated by MBTA staff and stop improvements are not scheduled for this location.</p> <p>As noted, MBTA's Ready Ride program is a shared-ride service. While not as convenient as driving one's own vehicle, it does provide some level of transportation assistance. Dispatch is directed to review passenger wait times to this facility to determine if there are any extended waits longer than the existing policy of pick-up window within 45 minutes of rider's scheduled pick-up times.</p> <p>The MBSCC is located along the current Route 7A. MBTA has installed a stop and bench at this location.</p> <p>Service compliments are always nice to receive and reflect the appreciation of the MBTA program and its drivers by its riders.</p>

ATTACHMENT C

RESOLUTION NO. 13-043

\*

RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION COMMISSION ADOPTING UNMET TRANSIT NEEDS FINDINGS BASED ON HEARINGS HELD IN SEPTEMBER 2012

WHEREAS, the San Bernardino County Transportation Commission (SANBAG) is the designated transportation planning agency for San Bernardino County, and is therefore, responsible for the administration of funds under the Transportation Development Act (TDA), as amended; and

WHEREAS, SANBAG adopted definitions of "unmet transit needs" and "reasonable to meet" during its regular meeting of July 6, 2011; and

WHEREAS, SANBAG conducted two public hearings in September, 2012, to obtain testimony regarding unmet transit needs in the Mountain/Desert area of San Bernardino County; and

WHEREAS, SANBAG has given consideration to: the testimony received during the public hearing process pursuant to California Public Utilities Code (PUC) Sections 99238 and 99401.5; input from the Public and Specialized Transportation Advisory and Coordinating Council (PASTACC), the advisory council established pursuant to PUC Section 99238; the adequacy of public and specialized transportation contained in the most recently adopted Regional Transportation Plan; and the analysis of potential alternative public and specialized transportation services that would meet all or part of the transit demand.

NOW, THEREFORE BE IT RESOLVED, that the San Bernardino County Transportation Commission hereby finds:

- I. There is one (1) unmet transit need that can be reasonably met within the Victor Valley Region of San Bernardino County provided that:

\*

	<p><i>Approved</i> <i>Board of Directors</i></p> <p>Date: _____</p> <p>Moved:                      Second:</p> <p>In Favor:                  Opposed:                  Abstained:</p> <p>Witnessed: _____</p>
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Victor Valley Transit Authority (VVTA) be directed to implement Sunday service, potentially in conjunction with other service modifications that are recommended through the *Comprehensive Operational Analysis* process. In accordance with the TDA fare box exemption statute which allows for up to three years to test new services before applying minimum fare box standards, SANBAG recommends at least a two-year trial period to operate and market this new service. It is further recommended that the specific operational design be focused on serving work and work-related trips, such as retail jobs where employees have Sunday shifts.

2. There are no unmet transit needs that can be reasonably met within the Morongo Basin, Lower Desert Region of San Bernardino County provided that Morongo Basin Transit Authority:

Refer to MBTA's *Comprehensive Operational Analysis* needs' testimony received in this year's cycle for consideration in the context of analysis of the overall MBTA system.

Approved by the San Bernardino County Transportation Commission at a regular meeting thereof held \_\_\_\_\_.



- 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:   21  

**Date:** July 10, 2013

**Subject:** Request for Proposal No. 14003, On-call Transit and Rail Services

**Recommendation:**\* That the Board, acting as the San Bernardino County Transportation Commission, authorize and approve release of Request for Proposal No. 14003 for qualified firms to provide On-call Transit and Rail Services.

**Background:** To support the activities necessary to develop, study, plan, design, and implement a variety of projects, studies, and goals for SANBAG and other agencies, a bench of on-call consultants is needed to assist staff on an as-needed basis. It is the intent to select and contract with more than one consultant to provide these services which cover a broad spectrum, such as, project and program management, staff augmentation, engineering, planning, and construction management.

The duration of each contract will be five (5) years which follows SANBAG contracting policy. Individual projects would be assigned among the contract consultants to the firm best qualified to conduct the specific work based upon expertise, experience, appropriate staffing availability and cost effectiveness. Depending on the task and through the duration of the contract, one or more firms will be requested to provide a scope and fee for said work. Based on qualifications of each firm for the task, staff will evaluate and determine which firm will be recommended for the task. This recommendation would be based on qualifications in keeping with state and federal regulations. However, should a

*Approved*  
*Board of Directors*

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

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

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

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

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

BRD1307b-maa

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Requests%20for%20Proposals%20RFPs/RFP14003%20Scope%20of%20Work.docx>

firm's proposed fee be excessive as compared to the staff prepared Independent Cost Estimate (ICE), staff would then recommend a different firm for the task. Depending on the task, the fee may be a lump sum not-to-exceed or based on hourly rates, or possibly a combination. In some cases, there may be multiple firms selected for a specific task, each providing qualifications that the other may not have.

Some of the more specific immediate activities, per the Fiscal Year 2013/2014 budget, include staff support to manage projects: construction support; studies to improve grade crossing safety on the Metrolink San Bernardino line; grade crossing replacements and improvements on the Redlands line; studies to extend Metrolink to the San Bernardino International Airport, and transit oriented developments; studies for security systems and services at all Metrolink station within the County; and the development of Short Range Transit Plans for the bus operators and SANBAG.

***Financial Impact:*** This item is consistent with the adopted budget for Fiscal Year 2013/2014.

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have approved this item and reviewed the Scope of Work.

***Responsible Staff:*** Mitch Alderman, Director of Transit and Rail Programs

**ATTACHMENT "A"**  
**RFP NO. 14003, On-Call for Transit and Rail Services**  
**SCOPE OF WORK**

**GENERAL**

The services to be provided by the Consultant for this Statement of Qualifications (SOQ) may include all work necessary from conceptual through implementation of railroad and non-railroad transit projects and other transit corridor planning projects. The Consultant will provide a variety of services that in general include but not limited to, rail and transit systems, multi-modal and transit centers, rail and transit maintenance facilities, support facilities, and non-motorized systems; program, project, and construction management; staff augmentation; planning, environmental, design as well as construction support; development/entitlement projects and evaluations; studies, analyses, and other general services.

The Authority may require any of the following services to be completed by the Consultant(s); however, since the frequency, quantity, and dollar value of each service listed below is uncertain, the services have been divided into two groups. Tier 1 services are those that will most likely be needed during the term of the contract and Tier 2 are those that may be needed at a later date. The proposer shall submit all necessary documentation required in this SOQ to support their respective qualifications that meet the needs of the Tier 1 services. These at a minimum should include staff resumes and related project experience that link staff to the projects. For Tier 2, the proposer shall demonstrate their ability to add the necessary firms and personnel at a later date for the required services. The Consultant does not need to identify firm, personnel, and related project experience at this time for the Tier 2 services. However, any addition of firms and personnel that would be needed for Tier 2 services, as well as Tier 1, would be subject to Authority's approval meeting all contractual requirements.

Following is a list of general categories for Tier 1 and Tier 2 services that may be required. For each category below, whether for Tier 1 or Tier 2, example references of typical tasks are shown but may not depict all tasks necessary to deliver the required services by the Authority. Other supporting tasks may be required by the Authority for each Contract Task Order as necessary to perform the required work.

**Tier 1**

For this Tier, the Consultant(s) will most likely support the Authority with regard to, but not limited to, the construction activities for the San Bernardino Passenger Rail Project (DSBPRP) and the San Bernardino Transit Center (SBTC), some elements of the Redlands Passenger Rail Project (RPRP) program management, and various studies current and potentially identified by the Authority. Construction management for DSBPRP and SBTC has already been procured.

- Program and Project Management and Staff Augmentation
  - Develop, manage, and administer projects and programs, for such tasks as scope, costs, schedules, finance, and contracts. Write agenda items and make presentations to SANBAG committees and Board of Directors.

- Support interagency and intra-agency coordination and public outreach including the preparation of presentation materials, making presentations, preparation of outreach materials, attending meetings, and assisting staff and other consultants.
- Assist in coordinating programs and projects with agencies such as Federal Transit Administration, Federal Railroad Administration, Southern California Regional Rail Authority, BNSF, County of San Bernardino, other county transportation commissions and authorities, transit agencies, cities, utility agencies and companies, and other local, regional, state, and federal agencies and stakeholders.
- Contract Management - Support in procurements of other consultants and construction contractors on varying projects, including assistance with project delivery and contract administration. Prepare and manage third-party agreements, consultant agreements, amendments, independent cost estimates, scopes of work, Requests for Proposals/Qualifications, and Invitations For Bid
- Project Controls - Create and monitor Quality Assurance/Quality Control (QA/QC) program. Create, update, manage, and maintain the Authority document control system.
- Grant writing, administration, and reporting, and preparation of supporting documentation.
- Transportation Development Act (TDA) – Development of TDA procedure manual and training and performing TDA performance audits of the six county transit operators and of SANBAG.
- Provide assistance with FTA grantee and contracting compliance requirements.
- Review requests by third-parties effecting Authority’s assets such as railroad rights-of-way, facilities, and other Authority owned properties and interests.
- All other services as requested by Authority.
- Planning/Analysis – Rail and transit and systems and supporting elements, alternative analyses, financial analyses, system and traffic modeling and analyses, ridership modeling, Rail Traffic Control (RTC) modeling, and FTA New Starts and Small Starts; land use analyses, site development entitlements and designs, transit oriented developments; preparation of Short Range Transit Plans (SRTP), Long Range Transit Plans (LRTP), and Title VI reports.
- Environmental – Reports, surveys, mitigation, conceptual analysis, design, and construction support for such items as air quality, biology, cultural resources, archaeology, hazardous materials and waste, noise and vibration, paleontology, and Section 4(f). Development of CEQA and NEPA documentation and reports.
- Engineering and Maintenance – Planning, conceptual designs, preliminary engineering, PS&E, maintenance, and operations for such tasks as track design, transit and rail systems and stations, systems, communications and signals (C&S), video surveillance, safety systems, public address systems, transit and rail maintenance facilities, railroad maintenance of way (MOW), maintenance of equipment (MOE), and design support during construction.
- Construction Management - All services for transit and rail projects for stations, platforms, bridges, buildings, track, grade crossings; architectural, civil, structural, electrical, mechanical, and geotechnical; communications and signals; material testing, estimating, scheduling, constructability reviews, and construction staking.
- Security system analyses/interface and upgrades.
- Geotechnical - investigations, reports, testing, and construction support.

- Hydraulics and Hydrology – drainage studies and design, floodplain mapping, erosion control, and water quality management.
- Utility Agency Coordination – Investigation, coordination, pot-holing, designs, studies, and relocations.
- Surveying – Topography, boundary, and construction staking surveys; preparation of record maps, as-builts, right-of-way documentation; and aerial photography and topography.
- Right-of-Way – Acquisitions, appraisals, legal descriptions and plats; licenses, easements, and leases; condemnation, negotiations, and notary public services.
- Public Projects – Support Authority with third-party highway grade crossings, grade separation improvements, and bike trails.
- Other duties as assigned and for which general planning, engineering, and construction support expertise is required.

#### Tier 2

- Architecture/Building Design/Interior Design
- Landscape Architecture and Irrigation
- Urban design
- Bus transit studies and analyses
- Entitlements
- Prepare, modify, or update standards, standard plans, design standards, manuals, as-built drawings, track charts, etc.
- Overhead Cantenary Systems (OCS) and traction power systems.
- Preparation of rail and transit operations RPFs.

**ATTACHMENT "B"**  
**SOQ 14002**  
**Fiscal Year 2014 Projects**

Projects Budgeted by Authority for FY14

On-call consultants may be given Contract Task Orders to provide the necessary services to implement the following projects. Additional projects and services may be requested for Fiscal Year 2014 as well as subsequent fiscal years during the life of the consultant's contract. The general description of each task.

- Staff Augmentation – Additional Authority staff support for Construction Management of the Downtown San Bernardino Passenger Rail Project and San Bernardino Transit Center. Other miscellaneous support to Authority staff for various projects.
- San Bernardino International Airport Rail Access Study – An extension of Metrolink approximately two miles to the airport.
- Metrolink Station Security Study – Evaluate security options for the seven existing Metrolink stations within the County.
- Authority's Short Range Transit Plan – SRTP covering SANBAG's own projects and the operations and projects of the county transit operators.
- Agency Consolidation Study – Consolidation one or more of the transit providers into SANBAG or amongst themselves.
- San Gabriel Subdivision Grade Crossing Safety Study – Evaluation and recommendations for improvements to grade crossings.
- Redlands Subdivision Grade Crossing Improvements – Preparation of construction documents for the replacement of crossings.
- Redlands Subdivision Grade Crossing Improvement Construction Over-site of Third-party Projects - Provide construction management for third-parties projects.
- Metrolink Station and Transit Center Land Use Analysis – Evaluation of potential use for development along rail corridors.



- 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: 22

**Date:** July 10, 2013

**Subject:** Contracts granting and rescinding certain rights of entry and licenses to cross San Bernardino County Transportation Authority and the San Bernardino County Transportation Commission railroad right-of-way with Joshua Grading, Charter Communications, Omnitrans, Griffith/Comet JV (Joint Venture), City of San Bernardino and City of Rialto.

**Recommendation:\*** That the Board acting as the San Bernardino County Transportation Authority and the San Bernardino County Transportation Commission:

1. Approve Contract No. R13162 with Joshua Grading granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Upland mile post 101.77;
2. Approve Contract No. R13163 with the Charter Communications granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rancho Cucamonga mile post 97.72;

\*

*Approved  
Board of Directors*

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

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

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

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

COG	<input type="checkbox"/>	CTC	<input type="checkbox"/>	X	CTA	<input checked="" type="checkbox"/>	SAFE	<input type="checkbox"/>	CMA	<input type="checkbox"/>
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*Check all that apply.*

- BRD1307a-mmm  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/R13162.docx>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/R13163.docx>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/R13164.docx>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/R13166.docx>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/R13165.docx>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/R13167.docx>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/R13161.docx>

3. Approve Contract No. R13164 with Omnitrans granting a license agreement on the Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
4. Rescind Contract No. R13113 with Griffith/Comet JV (Joint Venture) granting a right-of-entry onto Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
5. Approve Contract No. R13166 with Griffith/Comet JV (Joint Venture) granting a right-of-entry onto Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
6. Rescind Contract No. R13112 with the City of San Bernardino granting a license agreement on the Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
7. Approve Contract No. R13165 with the City of San Bernardino granting a license agreement on the Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0;
8. Approve Contract No. R13167 with the City of Rialto granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rialto mile post 86.4 east;
9. Approve Contract No. R13161 with the City of Rialto granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rialto mile post 86.4 west.

***Background:***

Between 1991 and 1993, San Bernardino Associated Governments (SANBAG) acquired the Baldwin Park branch line, the Pasadena Subdivision, and the Redlands branch line, all railroad rights-of-way, for its commuter rail program. Following the acquisition of these rail assets, in 1994, SANBAG contracted with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to provide property management services. During 2011, SANBAG went through a procurement process to bid the services provided by the LACMTA and on May 4, 2011, the Board awarded Contract No. C11206 to Epic Land Solutions.

Historically, the management services provided to SANBAG by LACMTA have included: environmental due diligence, management of leases, licenses and easements, weed abatement and trash removal, preparing agreements and licenses for utilities and street crossings of the right-of-way, and marketing surplus property. To expedite the provision of these services, SANBAG provided the LACMTA power-of-attorney to handle these matters on SANBAG's behalf. SANBAG's rail assets portfolio includes approximately one-thousand fifty (1,050) licenses, leases, and agreements that generate roughly \$400,000 in annual revenue. The revenues generated by SANBAG's rail assets are used to fund improvements related to the rail system. Examples of past projects include the

restoration of the San Bernardino Depot, San Bernardino Parking Structure, and the restoration of the Upland Lemon Grower's Warehouse.

When SANBAG re-procured these services last year, SANBAG did not grant Epic Land Solutions, Inc. (Epic) power-of-attorney. Consequently, this Board action is required to authorize SANBAG to enter into or amend any new or existing license, lease, or agreement for the use of SANBAG's property.

The Joshua Grading & Excavation license agreement R13162 to be granted will be for storage and parking on SANBAG's rail right-of-way property in the City of Upland, approximately 20,000 Sq. Ft.

Charter Communications R13163 is requesting a license agreement for an overhead crossing on SANBAG's rail right-of-way in the City of Rancho Cucamonga, approximately 1,000 Sq. Ft.

Omnitrans R13164 is seeking a license agreement for an underground and street level crossing on SANBAG's rail right-of-way in the City of San Bernardino, approximately 5,520 Sq. Ft. This work will be for the sbX project currently under construction.

The Griffith/Comet JV R13166 needs a right-of-entry agreement on SANBAG's rail right-of-way to perform the work needed for the Omnitrans license agreement described above.

The license agreement with the City of San Bernardino R13165 is the same location as the Omnitrans license agreement. This license agreement will need to be approved by the City Council when they approve the sbX project as a whole.

Lastly, the City of Rialto R13167 is requesting a license agreement for an underground crossing on the SANBAG rail right-of-way in the City of Rialto, approximately 1,000 Sq. Ft on the east side of the tracks.

A second license agreement with the City of Rialto R13161 is also for an underground crossing on the SANBAG rail right-of-way in the City of Rialto, approximately 1,000 Sq. Ft but is on the west side of the tracks.

Each license does allow SANBAG to terminate the license with thirty (30) days prior written notice. Additionally, in some instances an administrative fee is applicable and will be given to Epic for preparation of the license agreements.

It is necessary to refine the boiler-plate license agreements. Staff is currently working with General Counsel to develop a policy governing future licenses, leases and agreements for SANBAG's right-of-way and property. Options would likely include a range from continuing to present each new or amended agreement to the Board for action or by creating boilerplate documents approved by the Board that could be executed by the Executive Director or his designee.

**Financial Impact:** Approval of this item will result in the payment of \$1,500 one-time (1) administration fee to Epic Land Solutions, Inc. for the following agreements; Charter Communications, Omnitrans, Griffith/Comet JV, City of San Bernardino (paid by Omnitrans under R13164), and both agreements with the City of Rialto. Additionally Charter Communications will be charged an annual license fee of \$2,000. Joshua Grading & Excavation, Inc will not be charged an administration fee. SANBAG will incur these charges; the license agreement is to the betterment of SANBAG and will reduce other charges that would have occurred without the license agreement. There will be a \$2,000 annual license fee for Joshua Grading & Excavation, Inc. these fee's will be partially offset by a \$1,500 a month reduction for property maintenance on adjoining SANBAG right-of-way. The net payment for the license will be \$500 monthly.

All fees will be collected by Epic on behalf of SANBAG and retained in the SANBAG rail assets trust account until the funds are transmitted to SANBAG's finance department. The revenue may be budgeted in subsequent Fiscal Years for projects that benefit SANBAG's rail systems/assets.

**Reviewed By:** This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the license agreements and right-of-entry agreements..

**Responsible Staff:** Mitch Alderman, Director of Transit and Rail Programs

## CONTRACT SUMMARY SHEET

Contract No. R 13162 Amendment No. \_\_\_\_\_

By and Between

San Bernardino Associated Governments acting and Joshua Grading & Excavation, Inc  
 as the San Bernardino County Transportation Authority and the San Bernardino County  
 Transportation Commission

Contract Description License Agreement on the San Gabriel Subdivision Mile Post 101.77

<b>Board of Director's Meeting Date:</b> July 10, 2013	
<b>Overview of BOD Action:</b> Approve Contract No. R13162 with Joshua Grading granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Upland mile post 101.77	
<b>Is this a Sole-Source procurement?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	500.00	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$		Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	\$	500.00	<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			\$ 500.00

<b>Contract Start Date</b> 7/10/13	<b>Current Contract Expiration Date</b> 6/30/18	<b>Revised Contract Expiration Date</b>
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. 0377.				
<input type="checkbox"/> A Budget Amendment is required. How are we funding current FY? N/A				
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
Provide Brief Overview of the Overall Funding for the duration of the Contract: Rail Assets				
<input type="checkbox"/> Payable <input checked="" type="checkbox"/> Receivable				

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

Monica Morales  
 Project Manager (Print Name)  
Mitch A. Alderman  
 Task Manager (Print Name)  
Andrea Zurick  
 Dir. of Fund Admin. & Programming (Print Name)  
Jeffery Hill  
 Contract Administrator (Print Name)  
L. STUAR S.  
 Chief Financial Officer (Print Name)

Monica Morales 6/26/13  
 Signature Date  
M. A. Alderman 6/26/13  
 Signature Date  
Andrea Zurick for A Zurick 6/26/13  
 Signature Date  
Jeffery Hill 6/26/13  
 Signature Date  
L. STUAR S. 6/26/13  
 Signature Date

## CONTRACT SUMMARY SHEET

Contract No. R 13163 Amendment No. \_\_\_\_\_

By and Between

San Bernardino Associated Governments acting and Charter Communications  
 as the San Bernardino County Transportation  
 Authority and the San Bernardino County  
 Transportation Commission

Contract Description License Agreement on the San Gabriel Subdivision Mile Post 97.72

<b>Board of Director's Meeting Date:</b> July 10, 2013	
<b>Overview of BOD Action:</b> Approve Contract No. R13163 with the Charter Communications granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rancho Cucamonga mile post 97.72.	
Is this a Sole-Source procurement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	3,500	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$		Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>3,500</b>	<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			<b>\$ 3,500</b>

Contract Start Date 7/10/13	Current Contract Expiration Date 6/30/18	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. 0377.				
<input type="checkbox"/> A Budget Amendment is required. How are we funding current FY? N/A				
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
Provide Brief Overview of the Overall Funding for the duration of the Contract: Rail Assets				
<input type="checkbox"/> Payable <input checked="" type="checkbox"/> Receivable				

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

Ubonica Ulbratas  
 Project Manager (Print Name)

Witch A. Alderman  
 Task Manager (Print Name)

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

Jeffery Hill  
 Contract Administrator (Print Name)

W STAWARSKI  
 Chief Financial Officer (Print Name)

Ubonica Ulbratas 6/26/13  
 Signature Date

Witch A. Alderman 6/26/13  
 Signature Date

Andrea Zuruck 6/26/13  
 Signature Date

[Signature] 6/26/13  
 Signature Date

**CONTRACT SUMMARY SHEET**

Contract No. R 13164 Amendment No. \_\_\_\_\_

By and Between

San Bernardino Associated Governments acting and Omnitrans  
 as the San Bernardino County Transportation  
 Authority and the San Bernardino County  
 Transportation Commission

Contract Description License Agreement on the Redlands Subdivision Mile Post 1.0

**Board of Director's Meeting Date:** July 10, 2013  
**Overview of BOD Action:** Approve Contract No. R13164 with Omnitrans granting a license agreement on the Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0.  
**Is this a Sole-Source procurement?**  Yes  No

**CONTRACT OVERVIEW**

Original Contract Amount	\$	3,000	Original Contingency Amount	\$	
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	
Current Amendment Amount	\$		Contingency Amendment	\$	
<b>TOTAL CONTRACT VALUE</b>	\$	3,000	<b>TOTAL CONTINGENCY VALUE</b>	\$	
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>				\$	3,000

**Contract Start Date** 7/10/13 **Current Contract Expiration Date** 6/30/18 **Revised Contract Expiration Date**  
 Has the contract term been amended?  No  Yes - please explain.

**FINANCIAL INFORMATION**

Budget authority for this contract currently exists in Task No. 0377.  
 A Budget Amendment is required. How are we funding current FY? N/A  
 Federal Funds  State Funds  Local Funds  TDA Funds  Measure I Funds  
 Provide Brief Overview of the Overall Funding for the duration of the Contract: Rail Assets  
 Payable  Receivable

**CONTRACT MANAGEMENT INFORMATION**

**Check all applicable boxes:**  
 Retention? If yes, indicate % \_\_\_\_\_.  
 Disadvantaged Business Enterprise (DBE) Goal \_\_\_\_ %

Ultonica Ulloa  
 Project Manager (Print Name)  
Witch A. Alderman  
 Task Manager (Print Name)  
Andrea Zureck  
 Dir. of Fund Admin. & Programming (Print Name)  
Jeffery Hill  
 Contract Administrator (Print Name)  
W. S. W. W. W.  
 Chief Financial Officer (Print Name)

Ultonica Ulloa 6/26/13  
 Signature Date  
M. R. Alderman 6/26/13  
 Signature Date  
A. Zureck for A. Zureck 6/26/13  
 Signature Date  
Jeffery Hill 6/26/13  
 Signature Date  
W. S. W. W. W. 6/26/13  
 Signature Date

## CONTRACT SUMMARY SHEET

Contract No. R 13166 Amendment No. \_\_\_\_\_

By and Between

San Bernardino Associated Governments acting and Griffith/Comet JV  
as the San Bernardino County Transportation  
Authority and the San Bernardino County  
Transportation Commission

Contract Description Right-of-Entry Agreement on the Redlands Subdivision Mile Post 1.0

<b>Board of Director's Meeting Date:</b> July 10, 2013	
<b>Overview of BOD Action:</b> Approve Contract No. R13166 with Griffith/Comet JV (Joint Venture) granting a right-of-entry onto Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0	
<b>Is this a Sole-Source procurement?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	1,500	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$		Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>1,500</b>	<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY</b> <i>(contract value + contingency)</i>			<b>\$ 1,500</b>

<b>Contract Start Date</b> 7/10/13	<b>Current Contract Expiration Date</b> 6/30/18	<b>Revised Contract Expiration Date</b>
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. 0377.				
<input type="checkbox"/> A Budget Amendment is required. How are we funding current FY? N/A				
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
<i>Provide Brief Overview of the Overall Funding for the duration of the Contract:</i> Rail Assets				
<input type="checkbox"/> Payable <input checked="" type="checkbox"/> Receivable				

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

Ultonica Ullores  
Project Manager (Print Name)

Witch A. Alderman  
Task Manager (Print Name)

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

Jeffery Hill  
Contract Administrator (Print Name)

W. STAWARSKI  
Chief Financial Officer (Print Name)

Ultonica Ullores 6/26/13  
Signature Date

M. H. Alderman 6/26/13  
Signature Date

W. Stawarski 6/26/13  
Signature Date

Jeffery Hill 6/26/13  
Signature Date

Andrea Zureck 6/26/13  
Signature Date

## CONTRACT SUMMARY SHEET

Contract No. R 13165 Amendment No. \_\_\_\_\_

By and Between

San Bernardino Associated Governments acting and City of San Bernardino  
 as the San Bernardino County Transportation  
 Authority and the San Bernardino County  
 Transportation Commission

Contract Description License Agreement on the Redlands Subdivision Mile Post 1.0

**Board of Director's Meeting Date:** July 10, 2013  
**Overview of BOD Action:** Approve Contract No. R13165 with the City of San Bernardino granting a license agreement on the Redlands Subdivision railroad right-of-way, City of San Bernardino mile post 1.0  
**Is this a Sole-Source procurement?**  Yes  No

CONTRACT OVERVIEW					
Original Contract Amount	\$	1,500	Original Contingency Amount	\$	
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	
Current Amendment Amount	\$		Contingency Amendment	\$	
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>1,500</b>	<b>TOTAL CONTINGENCY VALUE</b>	<b>\$</b>	
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>					<b>\$ 1,500</b>

Contract Start Date 7/10/13	Current Contract Expiration Date 6/30/18	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>0377</u> .					
<input type="checkbox"/> A Budget Amendment is required. How are we funding current FY? N/A					
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds	
Provide Brief Overview of the Overall Funding for the duration of the Contract: Rail Assets					
<input type="checkbox"/> Payable <input checked="" type="checkbox"/> Receivable					

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

Ulonica Ullores  
 Project Manager (Print Name)  
Witch A. Alderman  
 Task Manager (Print Name)  
Andrea Zuczek  
 Dir. of Fund Admin. & Programming (Print Name)  
Jeffrey Hill  
 Contract Administrator (Print Name)  
W. S. WILSON  
 Chief Financial Officer (Print Name)

Ulonica Ullores 6/26/13  
 Signature Date  
W. S. WILSON 6/26/13  
 Signature Date  
Jeffrey Hill for A. Zuczek 6/26/13  
 Signature Date  
Jeffrey Hill 6/26/13  
 Signature Date  
W. S. WILSON 6/26/13  
 Signature Date

## CONTRACT SUMMARY SHEET

Contract No. R 13167 Amendment No. \_\_\_\_\_

By and Between

San Bernardino Associated Governments acting and City of Rialto  
 as the San Bernardino County Transportation  
 Authority and the San Bernardino County  
 Transportation Commission

Contract Description License Agreement on the San Gabriel Subdivision Mile Post 86.4

<b>Board of Director's Meeting Date:</b> July 10, 2013	
<b>Overview of BOD Action:</b> Approve Contract No. R13167 with the City of Rialto granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rialto mile post 86.4 east	
<b>Is this a Sole-Source procurement?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW					
Original Contract Amount	\$	1,500	Original Contingency Amount	\$	
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	
Current Amendment Amount	\$		Contingency Amendment	\$	
<b>TOTAL CONTRACT VALUE</b>	\$	1,500	<b>TOTAL CONTINGENCY VALUE</b>	\$	
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>					\$ 1,500

<b>Contract Start Date</b> 7/10/13	<b>Current Contract Expiration Date</b> 6/30/18	<b>Revised Contract Expiration Date</b>
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>0377</u> .				
<input type="checkbox"/> A Budget Amendment is required. How are we funding current FY? N/A				
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
Provide Brief Overview of the Overall Funding for the duration of the Contract: Rail Assets				
<input type="checkbox"/> Payable <input checked="" type="checkbox"/> Receivable				

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

Monica Morales  
 Project Manager (Print Name)

Witch A. Alderman  
 Task Manager (Print Name)

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

Jeffrey Hill  
 Contract Administrator (Print Name)

W. S. J. ARS  
 Chief Financial Officer (Print Name)

Monica Morales 6/26/13  
 Signature Date

W. A. Alderman 6/26/13  
 Signature Date

Andrea Zureck for A. Zureck 6/26/13  
 Signature Date

[Signature] 6/26/13  
 Signature Date

[Signature] 4/26/13  
 Signature Date

## CONTRACT SUMMARY SHEET

Contract No. R 13161 Amendment No. \_\_\_\_\_

By and Between

San Bernardino Associated Governments acting and City of Rialto  
as the San Bernardino County Transportation  
Authority and the San Bernardino County  
Transportation Commission

Contract Description License Agreement on the San Gabriel Subdivision Mile Post 86.4

<b>Board of Director's Meeting Date:</b> July 10, 2013	
<b>Overview of BOD Action:</b> Approve Contract No. R13161 with the City of Rialto granting a license agreement on the San Gabriel Subdivision railroad right-of-way, City of Rialto mile post 86.4 west.	
<b>Is this a Sole-Source procurement?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	1,500	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$		Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>1,500</b>	<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			<b>\$ 1,500</b>

Contract Start Date 7/10/13	Current Contract Expiration Date 6/30/18	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>0377</u> .				
<input type="checkbox"/> A Budget Amendment is required. How are we funding current FY? <u>N/A</u>				
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
Provide Brief Overview of the Overall Funding for the duration of the Contract: Rail Assets				
<input type="checkbox"/> Payable <input checked="" type="checkbox"/> Receivable				

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

Monica Morales  
Project Manager (Print Name)

Mitch Alderman  
Task Manager (Print Name)

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

Jeffery Hill  
Contract Administrator (Print Name)

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

Monica Morales 6/26/13  
Signature Date

M. A. Alderman 6/26/13  
Signature Date

Andrea Zureck for A. Zureck 6/27/13  
Signature Date

Jeffery Hill 6/26/13  
Signature Date

W. S. WARSIP 6/26/13  
Signature Date



- 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: 23

**Date:** July 10, 2013

**Subject:** Release of Invitation for Bids (IFB) 14001 for construction of the Downtown San Bernardino Passenger Rail Project (DSBPRP)

**Recommendation:** That the Board, acting as the San Bernardino County Transportation Commission, authorize the release of Invitation for Bid No. 14001 to obtain bids for construction of the Downtown San Bernardino Passenger Rail Project (DSBPRP) pending final review and approval of San Bernardino Associated Governments General Counsel and Contract Administrator.

**Background:** The San Bernardino Associated Governments (SANBAG), acting as the San Bernardino County Transportation Commission, is proposing to extend Metrolink commuter passenger rail service. The extension is approximately one mile east from its current terminus at the existing Santa Fe Depot to new Metrolink commuter rail platforms at the proposed San Bernardino Transit Center (SBTC), near the intersection of Rialto Avenue and E Street in the City of San Bernardino. Included within the DSBPRP are new rail platforms at the SBTC and Depot, a pedestrian overpass, construction of a second track parallel to the existing track, grade crossing improvements, roadway closures, and drainage improvements. In May 2013, the Board of Directors approved the DSBPRP funding plan with an engineer's construction estimate of \$66,347,000.

Since the Policy Committees and Board will be dark in July and August, respectively, staff is requesting authorization to release the IFB as soon as the

*Approved*  
*Board of Directors*

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

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

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

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

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

plans and specifications are finalized, estimated to be sometime after July 3rd. Furthermore, funding for this project includes State Local Partnership Program (SLPP) monies in the amount of \$10,921,226. Allocation of these funds is set to occur at the June 2013, California Transportation Commission (CTC) meeting, after which SANBAG will have six (6) months to award the construction contract. Granting authority to release the IFB without delaying a month or longer due to the Committee/Board dark months will ensure the SLPP funding won't be jeopardized. Staff is requesting the authorization to release IFB No. 14001 pending the final review and approval of SANBAG General Counsel and Contract Administrator. Prior to awarding the construction contract, staff will request Board approval of the plans and specifications.

***Financial Impact:*** This item is consistent with the proposed Fiscal Year 2013/2014 budget. Funds associated to the construction of this project up to the current estimate have been budgeted.

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have approved this item.

***Responsible Staff:*** Mitch Alderman, Director of Transit and Rail Programs



- 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: 24

**Date:** July 10, 2013

**Subject:** Release Invitation for Bid (IFB) No. 14002 for Construction of the San Bernardino Transit Center (SBTC)

**Recommendation:**\* That the Board, acting as the San Bernardino County Transportation Commission:

1. Authorize the release of Invitation for Bid No. 14002 to obtain bids for construction of the San Bernardino Transit Center Project pending final review and approval of San Bernardino Associated Governments General Counsel, Contract Administrator and a funding agreement with Omnitrans.
2. Authorize staff to proceed directly to Board for approval of the Omnitrans funding agreement.

**Background:** In partnership with Omnitrans, the San Bernardino Associated Governments (SANBAG), acting as the San Bernardino County Transportation Commission (Commission), is proposing to construct the San Bernardino Transit Center (SBTC) near the intersection of Rialto Avenue and E Street in the City of San Bernardino. The project includes development of a bus facility with twenty-two bus bays, public facilities, and a public plaza. The engineer's construction estimate for the SBTC is \$13,952,000. Construction of the SBTC is contingent upon Omnitrans and SANBAG developing and adopting a funding agreement to fully fund the project. The project could be delayed or postponed should the funding agreement not be adopted. Development of the funding agreement is

*Approved*  
 Board of Directors

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

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

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

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

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

currently underway and is expected to be ready for adoption by the July Board meeting. Staff is requesting authorization to submit the funding agreement directly to the Board for approval in order to keep the project on schedule and avoid jeopardizing \$992,000 of Transportation Enhancement (TE) funding that is currently programmed for the San Bernardino Transit Center. The TE funding requires the construction contract must be awarded within six (6) months of the California Transportation Commission (CTC) allocation, which is scheduled for the June 11, 2013 meeting.

Since the SANBAG Policy Committees and Board will be dark in July and August, respectively, staff is requesting authorization to release the IFB as soon as the plans and specifications are finalized, which will be sometime after July 3, 2013. Staff is requesting the authorization to release IFB No. 14002 pending the final review and approval of SANBAG General Counsel and Contract Administrator. Prior to awarding the construction contract, staff will request Board approval of the plans and specifications.

**Financial Impact:** This item is consistent with the proposed Fiscal Year 2013/2014 budget. Funds associated to the construction of this project up to the current estimate have been budgeted.

**Reviewed By:** This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have approved this item.

**Responsible Staff:** Mitch Alderman, Director of Transit and Rail Programs



- 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: 25

**Date:** July 10, 2013

**Subject:** Award Professional Services Contract to HDR Engineering, Inc. to complete a Rail Access Study to the Ontario Airport

**Recommendation:\*** That the Board, acting as the San Bernardino County Transportation Commission:

1. Award Contract No. C13048 to HDR Engineering, Inc. for Professional Planning and Engineering Services for a two (2) year contract term for an amount not-to-exceed \$584,035.
2. Approve Fiscal Year 2013/14 budget amendment to increase Task No. 0352 General Commuter Rail by \$584,035 of State Transit Assistance Fund County Population (PUC99313) for a new task total of \$3,644,842.

**Background:** The Board of Directors approved issuing a Request for Proposals (RFP) to complete a study for rail access to the Ontario International Airport at their February 2013 meeting. Seven (7) engineering firms submitted proposals, of which four (4) were shortlisted for interviews, resulting in a final selection of HDR Engineering, Inc. to complete this study of providing rail access to the Ontario Airport.

The Ontario International Airport does not currently have rail access. Since this airport is close to major rail infrastructure, passenger rail connections to the

*Approved*  
*Board of Directors*

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

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

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

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

COG	CTC	X	CTA	SAFE	CMA
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Check all that apply.

BRD1307d-jrf

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13048.docx>

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13048%20Contract%20Summary%20Sheet.doc>

airport is feasible and would be of great benefit to the air traveling public, airport development, and local economies. The ultimate goal is to provide rail connections within walking distance to the airport terminals.

In order to examine conceptual designs for these connections, SANBAG issued an RFP on February 6, 2013. The RFP requested that firms at a minimum should evaluate the potential for Metrolink service or other types of systems either on current rail infrastructure or new track alignments to access the airport. The scope of work for the RFP also included tasks such as:

- Reviewing the use of system types other than a Metrolink extension;
- Examination of potential alignments including station platforms and parking lots, transit connections, and equipment maintenance facilities;
- Completion of a conceptual level ridership analysis for each system identified;
- Perform rail operational modeling for all systems, including any potential impacts to Metrolink current or future operations;
- Development of a basic operating plan, including staffing and equipment requirements;
- Preparation of cost estimates for right-of-way acquisition, infrastructure, equipment, design, environmental clearance, operations and maintenance, and construction;
- Evaluation of potential environmental impacts and the type of environmental document that should be prepared; and
- Provide equipment data such as performance, fuel consumption, passenger capacity, consist configuration, availability, and maintenance costs.

The RFP for this study was issued on February 6, 2013, at the SANBAG Board of Directors meeting. The RFP was posted on SANBAG's website, San Bernardino Sun Newspaper and RFP notifications were sent to approximately 100 firms who specialize in these services. A Pre-Proposal Meeting was conducted on February 21, 2013, with 33 firms in attendance. Four (4) addendums to the RFP were issued to respond to questions and revise deadline dates. On March 14, 2013, seven (7) proposals were received by the date and time specified in the RFP. All the proposals were found to be responsive to the RFP.

An Evaluation Committee consisting of staff members from City of Ontario, Riverside County Transportation Commission, Orange County Transportation Authority, Los Angeles County Metropolitan Transportation Authority, and SANBAG's Director and Chief of Transit and Rail Programs reviewed and scored the proposals. The proposals were evaluated based on the criteria identified in the RFP:

1. Qualifications, Related Experience, and References
2. Proposed Staffing and Project Organization
3. Project Approach/Work plan

Four (4) firms demonstrated significant experience and qualifications in providing transit study services. The Evaluation Committee agreed to interview four (4) firms (listed in alphabetical order):

- CDM Smith
- HDR Engineering, Inc.
- Parsons Brinkerhoff
- URS

On May 2, 2013, the Evaluation Committee conducted oral interviews with the four firms. The interviews were allotted 50 minutes and consisted of an opening presentation followed by thirty 30 minutes of questions and answers. Each firm had an overall understanding of SANBAG's scope of work and requirements. The multi-agency Evaluation Committee unanimously selected HDR as the most qualified firm. The panel selected HDR Engineering, Inc. due to extensive experience, qualifications, and previous success in providing transit study analysis. Their proposal and presentation was well-structured and provided more concise solutions. Their proposed phasing approach to implement transit service to the airport was determined to be superior.

The contract is for a two (2) year term at a cost of \$584,035.

***Financial Impact:*** This item is not consistent with Fiscal Year 2013/14 adopted budget. A budget amendment is needed to increase Task No. 0352 General Commuter Rail by \$584,035 of State Transit Assistance Rail.

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Transit and Rail Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Contract.

***Responsible Staff:*** Mitch Alderman, Director of Transit and Rail Programs



# ONTARIO AIRPORT RAIL ACCESS STUDY

## SCOPE OF WORK

### TASK 1 - PROJECT MANAGEMENT AND ADMINISTRATION

This task includes management and administration activities that will be provided by the Consultant consistent with the technical scope of services and with the requirements of the San Bernardino Associated Governments (SANBAG). Management includes overview and coordination of the work to meet the requirements of the approved quality assurance and quality control process and that the deliverables are produced within schedule and budget. Elements include coordination, reporting, quality control (QC), safety, and cost/schedule monitoring and control. The Consultant team's project manager (PM) will be the single point of contact with SANBAG and will be responsible for the quality of the design and the delivery of the project milestones within schedule and budget.

#### TASK 1.1 - PROJECT ADMINISTRATION/INVOICING

##### Activities

Task 1.1.1 - The Consultant will provide management and staff to plan, organize, direct, supervise, control, and coordinate administrative tasks.

Task 1.1.2 - Contract Administration includes issuance of new or amended work orders, obtaining of periodic reports on costs expended, receipt and certification of invoices, payment of invoices, compliance with all contract terms and conditions, receipt and routing of contract deliverables, and contract close-out. Consultant will establish and implement an administrative and financial audit and reporting process based on contract requirements.

Task 1.1.3 - Accounting/Invoicing includes establishing and maintaining a system of cost accounts based on the Project's Work Breakdown Structure (WBS) and to provide monthly invoicing and progress reports for the status of work accomplished. Progress reports will include a narrative of work accomplished, identification of issues and description of measures to recover schedule, status of major changes, percent complete for each activity, work plan for next two months and updated planned and actual progress.

##### **Deliverables**

- Monthly invoices and progress reports

## TASK 1.2 - PROJECT MANAGEMENT

### Activities

Consultant will include all necessary revisions to the Project Guide following HDR standard requirements. The Project Guide created for the study will serve as the basis of format, and it will include a detailed plan for management, staffing and schedule. Work items and deliverables shall be identified in accordance with the WBS. The schedule included in the Project Guide will identify the critical path and will define the subtasks.

The Project Guide will cover staffing, design scope and relevant standards. Upon SANBAG's approval of the Project Guide, the Consultant team will establish the following items:

## TASK 1.3 - PROJECT DISCIPLINE COORDINATION

### Activities

Task 1.3.1 - Develop and maintain WBS for task and subtasks.

Task 1.3.2 - Maintain control of documents in accordance with the SANBAG Document Control requirements.

Task 1.3.3 - Develop project schedule that will identify key milestone delivery schedules and critical path.

### **Deliverables**

- WBS
- Project Schedule

## TASK 1.4 - PROJECT SCHEDULE QA/QC PLAN AND IMPLEMENTATION

### Activities

Task 1.4.1 - Consultant will prepare a Quality Assurance/Quality Control Plan for the project that addresses procedures for report review, cost estimate checking, plan checking, comment resolution, peer reviews, and audits. The QA/QC Plan will adhere to the HDR Quality Plan and its associated procedures such as QCP-001, QCP-002 and QCP-003.

Task 1.4.2 - Consultant will implement QA/QC by documenting reviews and retaining copies of review documents as appropriate for reports, Consultant will maintain a quality

control database of reviews in Folder 3.0 of the Rail Access Study project folder on ProjectWise and will coordinate with the project team for QC documentation.

Task 1.4.3 - Formal QC reviews will be conducted in compliance with requirements of QA/QC Plan at each major deliverable milestone

### **Deliverables**

- QA/QC review documentation at the request of SANBAG

## **TASK 2 - ASSEMBLE BACKGROUND DATA AND INFORMATION ON THE STUDY AREA**

HDR will assemble data on activity at the Ontario Airport.

### **Activities**

#### **TASK 2.1 - ASSEMBLE DATA ON ACTIVITY AT ONTARIO AIRPORT.**

Assemble available data to document activity at Ontario Airport. Data to be assembled includes:

- Arrivals and departures, including time of day, time of year, annual trends
- Number of employees
- Activity level at previous peak operation (2007), including passenger volume, share of regional passenger volume, and number of employees if available
- Projected activity levels at airport buildout

#### **TASK 2.2 - DOCUMENT EXISTING ONTARIO AIRPORT GROUND ACCESS**

Assemble available information about current ground access to Ontario Airport including available transit services, parking location/supply/cost, and mode shares.

#### **TASK 2.3 - DOCUMENT METROLINK SERVICE**

Assemble available information about existing Metrolink service in the vicinity of Ontario Airport, including rail lines, service levels, nearby stations, planned and potential service improvements and passenger activity by station.

#### **TASK 2.4 - GATHER CURRENT ORIGIN/DESTINATION DATA**

Purchase three days' worth of cell phone data from AirSafe to identify the origins and destinations at zip code level of people at Ontario Airport. From the cell phone data, develop maps and graphics to illustrate the origins and destination of airport users and employees.

**TASK 2.5 - DOCUMENT ATTRIBUTES OF COMPARABLE US AIRPORTS WITH RAIL CONNECTIONS.**

For other airports in the United States that have rail transit connections, identify the passenger activity levels, type of rail transit connection, extent of regional rail system, and geographic location of the airport in relation to the metropolitan area. Compare these attributes for Ontario Airport with those of the US airports with rail transit connections

**TASK 2.6 - PREPARE TECHNICAL MEMORANDUM**

Prepare a technical memorandum that documents the data and information assembled in Subtasks 2.1 through 2.5.

**Deliverables**

- Technical Memorandum No. 1 – Background Data and Information

**TASK 3 - DEVELOP PURPOSE AND NEED STATEMENT**

**Activities**

**TASK 3.1 - DEVELOP INITIAL PURPOSE AND NEED (P&N) STATEMENT**

Develop a summary statement of the proposed Ontario Airport rail connection's purpose and need, i.e., the reasons a rail connection to the airport is desired and what it is expected to accomplish. The P&N Statement will articulate the long-term vision and goals for rail access, and will include information such as who is to be served, desired service attributes, and desired compatibility with regional goals, infrastructure constraints, or other transportation projects. The initial P&N Statement will be developed by the consultant team.

**Deliverable**

- Initial P&N Statement

**TASK 3.2 - REVIEW OF INITIAL P&N BY INDUSTRY VISION PANEL**

The consultant team's Industry Vision Panel will review the initial P&N and suggest refinements. Based on the IVP's comments, the initial P&N will be revised to create the Draft P&N Statement.

**Deliverable**

- Draft P&N Statement

**TASK 3.3 - CONDUCT WORKSHOP WITH TECHNICAL WORKING GROUP (TWG)**

A Technical Working Group (TWG) comprised of technical staff from SANBAG and the City of Ontario will provide technical review and input to the consultant team during the study. The Draft P&N Statement will be submitted to the TWG for review and comment. The TWG's suggested refinements will be incorporated to create a Revised Draft P&N.

**Deliverable**

- Revised Draft P&N Statement

**TASK 3.4 - OBTAIN POLICY INPUT TO THE P&N**

The Revised Draft P&N will be reviewed with one or more Board Members designated by SANBAG staff to provide policy input for the study.

**TASK 3.5 - PREPARE FINAL PURPOSE AND NEED STATEMENT**

Refinements to the P&N suggested through the policy review will be incorporated into the P&N. The resulting document will be the Final P&N Statement, which will serve as the guiding document for the remainder of the study.

**Deliverable**

- Final P&N Statement

**TASK 4 - CONDUCT SCREENING ANALYSIS**

**TASK 4.1 - IDENTIFY EVALUATION CRITERIA AND METHODS**

Identify the evaluation criteria and methodologies that will be used to screen the initial set of alternatives. The criteria should address all the major elements of the project's P&N Statement. Evaluation methodologies will be primarily qualitative.

**Deliverable**

- Working paper that defines evaluation criteria and methodologies for the screening analysis

**TASK 4.2 - REVIEW/REFINE SCREENING CRITERIA AND METHODS**

The working paper from Subtask 4.1 will be reviewed by the TWG; their comments or questions on the evaluation criteria or methodologies will be resolved in consultation with the consultant team, and a revised working paper will be prepared to guide the screening analysis.

**Deliverable**

- Revised working paper that defines evaluation criteria and methodologies for the screening analysis

#### **TASK 4.3 - IDENTIFY ALTERNATIVES**

A workshop will be held for consultant team members and the TWG to brainstorm potential transit mode options and alignment/route options including termini and intermediate stops. From these, the workshop participants will proceed to identify a number of alternatives consisting of mode and route to be analyzed in the screening analysis. Some alternatives will provide direct service to Ontario Airport, others will involve a transfer for the passenger. The selected alternatives should collectively represent the range of plausible technology and route options. A working paper will be prepared to describe the process used to develop alternatives, to identify the alternatives selected for analysis, and to present key reasoning used to select the alternatives.

##### **Deliverable**

- Working paper on development of alternatives

#### **TASK 4.4 - REVIEW ALTERNATIVES WITH INDUSTRY VISION PANEL**

The subtask 4.3 working paper will be reviewed with the IVP; their comments and questions will be used to identify possible refinements to the list of alternatives.

#### **TASK 4.5 - REVIEW ALTERNATIVES WITH TWG**

The possible alternatives refinements identified after review by the IVP will be discussed with the TWG, and a final list of alternatives will be prepared.

#### **TASK 4.6 - CONDUCT SCREENING ANALYSIS**

The alternatives will be evaluated according to the criteria and methods established in Subtask 4.2. A qualitative comparison matrix will be prepared to summarize the relative performance of each alternative in relation to the screening criteria. Up to six alternatives that perform best in relation to the criteria will be recommended for more detailed analysis in Task 5. A technical memorandum will be prepared to document the analysis and results of the screening.

##### **Deliverable**

- Technical Memorandum No. 2 – Alternatives Screening Analysis

#### **TASK 4.7 - REVIEW SCREENING RESULTS WITH TWG**

#### **TASK 5 - EVALUATE ALTERNATIVES**

##### **Activities**

#### **TASK 5.1 - IDENTIFY EVALUATION CRITERIA AND METHODS**

Identify the criteria and methodologies that will be used to evaluate the refined set of alternatives. The criteria will address all the major elements of the project's P&N Statement, and are expected to include costs, ridership, cost-effectiveness, operational effects on other rail services, environmental constraints, and right-of-way issues. Evaluation methodologies will be quantitative and qualitative.

**Deliverable**

- Working paper that defines evaluation criteria and methodologies for the evaluation of refined alternatives.

**TASK 5.2 - REVIEW EVALUATION CRITERIA AND METHODS**

The working paper from Subtask 5.1 will be reviewed by the TWG; their comments or questions on the evaluation criteria or methodologies will be resolved in consultation with the consultant team, and a revised working paper will be prepared to guide the evaluation of alternatives.

**Deliverable**

- Revised working paper that defines evaluation criteria and methodologies for the evaluation of alternatives.

**TASK 5.3 - CONDUCT TECHNICAL ANALYSIS**

Technical analysis will be performed to define each alternative and its features. The technical analysis will include the following for each alternative:

- a. **Equipment:** The technology, type of vehicle, and manufacturer equipment data such as performance, fuel consumption, passenger capacity, consist configuration, costs, availability, and maintenance costs, will be identified.
- b. **Horizontal/vertical alignment:** For rail or guideway alternatives, a conceptual alignment will be developed. Aerial photography and mapping will be acquired for the area north of the Ontario Airport terminals, west of I-15, east of Vineyard Avenue, and south of Eighth Street in Rancho Cucamonga. Mapping will be provided at a scale suitable for 1"=100' resolution, with orthoimagery having a pixel size of 0.50 ft. Survey data will be collected at key locations to determine elevations for the conceptual alignments. The horizontal and vertical alignment of each alternative will be developed at scale of 1" = 100' and shown on the aerial photograph base. The study budget assumes that one alternative will involve new tracks or guideway for a distance of up to five miles outside the area covered by the new aerial photography, and that available aerial photography will be used for this additional area.
- c. **Bridges/grade crossings:** Locations of bridges and grade crossings will be identified. For structures, locations and potential types will be identified.

- d. **Major utility conflicts:** Potential conflicts with major utilities will be identified by first identifying any existing utilities within the project vicinity as obtained from a utility location service. With this research, known utility providers will be contacted by letter to request information on any utility facilities within the project vicinity. For each alternative, a utility matrix will be provided that lists the utility owner, facility and potential impact to each known utility.
- e. **Station stops:** Locations of termini and intermediate stops will be identified, and elements to be included in each station will be identified. Criteria for station features and amenities, such as proposed platform lengths and level-boarding requirements, will be identified for each vehicle. Parking lots and other transit connections will be identified as applicable.
- f. **Transit-oriented development:** Existing and planned development within one-half mile of potential station stops will be identified, and the amount of development (residential dwelling units and commercial square footage) contained or proposed in mixed-use developments within that half-mile radius will be documented.
- g. **Maintenance facility:** A potential location for a maintenance facility will be identified if needed. Equipment requirements will be identified for each vehicle.
- h. **Environmental Constraints:** Publicly available information and databases will be utilized to identify potential environmental constraints associated with each alternative. A study area will be defined for each alternative to facilitate a focused review and identification of potential environmental constraints. Up to two (2) days of field reconnaissance/visits will be conducted by the lead planner, biologist and archaeologist. Project footprints for impact analysis (i.e., habitat acreage calculations) will not be prepared as part of the constraints development process. Constraints development will focus on issues that would have the potential to affect the level of future environmental clearance under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) and regulatory permitting (e.g., Clean Water Act, Endangered Species Act, National Historic Preservation Act, etc.). Issues of particular focus will include biological and cultural resources, proximity of sensitive land uses (or receptors), including public education and park facilities, and the presence of known (or previously documented) hazardous materials. For each alternative, the potential regulatory requirements will be summarized in a matrix format to facilitate comparative analysis between the alternatives.
- i. **Operations plan:** Service levels will be defined including headways by time of day and day of week, staffing required to operate and maintain the system, dispatching responsibilities, and how equipment will be moved to and from a maintenance facility.
- j. **Travel time and transfer requirements:** Transit travel times between Ontario Airport and up to ten destinations will be calculated based on each alternative's

technology, alignment, station locations, and operations plan. For each trip, transfer locations will be identified.

- k. **Capital cost:** The capital cost will be estimated by applying typical unit cost factors to the various cost elements associated with developing each alignment. The capital cost estimate will include right-of-way acquisition, infrastructure, equipment, design, environmental clearance, and construction support.
- l. **Operations and maintenance cost:** The annual cost of operations and maintenance will be estimated by applying typical hourly O&M cost factors to the service defined in the operations plan.
- m. **Project implementation schedule:** The duration of each project development element will be estimated, including design, right-of-way acquisition, and construction.

#### **TASK 5.4 - RAIL OPERATIONS MODELING**

Up to three alternatives that operate on the Metrolink San Gabriel Subdivision will be coded into the RTC rail operations model and evaluated to determine transit times, route capacity and interoperability with Metrolink San Bernardino Line operations. It is assumed that an updated RTC model on the Metrolink San Bernardino Line for the project's implementation year will be available for use from the San Bernardino Line Strategic Assessment Study, conducted by HDR on behalf of SANBAG and Metro.

Specifically, each alternative will have the following simulations conducted:

- a. A "Base Case" model will be created, where each alternative's operation will be input into the RTC model for the Metrolink San Bernardino Line to determine operational constraints and conflicts.
- b. An "Infrastructure Case" model will be created, where additional rail infrastructure will be added to the model until both Metrolink and Ontario Airport rail operations are performing to agreed upon performance standards.
- c. A "Randomized Case" model will be created, where various trains will enter the model limits later than scheduled to test the ability of the revised infrastructure to allow rail service to recover from service disruptions.

#### **TASK 5.5 - RIDERSHIP FORECASTING**

For each alternative, ridership will be estimated separately for airport passengers, airport employees, and non-airport related trips. Airport passenger ridership will be estimated with the assistance of a sketch level modeling tool (similar to those used to forecast ridership on rail connectors to the San Francisco and Oakland airports) based on factors including airport passenger activity, airport employment, travel time and cost for competing modes, and airport

parking cost. Airport employee ridership will be estimated using employee O/D data, future employment level, travel time and cost for competing modes, and airport employee parking cost. Non-airport related ridership will be estimated based on population and employment, parking availability, and transit accessibility.

#### **TASK 5.6 - IDENTIFY POTENTIAL FUNDING SOURCES**

Work with SANBAG staff to identify potential sources of funding for capital and operations and maintenance (O&M) costs. For the plausible sources that are capable of generating substantial amounts of funding, a rough order-of-magnitude estimate of potential revenue generation will be prepared.

#### **TASK 5.7 - EVALUATE AND COMPARE ALTERNATIVES**

Using the results of Subtasks 5.3 – 5.6, the alternatives will be evaluated according to the criteria and methods established in Subtask 5.2 and compared to each other to determine which alternatives perform best in relation to each of the adopted evaluation criteria. The comparative results will be summarized in a detailed matrix with quantitative results and a summary matrix with qualitative results.

#### **TASK 5.8 - PREPARE ALTERNATIVES EVALUATION TECHNICAL MEMORANDUM**

The technical analysis, alternatives evaluation, and comparison of alternatives will be documented in a technical memorandum.

##### **Deliverable**

- Technical Memorandum No. 3 – Evaluation of Alternatives

#### **TASK 5.9 - REVIEW OF TECHNICAL EVALUATIONS**

The Alternatives Evaluation technical memorandum will be reviewed with the TWG. TWG comments on the tech memo will be incorporated when the Draft Report is prepared in Task 6. Feedback from the TWG will be solicited as input to the selection of a preferred strategy in Subtask 5.10.

#### **TASK 5.10 - PREPARE INITIAL RECOMMENDATION OF PREFERRED STRATEGY WITH PHASED IMPLEMENTATION**

The technical results will be utilized to develop an initial recommendation of a future airport connection that best achieves the project Purpose and Need. The recommendation will include a long-term “ultimate” system that can deliver air passengers directly to the terminal area, as well as a phased plan of interim improvements that can cost-effectively enhance airport transit access in the near term and establish the basis for the ultimate system.

The phased implementation plan will identify airport passenger levels or other thresholds to indicate relative timing of the interim phases that comprise the recommended strategy.

For the recommended strategy, the required environmental clearance process (i.e., CEQA and/or NEPA) and anticipated technical studies will be identified along with a tentative schedule for completion. Potential regulatory permitting requirements will also be identified, which may include compliance with state and federal endangered species act(s); the Clean Water Act (Sections 401 and 404); the California Register of Historic Resources and National Historic Preservation Act (NHPA) compliance (e.g., Section 106); California Fish and Wildlife Code (Section 1600); San Bernardino County Flood Control Permit(s) (e.g. 33 U. S.C 408), and Section 4(f) of the Department of Transportation Action of 1966. No field work/visits are included in this phase of work. Preparation of CEQA, NEPA, and regulatory permitting is not included as part of this scope of work.

**Deliverable**

- Working paper that describes the recommended strategy and the rationale for its recommendation.

**TASK 5.11 - REVIEW/REFINE PRELIMINARY RECOMMENDATIONS**

The subtask 5.10 working paper will be reviewed with the IVP and TWG; their comments and questions will be used to refine the preliminary recommendations.

**TASK 5.12 - REVIEW ALTERNATIVES EVALUATION AND RECOMMENDATIONS WITH POLICY-MAKERS**

The alternatives comparisons and refined recommendations will be reviewed with one or more Board Members designated by SANBAG staff to provide policy input for the study.

**TASK 5.13 - FINALIZE RECOMMENDATIONS**

Refinements to the recommendations suggested through the policy review will be incorporated into the recommendations working paper

**TASK 6 - PREPARE REPORT**

**TASK 6.1 - PREPARE DRAFT REPORT**

The Draft Report will document the data, assumptions, methodologies, analyses, findings, and recommendations of the study. It will consist of the technical memoranda and working papers prepared during the study, with appropriate revisions to reflect comments received from the TWG, IVP, and policy-makers. An Executive Summary will be included.

**Deliverable**

- Draft Report

**TASK 6.2 - REVIEW DRAFT REPORT WITH TWG**

The Draft Report will be submitted to the TWG for review and comment.

**TASK 6.3 - REVISE DRAFT REPORT IN RESPONSE TO TWG COMMENTS**

The TWG's suggested revisions will be incorporated into the Revised Draft Report.

**Deliverable**

- Revised Draft Report

**TASK 6.4 - PRESENT REVISED DRAFT REPORT TO POLICY-MAKERS**

The Revised Draft Report will be reviewed with one or more Board Members designated by SANBAG staff to provide policy input for the study.

**TASK 6.5 - PREPARE FINAL REPORT**

Revisions to the Revised Draft Report suggested through the policy review will be incorporated into the Final Report.

**Deliverable**

- Final Report

**ATTACHMENT B, "PRICE SCHEDULE"**

**Ontario Airport Rail Access Study**  
**FEE ESTIMATE**

TASK DESCRIPTION	BUDGET
<b>TASK 1- PROJECT MANAGEMENT</b>	
Task 1.1 - Project Administration/Invoicing	
Task 1.2 - Project Management	\$9,420
Task 1.3 - Project Discipline Coordination	\$8,154
Task 1.4 - OA/QC Plan and Implementation	\$4,392
<b>SUBTOTAL</b>	<b>\$22,093</b>
<b>TASK 2- ASSEMBLE BOUNDGROUND DATA &amp; INFORMATION ON THE STUDY AREA</b>	
Task 2.1 - Assemble data on Activity at Ontario Airport	
Task 2.2 - Document existing Ontario Airport Ground Access	\$1,440
Task 2.3 - Document Metrolink Service	\$3,236
Task 2.4 - Gather Current Origin/Destination Data	\$708
Task 2.5 - Document Attributes of comparable US Airports w/Rail Connections	\$8,930
Task 2.6 - Prepare Technical Memorandum	\$3,478
<b>SUBTOTAL</b>	<b>\$4,741</b>
<b>TASK 3 - DEVELOP PURPOSE AND NEED STATEMENT</b>	
Task 3.1 - Develop Initial Purpose and Need (P&N) Statement	
Task 3.2 - Review of Initial P&N by Industry Vision Panel	\$8,424
Task 3.3 - Conduct Workshop with Technical Working Group (TWG)	\$3,848
Task 3.4 - Obtain Policy Input to the P&N	\$1,836
Task 3.5 - Prepare Final P&N Statement	\$1,196
<b>SUBTOTAL</b>	<b>\$15,110</b>
<b>TASK 4- CONDUCT SCREEN ANALYSIS</b>	
Task 4.1 - Identify Evaluation Criteria and Methods	
Task 4.2 - Review/Refine Screen Criteria and Methods	\$3,254
Task 4.3 - Identify Alternatives	\$2,336
Task 4.4 - Review Alternatives with Industry Vision Panel	\$10,358
Task 4.5 - Review Alternatives with TWG	\$3,998
Task 4.6 - Conduct Screening Analysis	\$1,196
Task 4.7 - Review Screen results with TWG	\$18,107
<b>SUBTOTAL</b>	<b>\$7,504</b>
<b>TASK 5 - EVALUATE ALTERNATIVES</b>	
Task 5.1 - Identify Evaluation Criteria and Methods	
Task 5.2 - Review Evaluation Criteria and Methods	\$9,344
Task 5.3 - Conduct Technical Analysis	\$4,672
Task 5.4 - Rail Operations Modeling	\$173,361
Task 5.5 - Ridership Forecasting	\$41,253
Task 5.6 - Identify Potential Funding Sources	\$34,470
Task 5.7 - Evaluate and Compare Alternatives	\$11,398
Task 5.8 - Prepare Alternatives Evaluation Technical Memorandum	\$27,896
Task 5.9 - Review of Technical Evaluations	\$21,355
Task 5.10 - Prepare Initial Recommendation of Preferred Strategy with Phased Implementation	\$11,049
Task 5.11 - Review/Refine Preliminary Recommendations	\$36,934
Task 5.12 - Review Alternatives Evaluation and Recommendations with Policy Makers	\$13,621
Task 5.13 - Finalize Recommendations	\$1,196
<b>SUBTOTAL</b>	<b>\$0</b>
<b>TASK 6 - PREPARE REPORT</b>	
Task 6.1 - Prepare Draft Report	
Task 6.2 - Review Draft Report with TWG	\$14,587
Task 6.3 - Revise Draft Report in Response to TWG Comments	\$2,478
Task 6.4 - Present Revised Draft Report to Policy Makers	\$3,288
Task 6.5 - Prepare Final Report	\$1,196
<b>SUBTOTAL</b>	<b>\$3,789</b>
<b>SUBTOTAL LABOR</b>	<b>\$29,315</b>
<b>BUDGET FOR OTHER DIRECT COSTS (ODC'S)</b>	
Postage, Reproduction, Miscellaneous, Etc.	
Travel/Mileage/Tolls/Metrolink Train Fare	\$2,420
AirSage Data	\$5,283
Aerial Flight and Photo Processing	\$10,000
<b>SUBTOTAL</b>	<b>\$17,500</b>
<b>TOTAL ESTIMATED HOURS &amp; FEE FOR ONTARIO AIRPORT RAIL ACCESS STUDY</b>	<b>\$584,036</b>



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

*Minute Action*

AGENDA ITEM: 26

**Date:** July 10, 2013

**Subject:** Amendment No. 7 to Contract C10079, Redlands Rail Extension, to HDR Engineering, Inc. for Design Services

**Recommendation:\*** Approve Amendment No. 7 to Contract No. C10079 with HDR Engineering, Inc. for design and environmental clearance services increasing the contract amount by \$2,183,924 for a new not-to-exceed amount of \$33,568,276; exercise a second one-year option to extend HDR's contract duration through February 8, 2015.

**Background:** In February 2010, SANBAG awarded Contract C10079 to HDR Engineering, Inc. (HDR) for the design and environmental clearance of the Downtown San Bernardino Passenger Rail Project (DSBPRP) and the Redlands Passenger Rail Project (RPRP). The HDR contract was intentionally broken into segments for which subsequent amendments would be considered in order to control cost and schedule as the projects developed and design scopes were refined. For each ensuing segment of the DSBPRP and RPRP projects (collectively referenced as the Project) to be completed, a new scope was identified based on the previous task. Fee negotiations were completed with HDR for the identified scope. Each contract amendment to date has been reviewed and approved by the Commuter Rail and Transit Committee followed by Board review and approval. With the complexity of rail projects, third-party owners and regulators are controlling parties that can from time to time create unforeseen circumstances that

\*

*Approved  
 Board of Directors*

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

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

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

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

COG		CTC	X	CTA	X	SAFE		CMA	
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BRD1307a-jrf  
<http://portal.sanbag.ca.gov/mgmt/committee/commuter/crtc2013/crtc1306/AgendaItems/CRTC1306a1-jrf.docx>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C10079-7.doc>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C10079-7%20Attachment%20B.pdf>  
<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Final%20Agreements%20Library/C10079-2.docx>

change a project's requirements. For the Project, BNSF Railway, the Southern California Regional Rail Authority (SCRRA), Federal Transit Administration (FTA), Federal Railroad Administration (FRA), and the California Public Utilities Commission (CPUC), as well as cities and utilities companies have caused or required changes. Because of the complexity of the Project, it is common that changes are sometimes driven by regulation changes.

For this amendment, several design issues have been raised by third parties, which are not included in HDR's original contract or subsequent amendments. See Attachment A of the contract and detailed Executive Summary of the Amendment No. 7 Scope of Work for the Downtown San Bernardino Passenger Rail Project. In general the Scope of Work includes:

- **FTA/FRA Level Boarding Requirements** – Due to direction provided in March of 2013 by the FTA and FRA regarding the Americans with Disabilities Act (ADA) Level Boarding requirements on similar Metrolink station improvement projects; modifications to the existing design might be required. Per the regulation, SANBAG will be submitting a report to the FTA and FRA addressing level boarding. Depending on comments and direction received by the FTA and FRA, design modifications to the proposed platforms at the Depot and the San Bernardino Transit Center could be required.
- **Omnitrans Additional Items** – As the Omnitrans bus facility at the San Bernardino Transit Center has developed, design changes have been identified to better enhance inter-operability of the rail platforms to the bus facility. Improvements to relocate bus stop facilities at the Depot were also requested.
- **California Transportation Commission Additional Requirements** – In order to qualify for \$10,921,000 of Prop 1B SLPP, the California Transportation Commission requires that right-of-way be obtained with a certification from Caltrans, which includes additional requirements not originally scoped.
- **Right-of-Way Design Changes** – As a result of developing right-of-way coordination and negotiations, design changes will be required to accommodate adjacent land owners.
- **Utility Relocations and Revisions** – Due to limited as-built utility information, SANBAG directed the Construction Manager for this project to complete potholing of existing facilities. Based on this data, additional design efforts are required to accommodate and relocate existing utilities in conflict with proposed improvements.

- **Metrolink Additional Items** - Metrolink has requested that additional safety items associated with the construction of the Eastern Maintenance Facility be incorporated into the project.
- **City of San Bernardino Additional Requirements and Permits** – City staff has recently required that the DSBPRP complete an Amendment to the City’s General Plan, which requires additions and revisions to technical reports, additional community outreach efforts, and completing a revised permitting process.
- **SANBAG Design Additions** – SANBAG staff identified the need for additional wayfinding signage around the Santa Fe Depot to accommodate additional tenants and add period-themed signs throughout the Depot to provide clear direction to visitors and Metrolink customers.

Additionally, Amendment No. 7 reduces HDR’s scope and fee associated with work to complete a Program Environmental Impact Report (PEIR) for proposed transit supportive land use updates along the Redlands Passenger Rail Project. Staff is recommending that Tasks 7.4 through 7.15 be removed from HDR’s contract, previously approved in Amendment No. 2. The PEIR task was initially contracted with HDR to assist in meeting requirements of the State of California Sustainable Communities and Climate Protection Act of 2008 (SB 375) for the RPRP project. In an effort to better coordinate transit investment and land use planning, these tasks related to the development of transit supportive land uses around each of the station locations. Over the past two years HDR and SANBAG have supported each of the cities in developing new land uses, identifying rezoning opportunities, creating open space and trail connectivity, and incorporation of higher density development that can support greater transit ridership.

As work on these tasks matured, it became apparent that each city would need a separate PEIR and that each city would need to act as the lead agency for its own respective PEIR. Since the PEIR process is vital to the long term success and viability of RPRP, SANBAG plans to re-procure and fund a consultant to complete the work. Given the sensitivity of local land use authority and the need to preserve local control over land use, SANBAG is encouraging a more formal role of each city in the development of the PEIR. Representatives from each city will be invited to sit on the selection panel of the new consultant and be a member of the technical advisory committee managing the consultant. SANBAG staff has determined that a credit amount of \$665,057 from a total task amount of \$803,036 is fair and reasonable based on the work completed to date on Tasks 7.4 through 7.15 of Amendment No. 2. As such, Amendment No. 7 will incorporate this credit into the overall amendment amount.

Contract Fee Summary

\$7,390,150 – Original Contract Amount

\$25,015,906 – Amendment Nos. 1 - 6

\$2,183,924 - Amendment No. 7

\$33,568,276 – Proposed Total Not-to-Exceed Amount

See Exhibit A for a history of approved amendments to Contract No. C10079

Contract Extension

With construction of the Downtown San Bernardino Passenger Rail Project estimated to begin in early 2014 and complete in early 2016, Contract No. C10079 with HDR Engineering, Inc. needs to be extended to utilize HDR's contractual "Design Services during Construction". Amendment No. 6, executed in September of 2013 exercised one of the two, one-year options originally included in the contract, extending the contract term to February 8, 2014. Amendment No. 7 would exercise the second one-year option and extend HDR's contract to February 8, 2015.

***Financial Impact:*** Currently there are sufficient funds appropriated in the Fiscal Year 2013/2014 budget for Amendment No. 7 to Contract C10079. However, if additional funds are required to complete the design services, staff will provide a budget amendment at a future Board meeting.

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the Amendment.

***Responsible Staff:*** Mitch Alderman, Director of Transit and Rail Programs

# CONTRACT SUMMARY SHEET

Contract No. C 10079 Amendment No. 7

By and Between

San Bernardino Associated Governments and HDR Engineering, Inc.

Contract Description Downtown San Bernardino Passenger Rail Project (DSBPRP) and Redlands Passenger Rail Project (RPRP) Design and Environmental Clearance Services

**Board of Director's Meeting Date:** July 10, 2013

**Overview of BOD Action:** 1.) Approve Amendment No. 7 to Contract No. C10079 with HDR Engineering, inc. for design and environmental clearance services increasing the contract amount by \$2,183,924 for a new not-to-exceed amount of \$33,568,276. 2.) Approve Amendment to exercise a second one-year option to extend HDR's contract duration through February 8, 2015.

Is this a Sole-Source procurement?  Yes  No

### CONTRACT OVERVIEW

Original Contract Amount	\$	6,990,150	Original Contingency Amount	\$	400,000
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	30,289,352	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	1,095,000
Current Amendment Amount	\$	2,183,924	Contingency Amendment	\$	
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>	<b>32,473,276</b>	<b>TOTAL CONTINGENCY VALUE</b>	<b>\$</b>	<b>1,095,000</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>					<b>\$ 33,568,276</b>

Contract Start Date 02/03/10	Current Contract Expiration Date 02/08/14	Revised Contract Expiration Date 02/08/15
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Has the contract term been amended?  No  Yes - please explain.  
Exercise one-year option to extend.

### FINANCIAL INFORMATION

Budget authority for this contract currently exists in Task No. 379.  
 A Budget Amendment is required.

How are we funding current FY? Currently there are sufficient funds appropriated in the Fiscal Year 2013/14 budget for Amendment No. 7 to Contract C10079. However, if additional funds are required to complete the design services, staff will provide a budget amendment at a future Board meeting.

Federal Funds  State Funds  Local Funds  TDA Funds  Measure I Funds

Provide Brief Overview of the Overall Funding for the duration of the Contract:

Measure I Valley Commuter Rail, FTA Section 5307, LTF Planning, Measure I Metroink/Rail, LTF Rail, STA-Pop  
 Payable  Receivable

### CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:

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

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

JUSTIN FORNELLI  
Project Manager (Print Name)  
MITCH ALDERMAN  
Task Manager (Print Name)  
Carne Schindler for Andrea Zuercher  
Dir. of Fund Admin. & Programming (Print Name)  
Jeffery Hill  
Contract Administrator (Print Name)  
W. SWANSON  
Chief Financial Officer (Print Name)

[Signature] 6/26/13  
Signature Date  
[Signature] 6/26/13  
Signature Date  
[Signature] 6/26/13  
Signature Date  
[Signature] 6/26/13  
Signature Date  
[Signature] 6/24/13  
Signature Date

**AMENDMENT NO. 7**

**TO**

**CONTRACT NO. C10079**

**BETWEEN**

**SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

**AND**

**HDR ENGINEERING, INC.**

This AMENDMENT No. 7 to Contract No. C10079 (this "Amendment") is made by and between HDR Engineering, Inc. (hereafter called CONSULTANT) and the San Bernardino County Transportation Authority (hereafter called AUTHORITY):

**RECITALS:**

- A. **WHEREAS**, AUTHORITY, under Contract No. C10079, as amended by Amendments No. 1 through 6, has engaged the services of CONSULTANT to provide design, environmental, Federal Transit Administration processing, right-of-way acquisition, and land use services for the Downtown San Bernardino Passenger Rail and Redlands Passenger Rail Projects ("Projects"); and
- B. **WHEREAS**, AUTHORITY and CONSULTANT desire to amend the aforesaid contract to remove certain (services that are no longer required under this contract and to, include services that were contemplated but not included in previous amendments, and to exercise the last option term through February 28, 2015; and
- C. **WHEREAS**, the parties agree that the net increase will be \$2,183,924.00.

**NOW THEREFORE**, the parties mutually agree to amend Contract No. C10079 as follows:

- 1. The Scope of Services for Contract C10079, as identified in Amendment No. 2 shall be amended to remove Tasks 7.4 through 7.15 of Amendment 2.
- 2. The Scope of Services for Contract No. C10079 shall be amended to include all additional elements of the Scope of Services that are described in Attachment A to this Amendment No. 7.
- 3. Under Article 2., Performance Schedule and Force Majeure, sub-paragraph 2.1, to delete February 8, 2014 and replace with February 8, 2015.
- 4. Amend Article 3., "Contract Price and Cost Principals", sub-paragraph 3.2, to delete \$31,384,352 as the not-to-exceed amount and replace with \$33,568,276 as the revised not-to-exceed amount.

5. Include Attachment B to this Amendment No. 7, which includes the negotiated fee for the work identified herein.
6. Except as amended by this Amendment No. 7, all other provisions of Contract No. C10079, as amended, remain in full force and effect.

IN WITNESS WHEREOF, the parties have duly executed this Amendment No. 7 below.

**HDR ENGINEERING, INC.**

By: \_\_\_\_\_  
Thomas Kim  
Sr. Vice President

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

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

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

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

**APPROVED AS TO FORM:**

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

**CONCURRENCE:**

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

## **Changes to Scope of Work**

### **Downtown San Bernardino Passenger Rail Project (DSBPRPR) Redlands Passenger Rail Project (RPRP)**

#### **EXECUTIVE SUMMARY**

A number of changes have occurred with SANBAG's planned approach to delivering final plans, specifications, and estimates (PS&E) for the Downtown San Bernardino Passenger Rail Project (DSBPRP). These changes were not anticipated, requiring an amendment to HDR's engineering services contract. A brief summary of the required additional work items is as follows, segmented by the party driving the change.

#### **FTA**

Pending the decision from the FTA regarding 2011-23576 DOT ADA Final Rule (Level Boarding Report), to provide level boarding at each train car, HDR will provide a revised design for platforms at the Santa Fe Depot and the San Bernardino Transit Center (SBTC) to accommodate the requirements, including newly published SCRRRA standards for mini-high platforms to meet these guidelines.

#### **Omnitrans**

Continued development of the Omnitrans bus facility at the SBTC required SANBAG to initiate redesign of elements of the San Bernardino Transit Center canopies, platform furniture, and lighting for Transit Center Platform A adjacent to the Omnitrans bus facility to ensure this is a seamless facility.

Additionally, Omnitrans requested that SANBAG provide plans to move existing Omnitrans bus stops currently located near the Depot on 3<sup>rd</sup> Street at Metrolink Way to 2<sup>nd</sup> Street.

#### **CTC**

On May 10, 2013, San Bernardino Associated Governments (SANBAG) was notified that the Downtown San Bernardino Passenger Rail Project would need to obtain Right of Way Certification from Caltrans, previously not a requirement for this project, by June 4, 2013, so it could be presented to the California Transportation Commission (CTC) on June 6, 2013.

#### **Right of Way Negotiations**

As a result of ongoing right of way coordination and negotiations; design changes will be required to accommodate adjacent land owners. Additional right of way work activities will be performed, including coordination of additional building demolition efforts, Project ROW Certification with SANBAG for additional properties, and oversight of final file closeout tasks, including completion of acquisition diaries/logs.

Following submittal of the 100% DSBPR plans, a number of changes were requested to facilitate right of way acquisitions. The Southern California Gas Company requested that SANBAG provide site layouts and design plans as outlined in exhibits prepared by SCG.

In order to improve access to the SBTC Parking lot, two additional parcel acquisitions were required. This required HDR to provide additional Hazmat Phase 1 studies and design revisions to the SBTC Parking Lot entrance.

#### **Utility Companies**

Following the submittal of the 100% plans, SANBAG received additional design modification requests from utility companies after their review of the plans. The project plans will be revised to incorporate utility information for existing utilities recently provided by the utility companies and the City of San Bernardino.

Based on additional utility information recently received by SANBAG from utility companies that was not shown on the previously obtained as-built plans, SANBAG directed the construction manager for the project to obtain additional pothole data to check the locations and elevations of the newly-discovered lines. HDR will revise the DSBPR plans to incorporate this utility information and provide the required design modifications.

Following submittal of the 100% plans, the San Bernardino Municipal Water District (SBMWD) requested that SANBAG install a new water line near the intersection of Rialto Avenue and "I" Street during the construction of the DSBPR project.

### **Metrolink**

During construction of the EMF project, Metrolink engineers requested that SANBAG add a railing to the already-constructed retaining wall adjacent to the existing train wash facility. After selection of the EMF contractor, Metrolink asked that infrastructure to support a future closed circuit security camera system be included in the EMF project and plans. As a result, HDR will incorporate necessary changes to the conformed EMF plans to allow for the implementation of the railing and security camera supporting infrastructure.

Metrolink requested that SANBAG provide additional rail corridor modeling to facilitate operations, maintenance, and crew work orders during and after construction of the DSBPR project. This task includes additional rail modeling to assist Metrolink in determining effective rail operations strategies during construction, beginning with the EMF cutover and continuing through the various stages of the DSBPR project.

### **City of San Bernardino**

HDR will assist SANBAG in working with the City of San Bernardino to develop and assist the City in adopting an Amendment to the City's General Plan map and policy to accommodate the DSBPRP.

HDR will also assist SANBAG to work with the City of San Bernardino to facilitate public outreach efforts and continue to provide additional project support through the duration of the City of San Bernardino plan review process.

As a result of the City of San Bernardino's request to relocate and increase the size of the proposed detention basin, additional SCE poles were required to be relocated, requiring additional coordination efforts, rights research, and design assistance.

## **TASK 1 ADDITIONAL CITY OF SAN BERNARDINO PERMITS AND REQUIREMENTS**

Initially, HDR was directed to provide a very limited permitting support to SANBAG due to the linear nature of the project. The City of San Bernardino has since requested that SANBAG follow the standard City permitting process for offsite work. HDR will assist SANBAG in processing additional submittals of permitting documents to the City of San Bernardino.

## **TASK 1.1 ADDITIONAL CITY REQUIREMENTS**

### **Activities**

HDR will assist SANBAG in working with the City of San Bernardino to develop and assist the City in adopting an Amendment to the City's General Plan map and policy to accommodate the DSBPRP; including street closures to enhance rail safety, feasibility considerations, and administrative standards for SBTC project review.

HDR will update the Hydrology and Hydraulics report to reflect updated site conditions based on modifications to the project limits. HDR will assist SANBAG in working with the City of San Bernardino to obtain approval for the Final Hydrology Report if required.

HDR will continue to assist SANBAG to work with the City of San Bernardino to facilitate public outreach meetings prior to and during construction.

Task 1.1.1 SBTC Parking Lot and Access Road (EDC Properties)

Task 1.1.2 Santa Fe Depot Parking Lot

Task 1.1.3 Hydrology and Hydraulics Report Review

Task 1.1.4 Public Outreach Meetings

### **Deliverables**

- Supporting exhibits and narrative for the amendment to the City's General Plan
- Revised hydrology and hydraulics report
- Additional exhibits for public outreach meetings at the request of the City of San Bernardino

### **Assumptions**

- Public Outreach meetings will be held no more than once every four months through the end of construction in February 2016.

## **TASK 1.2 CONTRACTOR PERMIT SUPPORT**

### **Activities**

To help maintain the project schedule, HDR will assist SANBAG by providing additional project support to facilitate the City of San Bernardino plan review process for public right of way. HDR will schedule and attend a comment resolution meeting with City staff, SANBAG, and the City's plan review consultant to review and resolve the City's comments.

Task 1.2.1 K Street (Improvements)

Task 1.2.2 3rd Street (Closure & Improvements)

Task 1.2.3 2nd Street (Improvements)

Task 1.2.4 Rialto Ave (Improvements)

Task 1.2.5 I Street (Closure & Improvements)

Task 1.2.6 G Street (Improvements)

Task 1.2.7 E Street (Improvements)

### **Deliverables**

- Revised plans per comment resolution meeting

#### **Assumptions**

- One comment resolution meeting with the City of San Bernardino is anticipated for the completion of the Development Permits (DP1 and DP2).

### **TASK 2 EMF - ADDITIONAL SERVICES**

During construction of the EMF project, Metrolink requested changes to the EMF plans. Metrolink asked that infrastructure to support a future closed circuit security camera system be included in the EMF project.

During the design phase of the EMF project, Metrolink elected to forego the inclusion of a pedestrian railing atop the proposed T-Wall retaining wall due to its proximity to the railroad tracks. During construction, Metrolink decided to include the railing.

### **TASK 2.1 SECURITY INFRASTRUCTURE DESIGN**

#### **Activities**

HDR was directed to incorporate conduit and camera pole infrastructure designs into the EMF plan set for a future planned closed circuit camera security system. Preliminary designs for the security system were previously developed by another consultant (Xorail) working directly for Metrolink, but the design had to be modified to accommodate the new EMF improvements currently under construction. HDR coordinated with Xorail and Metrolink to check conduit sizes and locations; junction box types, sizes, and locations; camera pole placements and foundation designs, acceptable conduit installation methods and details; materials specifications requirements; and other necessary design details. Construction specifications and a cost estimate for this additional work were also prepared by HDR.

Task 2.1.1 Design

Task 2.1.2 Plans

Task 2.1.3 Specifications

#### **Deliverables**

- Meeting agendas and record minutes for three (3) coordination meetings attended by Xorail, Metrolink, and other involved parties.
- Draft revised electrical drawings incorporating the proposed CCTV security infrastructure. (Revise electrical plan sheets E-311 thru E-314. Add details to the General Notes and Fixture Details sheets.)
- Final revised electrical drawings addressing comments from Xorail, Metrolink, SANBAG, and other responsible parties.
- Draft and final material and construction specifications for the new CCTV infrastructure.
- Construction cost estimate for the CCTV infrastructure.

#### **Assumptions**

- All necessary CCTV security design and specifications provided by Xorail.

## **TASK 2.2 T-WALL CABLE RAILING DESIGN**

HDR was directed to add a pedestrian railing to the 513-foot long retaining wall (T-Wall) adjacent to the existing train wash facility. The railing is to conform to the SCRRRA standard design for a wire pedestrian railing, but be modified to attach to the tops of the T-Wall units already in place. Standard railing post spacing and the locations of field-drilled holes had to be modified to avoid conflicting with the T-Wall unit joints.

### **Activities**

Task 2.2.1 Coordination/Meetings

Task 2.2.2 Design

Task 2.2.3 Plans

Task 2.2.4 Specifications

### **Deliverables**

- Revised drawing SW-1103 to include railing posts and wall attachment details for the wire pedestrian railing.
- Revised drawing SW-1102 to include post spacing dimensions, cross bracing locations, and StrandVice placements in the elevation view for the wall.
- Copies of correspondence with Neel Company (T-Wall) attesting to the structural adequacy of the wall units to accommodate the railing.

## **TASK 3 FINAL DESIGN REVISIONS**

This task includes additional technical support services following the 100% plan submittal. The additional services include plan and technical report revisions requested by Metrolink, Omnitrans, utility companies, and the City of San Bernardino. This task also includes modifications to the project plans and specifications and additional engineering support due to the following factors:

- Final right of way acquisition agreements
- Final utility company relocation plans
- Additional pre-construction potholing
- Coordination of Division 0 and Division 1 Specifications
- Additional public outreach exhibits

### **TASK 3.1 TRAFFIC REPORT REVISIONS (ITERIS) REQUIRED FOR PUBLIC ROAD CLOSURE MEETINGS (3RD STREET AND I STREET) AS REQUESTED BY CITY**

The City of San Bernardino requested that SANBAG provide additional traffic data to support the proposed closures of "I" Street and Third Street. This work includes attendance at public meetings and traffic engineering activities.

### **Activities**

ADT 7-day Classification Counts for the following areas:

- "I" Street south of Congress
- "I" Street between Belleview Street and Rialto Avenue

- Belleview Street between “T” and “J” Street
- Congress Street between “T” and “J” Street
- “J” Street between Belleview and Rialto Ave.
- “J” Street between 2nd and Rialto
- 3rd Street west of “T” Street
- “K Street north of 2nd Street
- J Street/Belleview Intersection

### **Deliverables**

- ADT 7-Day Classification Count results
- Attendance at two public meetings

### **Assumptions**

- No additional locations will require traffic counts other than those listed above.
- A single ADT 7-day Classification Count will be provided for each location listed above.

## **TASK 3.2 WAYFINDING**

### **Activities**

Additional signage and wayfinding items have been requested to meet revised requirements and to accommodate additional tenants at the Depot. Special signage will be added to commemorate the Colton Crossing relocation, period-themed elevation signs will be added to the canopies, and a commemorative plaque will be added at the Depot to recognize the historic significance of the building. Several signs will be modified to be free-standing rather than be attached to the building. Two large monument signs will be added at the Transit Center-end of the project.

Task 3.2.1 Transit Center Pylon

Task 3.2.2 Transit Center Entrance Monument

Task 3.2.3 Depot Commemorative Plaque at Flagpole

Task 3.2.4 Revise elevation signs details

Task 3.2.5 Revise location plan

Task 3.2.6 Revise detail drawings of overhead signs

Task 3.2.7 Revise detail drawings of directory – change material to aluminum + add lock to top

Task 3.2.8 Revise interpretive signs (Time Zones and Colton Crossing) based upon feedback/approval

Task 3.2.9 Revise both main monument signs – 2 more tenants

Task 3.2.10 Provide new detail of post and panel to hold freestanding directories

Task 3.2.11 Provide Sign with emergency numbers

Task 3.2.12 Revise San Bernardino City logo with city seal on pedestrian overpass

Task 3.2.13 Provide construction signage in two locations: one at the Santa Fe Depot, and one at the San Bernardino Transit Center

## Task 3.2.14 Revised Specifications

### Deliverables

- Revised plans
- Revised specifications

### Assumptions

- The Transit Center Pylon will be designed by the contractor based on parameters outlined in the project plans.

## **TASK 3.3 REVISIONS TO PLATFORM PLANS TO ACCOMODATE OMNITRANS BUS FACILITY DEVELOPMENT**

As the adjacent Omnitrans Bus Facility project at the transit center has developed, changes have been requested which affect elements of the DSBPR Project. Canopies, platform furniture, and lighting will be moved to enhance the inter-operability of Transit Center Platform A and the adjacent Omnitrans bus facility.

### Activities

- Move and redesign (3) canopies at Platform A to share between facilities but maintain safety between modes.
- Redesign Platform A to accommodate architectural finishes, drainage, and structural design.
- Add platform ramps to facilitate movement between sides of platform.
- Move and redesign fence separating rail and bus platforms longitudinally for Platform A.
- Move and redesign landscaping for rail and bus platforms longitudinally for Platform A.
- Revise plat and legal drawings.

### Deliverables

Task 3.3.1 Revised Architectural Drawings and Details

Task 3.3.2 Revised Structural Drawings and Details

Task 3.3.3 Revised Electrical Drawings and Details

Task 3.3.4 Revised Plumbing Drawings and Details

Task 3.3.5 Revised Landscape Drawings and Details

Task 3.3.6 Revised Civil Drawings and Details

Task 3.3.7 Revised Plats and Legals

Task 3.3.8 Specifications

### Assumptions

- Further development to the Omnitrans facility will not require additional changes to the DSBPR Project plans.

### **TASK 3.4 3RD STREET DESIGN REVISIONS**

The City of San Bernardino requested that SANBAG upgrade street lighting in the area of the Santa Fe Depot from a 460V system to a 120V system. Per this request, HDR will work with the City of San Bernardino to provide the design to upgrade the 3rd Street lighting in this area.

During construction of the soon-to-be-completed I-215 Widening Project, HDR determined that the portion of 3<sup>rd</sup> Street west of I Street was constructed at different elevations than were provided in the I-215 plans. HDR will obtain additional survey and provide additional design modifications for the 3<sup>rd</sup> Street roadway to connect the Downtown San Bernardino Passenger Rail Project with the I-215 Widening Project.

#### **Activities**

Design revisions to the following items:

- Task 3.4.1 Additional Electrical/Lighting
- Task 3.4.2 Civil
- Task 3.4.3 Landscaping
- Task 3.4.4 Utilities
- Task 3.4.5 Fencing
- Task 3.4.6 ROW
- Task 3.4.7 Plats & Legals
- Task 3.4.8 Specifications

#### **Deliverables**

- Revised plans
- Revised specifications
- Revised plat maps and legal descriptions

#### **Assumptions**

- Modifications to connect the two projects 3<sup>rd</sup> Street will only be required along the north side of the street between the proposed DSBPRP cul-de-sac and the I-215 Widening project limits.

### **TASK 3.5 SECURITY EQUIPMENT ENCLOSURE REVISIONS**

Originally, the 100% DSBPR plans included a canopy, slab, and charging station for the proposed security equipment enclosure. After the 100% submittal, HDR was directed to add two additional weather protection walls of concrete masonry faced in cement plaster to match the existing masonry and steel picket fence at the Santa Fe Depot. HDR will also provide plans for modifications to the existing fence to accomplish task.

#### **Deliverables**

- Task 3.5.1 Revised Architectural Drawings and Details
- Task 3.5.2 Revised Structural Drawings and Details
- Task 3.5.3 Revised Electrical Drawings and Details
- Task 3.5.4 Revised Civil Drawings and Details

### Task 3.5.5 Specifications

#### **TASK 3.6 ADDITIONAL OMNITRANS 2ND STREET BUS STOP DESIGN**

Per the request of Omnitrans, HDR will provide plans to move the two existing bus stops currently located on 3<sup>rd</sup> Street at Metrolink Way to 2<sup>nd</sup> Street. The design will also require placement of the bus pads in a non-standard configuration requiring approval by the City of San Bernardino.

##### **Deliverables**

Task 3.6.1 Revised Civil Plans

Task 3.6.2 Coordination with the City of San Bernardino for design exceptions to bus pad design.

##### **Assumptions**

- The City of San Bernardino will approve the non-standard bus pad design elements required to meet Omnitrans' requests.

#### **TASK 3.7 PLAN REVISIONS DUE TO FINAL UTILITY COMPANY RELOCATIONS AND ADDITIONAL POT HOLE INFORMATION**

Following the submittal of the 100% plans, HDR received additional existing utility information from utility companies that was not shown on the previously obtained as-built plans. Based on this new information, SANBAG's construction manager for the project was directed to obtain additional pothole data to check the locations and elevations of the newly-discovered lines. HDR will revise the DSBPR plans to incorporate this utility information and provide the required design modifications.

##### **Deliverables**

Task 3.7.1 City Sewer Revisions Based on Additional PB Potholing

Task 3.7.2 Revise Utility Base File per PB Potholing

Task 3.7.3 Addition of Utility Companies Plans into Plan Set

Task 3.7.4 AT&T/MCI Generated Plans

Task 3.7.5 SoCal Gas Generated Plans

Task 3.7.6 SoCal Edison Generated Plans

Task 3.7.7 Verizon Generated Plans

Task 3.7.8 Time Warner Cable/Telecom Generated Plans

##### **Assumptions**

- Modifications to a maximum of 75 plan sheets.

#### **TASK 3.8 SECURITY & BROADCAST SYSTEM ENGINEERING SUPPORT DURING CONSTRUCTION**

Due to the increased complexity of the security and broadcast engineering design of the project, HDR's security and broadcast design subconsultant, PAC, will respond to construction submittals and RFIs during construction.

### Activities

HDR's subconsultant, PAC Engineering, will review and comment on submittals and respond to Broadcast Engineering RFIs during the construction phase for the DSBPR Project.

### **Deliverables**

Task 3.8.1 Responses to submittals and RFIs

### **Assumptions**

- PAC will review a maximum of 10 submittals
- PAC will respond to a maximum of 5 RFIs

## **TASK 3.9 ADDITIONAL DIVISION 0 AND DIVISION 1 SPECIFICATION SUPPORT**

Due to changes to the project required by third-party owners and regulators, an increased level of coordination and review of the Division 0 and 1 specifications is recommended to reduce the project risk to SANBAG. HDR's subconsultant, Railroad Project Management (RPM), will provide support in coordinating and reviewing the provisions of the Division 0 and Division 1 Specifications as developed in the Division 0 and Division 1 Specification Workshops. This work will include making clarifications to the specifications prompted by SANBAG and the construction management team. RPM will also work to check that the specifications reflect changes as a result of amendments made to the IFB plan set during the bid phase of the project.

## **TASK 3.10 PUBLIC OUTREACH AND REGULATOR EXHIBITS**

### Activities

The HDR team will continue to prepare full size exhibits for use during Public Outreach, Regulatory, and Utility Coordination meetings for final design, bid support, and construction.

### **Deliverables**

Task 3.10.1 Exhibits

### **Assumptions**

- Two exhibits per month for a duration of 31 months (62 exhibits total)

## **TASK 4 PLATFORM REVISIONS TO ACCOMMODATE LEVEL BOARDING**

Pending the decision from the FTA regarding 2011-23576 DOT ADA Final Rule (Level Boarding Report), to provide level boarding at each train car door, HDR will provide a revised design for Platform A at the Santa Fe Depot and Platforms B and C at the San Bernardino Transit Center to accommodate the requirements.

### **TASK 4.1 MODIFICATIONS AT SANTA FE DEPOT**

The potential redesign could require all platforms to be raised approximately 11 to 15 inches higher than the existing design elevation or Platform A be split longitudinally with only a portion of it being raised, requiring steps and ramps to connect the two sides of the platform. Canopies, platform furniture, and lighting will remain in the presently proposed locations, adjusted to accommodate the redesigned platform. The canopies will be modified to include benches on both

sides and to accommodate raised foundations and the creation of pilasters to support lighting and canopy foundations. Steps will be provided to connect each half of the platform to maintain a “center platform”. Each end of the platform will be redesigned to accommodate accessible exiting via ramps and landings. The pedestrian bridge structure will be designed to land on the revised platform elevation. If Platform A is to be split longitudinally, a retaining wall will be added to the higher platform side of structure. Relocation of signage and the Amtrak accessible wheelchair lift stored in the base of pedestrian bridge will be included in the design.

### **Activities**

- Modify and redesign canopies to accommodate platform split.
- Redesign platforms to accommodate architectural finishes, furniture, drainage, and structural design.
- Add platform ramps to facilitate movement between sides of platform.
- Redesign platform entry and exit ramps and landing to accommodate raised platforms.
- Revise and redesign fencing and gates for all platforms
- Design retaining wall for pedestrian bridge accommodation

### **Deliverables**

- Revise Architectural Drawings and Details and Specifications
- Revise Structural Drawings and Details
- Revise Electrical Drawings and Details
- Revise Plumbing Drawings and Details
- Revise Civil Drawings and Details
- Revise Signage Drawings
- Revise and Redesign fencing and gates for platforms
- New Structural Retaining design Drawings and Details

#### **Task 4.1.1 Santa Fe Depot – Update 100% DSBPRP Drawings to Accommodate Level Boarding**

Task 4.1.1.1 General

Task 4.1.1.2 Track Plans

Task 4.1.1.3 Civil

Task 4.1.1.4 Architectural

Task 4.1.1.5 Video Surveillance

Task 4.1.1.6 EPIS

Task 4.1.1.7 Utilities

Task 4.1.1.8 Structural

Task 4.1.1.9 Electrical

Task 4.1.1.10 Mechanical

#### **Task 4.1.2 Civil - Design Services to Accommodate Level Boarding**

Task 4.1.2.1 Site plan for platform accessibility and egress

- Task 4.1.2.2 Platform plans designed for level boarding
- Task 4.1.2.3 Specifications
- Task 4.1.3 Architecture - Design Services to Accommodate Level Boarding
  - Task 4.1.3.1 Platform Plans with furnishings and equipment layout
  - Task 4.1.3.2 Platform elevations
  - Task 4.1.3.3 Platform sections
  - Task 4.1.3.4 Canopy plans
  - Task 4.1.3.5 Canopy elevations
  - Task 4.1.3.6 Canopy sections
  - Task 4.1.3.7 Pedestrian Overpass Building Sections
  - Task 4.1.3.8 Pedestrian Overpass Building Plans
  - Task 4.1.3.9 Hand and guardrail details
  - Task 4.1.3.10 Specifications
- Task 4.1.4 Structural - Design Services to Accommodate Level Boarding
  - Task 4.1.4.1 Platform structural design sections
  - Task 4.1.4.2 Platform structural details
  - Task 4.1.4.3 Wall Design and Details
  - Task 4.1.4.4 Specifications
- Task 4.1.5 Electrical - Design Services to Accommodate Level Boarding
  - Task 4.1.5.1 Lighting Plans
  - Task 4.1.5.2 Power plans revised at canopies
  - Task 4.1.5.3 Specifications
- Task 4.1.6 Drainage - Design Services to Accommodate Level Boarding
  - Task 4.1.6.1 Drainage Design
  - Task 4.1.6.2 Specifications
- Task 4.1.7 Security - Design Services to Accommodate Level Boarding
  - Task 4.1.7.1 Coordinate camera locations impacted by lighting and canopy relocation
  - Task 4.1.7.2 Specifications

#### **Assumptions**

- HDR will continue to develop the level boarding report which was included in the Amendment 6 submittal.
- The level boarding plans will be included in the DSBPRP IFB submittal.
- HDR will not be responsible for designing commuter rail vehicle extensions. This work will be performed by STV under contract to Metrolink's operations department.

#### **TASK 4.2 MODIFICATIONS AT SAN BERNARDINO TRANSIT CENTER**

The potential redesign could require any number of platforms to be raised approximately 11 to 15

inches higher than the existing design elevation. This could require Platform B to be split longitudinally with steps and ramps between. Most likely, the south portion of Platform B and Platform C serving Metrolink trains will be required to be raised approximately 11 to 15 inches (to be determined) to accommodate various brands of existing rolling stock vehicles. Canopies, platform furniture, and lighting will remain in the presently proposed locations, adjusted to be on the high side of the redesigned platform. The canopies will be modified to include benches on both sides and to accommodate raised foundations and the creation of pilasters to support lighting and canopy foundations. Steps will be provided on Platform B to connect each half of the platform to maintain a "center platform". Each end of the platform will be redesigned to accommodate accessible exiting via ramps and landings. Side Platform C will be raised to match the elevation of the south side of Platform B. The Crewhouse will be raised along with adjacent service yard to maintain current level relationship with the platform. The foundation design will be checked and redesigned to meet structural requirements. The San Bernardino Transit Center Parking Lot will be redesigned to accommodate the changes made to the platforms by raising its north end.

### **Activities**

- Modify and Redesign canopies to accommodate revised platform heights.
- Redesign all platforms to accommodate architectural finishes, furniture, drainage, and structural design.
- Add platform ramps to facilitate movement between sides of platform.
- Redesign platform entry and exit ramps and landing to accommodate raised platforms.
- Revise and Redesign fencing and gates for Transit Center Platform B
- Raise all elements and modify access to accommodate raised Transit Center Platform C.
- Raise Crewhouse to match raised Transit Center Platform C including verification of soils report and redesign of foundation and stem walls to accommodate raise.

### **Deliverables**

- Revise Architectural Drawings, Details and Specifications
- Revise Structural Drawings and Details
- Revise Electrical Drawings and Details
- Revise Plumbing Drawings and Details
- Revise Civil Drawings and Details
- Revise Signage Drawings
- Revise and Redesign fencing and gates for all platforms
- Revise and Redesign Crewhouse Structural Drawings and Specifications
- Revise property line wall Drawings and Details
- Revise Soils report.

Task 4.2.1 San Bernardino Transit Center – Update 100% DSBPRP Drawings to Accommodate Level Boarding

Task 4.2.1.1 General

Task 4.2.1.2 Track Plans

Task 4.2.1.3 Civil

- Task 4.2.1.4 Architectural
- Task 4.2.1.5 Crew House Plans
- Task 4.2.1.6 Video Surveillance
- Task 4.2.1.7 EPIS
- Task 4.2.1.8 Utilities
- Task 4.2.1.9 Structural
- Task 4.2.1.10 Electrical
- Task 4.2.1.11 Mechanical
- Task 4.2.2 Civil - Design Services to Accommodate Level Boarding
  - Task 4.2.2.1 Site plan for platform accessibility and egress
  - Task 4.2.2.2 Crew House site plan for accessibility
  - Task 4.2.2.3 Platform plans designed for level boarding
  - Task 4.2.2.4 Specifications
- Task 4.2.3 Architecture - Design Services to Accommodate Level Boarding
  - Task 4.2.3.1 Platform Plans with furnishings and equipment layout
  - Task 4.2.3.2 Platform elevations
  - Task 4.2.3.3 Platform sections
  - Task 4.2.3.4 Canopy plans
  - Task 4.2.3.5 Canopy elevations
  - Task 4.2.3.6 Canopy sections
  - Task 4.2.3.7 Pedestrian Overpass Building Sections
  - Task 4.2.3.8 Pedestrian Overpass Building Plans
  - Task 4.2.3.9 Hand and guardrail details
  - Task 4.2.3.10 Specifications
- Task 4.2.4 Structural - Design Services to Accommodate Level Boarding
  - Task 4.2.4.1 Platform structural design sections
  - Task 4.2.4.2 Platform structural details
  - Task 4.2.4.3 Wall Design and Details
  - Task 4.2.4.4 Specifications
- Task 4.2.5 Electrical - Design Services to Accommodate Level Boarding
  - Task 4.2.5.1 Lighting Plans
  - Task 4.2.5.2 Power plans revised at canopies
  - Task 4.2.5.3 Specifications
- Task 4.2.6 Drainage - Design Services to Accommodate Level Boarding
  - Task 4.2.6.1 Drainage Design

Task 4.2.6.2 Specifications

Task 4.2.7 Security - Design Services to Accommodate Level Boarding

Task 4.2.7.1 Coordinate camera locations impacted by lighting and canopy relocation

Task 4.2.7.2 Specifications

**Assumptions**

- HDR will continue to develop the level boarding report which was included in the Amendment 6 submittal.
- The level boarding plans will be included in the DSBPRP IFB submittal.
- HDR will not be responsible for designing commuter rail vehicle extensions. This work will be conducted by STV under contract to Metrolink's operations department.

**TASK 4.3 MINI-HIGH PLATFORM REDESIGN (RESULTING FROM NEWLY PUBLISHED SCRRRA LEVEL BOARDING STANDARDS)**

Following completion of the 100% plans, SCRRRA published revised engineering standards which will require changes to the mini-high platforms. HDR will provide redesign and relocation of project mini-highs to conform to new standards that requires greater setback from edge of platform.

**Activities**

- Move and redesign (3) mini-highs at Transit Center Platforms A, B, and C to comply.
- Move and redesign (3) mini-highs at platforms A, B, and C at the Santa Fe Depot to comply.

**Deliverables**

Task 4.3.1 Revised Architectural Drawings and Details

Task 4.3.2 Revised Structural Drawings and Details

Task 4.3.3 Revised Civil Drawings and Details

Task 4.3.4 Revised Electrical and Lighting Drawings and Details

Task 4.3.5 Revised Specifications

**TASK 5 ADDITIONAL SUPPORT SERVICES FOR UTILITY COMPANY NEGOTIATIONS AND COORDINATION**

In order to maintain eligibility for State and Federal funding in the event that it became available, SANBAG requested that HDR follow Caltrans' local assistance guidelines.

As a result of the City of San Bernardino's request to relocate and increase the size of the proposed detention basin, additional SCE poles were required to be relocated, requiring additional coordination efforts rights research and design assistance.

**TASK 5.1 UTILITY DESIGN AND COORDINATION**

HDR will provide additional right of way support services for utility relocations and services per Caltrans Local Assistance Guidelines.

- Task 5.1.1 Obtain draft and final utility relocation plans from utility owners to check that proposed utilities do not conflict with proposed improvements or existing features.
- Task 5.1.2 Obtain estimates for utility agreements.
- Task 5.1.3 Prepare Report of Investigation (ROI), with back up documents for determining liability.
- Task 5.1.4 Prepare and send out Notice to Owner (NTO), with copy of approved plans & copy of work windows or special provisions
- Task 5.1.5 Prepare Revised NTO if Scope, scheduling or Discovered Work is found
- Task 5.1.6 Prepare Utility Agreements (UA's) if needed (payment proration, who performs the work, scheduling, replacement rights, etc., review and monitor invoices to UA)
- Task 5.1.7 Assist SANBAG in obtaining permits and replacement rights prior to relocation
- Task 5.1.8 Provide support during construction to follow up with utility owners that are relocating during construction, and check that they are on schedule
- Task 5.1.9 Provide support during construction to follow up with utility owners that are relocating during construction, and check that they are on schedule
- Task 5.1.10 File Closeout

## **TASK 6 RIGHT OF WAY DESIGN CHANGES**

After submittal of the 100% plans, Southern California Gas Company requested that SANBAG provide a design for the on-site Southern California Gas Company facilities based on their architect's site layout. HDR will develop these sketches into an engineered design and implement these changes into the final plans.

In order to improve access to the San Bernardino Transit Center Parking lot, two additional parcel acquisitions were required. This required HDR to provide additional Hazmat Phase 1 studies and design revisions to the SBTC Parking Lot entrance.

As a result of developing right of way coordination and negotiations, design changes will be required to accommodate adjacent land owners. Additional right of way work activities will be performed, including coordination of additional building demolition efforts, Project ROW Certification with SANBAG for additional properties, and oversight of final file closeout tasks, including completion of acquisition diaries/logs.

### **TASK 6.1 HAZMAT PHASE I (2 ADDITIONAL EDC PARCELS)**

In order to provide better access to the proposed SBTC parking lot (2) additional properties along E Street will be required. As a result HDR will conduct two (2) additional Hazmat Phase I studies for the two properties fronting "E" Street.

#### **Deliverables**

- Hazmat Phase 1 Studies for two properties

## **TASK 6.2 SOCIAL GAS PARKING LOT**

After submittal of the 100% plans, Southern California Gas Company requested that SANBAG provide a design for the on-site Southern California Gas Company facilities based on their architect's site layout. HDR will develop these sketches into an engineered design and implement these changes into the final plans.

HDR right of way staff will provide of right of way services associated with the SoCal Gas (SCG) parking lot and property line block wall improvements. HDR will meet with new SCG team members and bring them up-to-speed on design and negotiation discussions. Additional right of way services will be required to address issues such as the abandoned railroad track and ties along SCG's east property line, environmental testing of the "give-back" property and the manner in which the parking lot/property line wall will be constructed and by whom it will be constructed.

Site layouts and design plans as outlined in exhibits prepared by SCG will be developed, including site grading, parking lot lighting, retaining wall design, landscaping improvements, and right-of way plat maps and legal descriptions.

Task 6.2.1 Coordination

Task 6.2.2 Electrical/Lighting

Task 6.2.3 Civil

Task 6.2.4 Landscaping

Task 6.2.5 Structures

Task 6.2.6 ROW

Task 6.2.7 Plat Maps & Legal Descriptions

Task 6.2.8 Drainage

Task 6.2.9 Specifications

### **Deliverables**

- SoCal Gas IFB parking lot plans and specifications
- Meeting minutes from coordination meetings
- Plat Maps and legal descriptions for the SoCal Gas property

### **Assumptions**

- The perimeter walls for the property will be owned and maintained by the Southern California Gas Company.

## **TASK 6.3 SBTC PARKING LOT ENTRANCE (REDESIGN)**

HDR right of way staff will provide support for additional right of way requirements and acquisition oversight associated with the design and acquisition of two (2) additional EDC properties along "E" Street which will be used for access to the proposed San Bernardino Transit Center parking lot. Additional title reports and appraisals will be ordered for these two properties.

HDR engineering staff will provide site improvement plans including site grading, parking lot lighting, retaining wall design, landscaping improvements, and right-of way plat maps and legal descriptions.

- Task 6.3.1 Civil
- Task 6.3.2 Landscaping
- Task 6.3.3 Utilities
- Task 6.3.4 Fencing
- Task 6.3.5 Structural
- Task 6.3.6 Electrical/Lighting
- Task 6.3.7 Drainage
- Task 6.3.8 Right of way
- Task 6.3.9 Plat Maps & Legal Descriptions
- Task 6.3.10 Specifications

**Deliverables**

- Revised SBTC parking lot IFB plans and specifications
- Meeting minutes from coordination meetings
- Plat Maps and legal descriptions for two EDC properties

**TASK 6.4 2ND STREET (RELOCATE THE PROPOSED SIGNAL HOUSE TO ACCOMMODATE THE FULL TAKE OF THE "MCHENRY" PROPERTY)**

As a result of right of way negotiations, HDR engineering staff will revise the 100% plans to relocate the railroad signal house from the northeast quadrant to the southwest quadrant of the 2<sup>nd</sup> Street railroad crossing. The revised signal house location will require changes to the civil, fencing, grading, drainage, and utility plans.

HDR right of way staff will provide analysis and revision of the right of way requirements for the Riverside Cement properties, as well as the McHenry property. Once it is determined that the proposed signal house can be moved to the McHenry property, revisions to the Legal Descriptions and Plat Maps, as well as an updated appraisal, will be made to accommodate the revised acquisition area.

- Task 6.4.1 Civil
- Task 6.4.2 Electrical
- Task 6.4.3 Right of way
- Task 6.4.4 Fencing
- Task 6.4.5 Grading
- Task 6.4.6 Utilities
- Task 6.4.7 Drainage
- Task 6.4.8 Plat Maps & Legal Descriptions
- Task 6.4.9 Specifications

**Deliverables**

- Revised 2<sup>nd</sup> Street IFB plans and specifications

- Meeting minutes from coordination meetings
- Plat maps and legal descriptions

### **TASK 6.5 DEVELOPMENT PERMITS TYPES 1 AND 2**

Per the City of San Bernardino's request, HDR will assist SANBAG with development and implementation of the pre-application and formal Development Permit Type 1 and 2 permit application approaches with the City to support the DSBPRP bid and construction timelines.

Following application, creation, submittal, and negotiation, HDR will follow-up for the City's Development Permit (Type 2) for the SANBAG Parking Facility Development Permit Type 2. HDR will prepare the SANBAG Parking Facility Parking Program that defines SANBAG's shared-use parking resources and provides SANBAG parking revenue opportunities.

Task 6.5.1 So Cal Gas Property Parking Lot

Task 6.5.2 De Gorter Property Parking Lot

Task 6.5.3 Detention Pond (Arrowhead Pond Property)

#### **Deliverables**

- Pre-application and formal Development Permit Type 1 and 2
- Meeting minutes from coordination meetings

#### **Assumptions**

- The SBTC plans north of the station platforms will be included in a separate IFB submittal and constructed by another contractor.

### **TASK 6.6 BUILDING DEMOLITION SUPPORT**

HDR right of way staff will assist SANBAG to coordinate additional building demolition efforts because additional properties have been added since the original scope was developed. This will include coordination of building board-ups and fencing around the properties if required.

HDR will coordinate hazmat testing for both lead and asbestos paint and deliver reports of findings for inclusion in the Demolition IFB package. HDR will periodically observe the demolition activities and submit information to support project close-out to SANBAG, once all properties have been cleared.

Task 6.6.1 K Street Properties (4 structures)

Task 6.6.2 DeGorter Property

Task 6.6.3 Bekins Property

Task 6.6.4 Gas Company Property (Walls and Building Foundation)

Task 6.6.5 Mantzoros Property

Task 6.6.6 All-Good Property

Task 6.6.7 EDC Property (2 structures)

#### **Deliverables**

- Hazmat testing results

## Assumptions

- Board-up and fencing services will be contracted directly by SANBAG, with coordinating assistance provided by HDR.

### **TASK 6.7 ADDITIONAL RIGHT OF WAY SUPPORT SERVICES**

HDR right of way staff will assist the engineering team in revisions to the right of way requirements and additional design associated with the EDC, Caltrans, Heftner, KLR, Big Z Auto, Byun and DeGorter properties. HDR will coordinate the preparation of and review of additional Legal Descriptions and Plat Maps needed for appraisal, appraisal review and acquisition activities, and will perform oversight of said acquisition and relocation activities.

HDR right of way staff will provide coordination with the engineering team related to design revisions and property owner's and their legal representative's requests for information and documentation of the proposed acquisition areas. HDR will coordinate meetings and respond to information requests in coordination with SANBAG's Condemnation Attorneys. HDR has coordinated and attended several additional meetings with the GSA regarding improvements for the Affaitati property and neighboring Mantzoros and SBTC properties.

HDR right of way staff will prepare the demolition specifications and IFB package information for the demolition of the following additional structures: 4 residential on K Street, 1 residential on 2nd Street, 7 commercial throughout the project limits, 3 trees along Rialto (needed for early utility relocation), and 1 storage shed at the Clark property on Rialto.) HDR will also coordinate project ROW Certification with SANBAG for additional properties and provide oversight on final file closeout tasks, including completion of acquisition diaries/logs and associated back-up documentation to be filed per Caltrans requirements.

Task 6.7.1 Additional Appraisal Maps, Legal Descriptions and Plats (Eng)

Task 6.7.2 Oversight of Epic Acquisition/Relocation Activities

Task 6.7.3 Coordination with Engineering re: Design Revisions and Property Owner Information Requests

Task 6.7.4 Oversight of Additional/Updated Appraisal Reports

Task 6.7.5 Oversight of Additional Legal Descriptions and Plat Maps

Task 6.7.6 Coordination with Condemnation Attorneys

Task 6.7.7 Additional Coordination with GSA for Affaitati property

Task 6.7.8 Coordinate Demolition of Structures (5 Residential, 7 Commercial, 3 trees and 1 storage shed)

Task 6.7.9 Coordinate ROW Certification with SANBAG

Task 6.7.10 Coordinate File Closeout with Epic

### **TASK 6.8 EPIC LAND SOLUTIONS (SUBCONSULTANT)**

Task 6.8.1 Reimbursement of the extra work entailed in the 36 month acquisition/relocation period: due to project delays, additional work was required to meet with landowners and displacees; also requiring extra work were two offers to each landowner; appraisals were required to be updated which required additional management on our part. Offers were not officially made until almost three years after project start.

- Task 6.8.2 Ongoing condemnation support including multiple package reviews at the request of the attorneys, ongoing preparation for the filing of eminent domain, and continuing negotiations with landowners during RON and ED filing.
- Task 6.8.3 Ongoing and continued negotiations post eminent domain filing with landowners and displacees; new document preparation and execution required; additional visits with landowners and their attorneys in support of our legal team.
- Task 6.8.4 Alley vacation paperwork, documentation, coordinating with HDR and title company; meeting with adjacent landowners regarding same; submit paperwork to legal team for review; make any additional changes necessary.
- Task 6.8.5 Additional scope items requested since January which include changing vesting in all documents at SANBAG's request, requesting hand-delivery from legal team of most RON notices, and additional declarations requested by legal team.

## **TASK 6.9 PLAN REVISIONS IN CONJUNCTION WITH RIGHT OF WAY ACQUISITIONS**

### **Activities**

Right of way acquisitions for the project have required additional support that is still ongoing. As negotiations are finalized, some changes to the DSBPR plans will be required to reflect the negotiated agreements. The HDR team will provide final plan revisions driven by these right of way negotiation generated "hot sheet special provisions."

### **Deliverables**

- Task 6.9.1 Plan Revisions Due to Right of Way Acquisitions

### **Assumptions**

- Modifications to a maximum of 50 plan sheets

## **TASK 6.10 CALTRANS RIGHT OF WAY CERTIFICATION**

On May 10, 2013, San Bernardino Associated Governments (SANBAG) was notified that the Downtown San Bernardino Passenger Rail Project (Redlands First Mile Project) would need to obtain Right of Way Certification from Caltrans, previously not a requirement for this project, by June 4, 2013, so it could be presented to the California Transportation Commission (CTC) on June 6, 2013. Per SANBAG's direction, the HDR team immediately began work to compile all of the documentation and exhibits required for the Caltrans Certification of the right of way and utility relocations.

### **Activities**

Successful delivery of right of way and the approval of project's SLPP funding will require obtaining the right of way certification approval from Caltrans District 8 and Caltrans Headquarters in Sacramento. In order for the certification to be approved by Caltrans, the proper certification forms must be prepared, the appropriate sections of the Caltrans Right of Way Manual must be adhered to, and a complete and comprehensive certification package must be submitted. HDR will prepare the necessary documents to deliver the submittal packages for Caltrans review and approval. Tasks required to obtain approval include:

- Prepare Right of Way Certification packages for a Cert 3 with Workaround.

- Prepare Right of Way Certification Binders, including all pertinent acquisition documents for each parcel.
- Create Right of Way requirements mapping per Caltrans formatting for inclusion in Certification Packages.

HDR will coordinate the relocation of utility facilities under franchise agreements or other rights. In addition, HDR will review the utility owners' documents and pertinent laws regarding utility rights, under the Streets and Highways Code and the Caltrans Right of Way Manual, to determine the liability of an affected utility. HDR will make arrangements with the affected utilities that have prior rights, to confirm their claims and to relocate their facilities as required. HDR will obtain, prepare and deliver required documents, amendments and reports to assist with proper relocation procedures, including the following items:

- Claim letter with copy of design plans
- Report of Investigation to determine liability for the cost of relocation
- Notice to Relocate
- Relocation plans and cost estimates from each utility company
- Approved relocation plans from the design engineer
- Utility agreement prepared by City, if required (payment pro-ration, who performs the work, scheduling, replacement rights, etc.)
- Assist with obtaining Permits and replacement rights prior to utility relocation
- Inspection and confirmation of relocated utilities report.
- Prepare Projects Engineer's Certification of Utility Relocation per Caltrans High and Low Risk Policy, for HDR Engineering, Inc. to review, approve, and sign.
- Coordinate with the project engineer for any needed Special Provisions required for utility owner coordinated work.
- Check that the project engineer has identified and included physical conflicts and inclusion in the construction plans.
- Prepare utility portion of the Right of Way Certification form and binder, organized by utility owner with copies of completed utility forms and all back up documents.

HDR will maintain a utility file for each utility facility that may be impacted, and will maintain the files in an auditable condition. The utility file will contain the following documents and other documents as requested by SANBAG or other agencies:

- Signed copies of all documents and agreements, including amendments
- Signed copies of final relocation plans and approvals
- Signed copies of all invoices and payments, including the final reconciliation and accounting
- Proof that all credits from utility owners have been received (depreciation, betterment, etc.)
- Diary notes from the resident engineer, approving relocation of utilities
- Signed copies of as-builts from utility companies
- Signed copies of permit and/or replacement right from local agency
- Signed copies of right of way map, showing location of replacement right
- Signed letter from appropriate governing authority accepting relocation conditions, if needed

- Review utility company invoices and compare amounts based on the estimated scope and fee of per the executed utility agreements with SANBAG

HDR will follow the proper steps, in the proper order, to show compliance with state and local requirements, and to show that right of way certification and reimbursements for relocation costs are not jeopardized.

Task 6.10.1 Right of Way Certification Document Preparation

Task 6.10.2 Engineering Support

#### **Deliverables**

- Right of Way Certification Submittal Package

#### **Assumptions**

- Package will be prepared for Certification 3' with Workaround

### **TASK 7 SAN BERNARDINO MUNICIPAL WATER DEPARTMENT UTILITY IMPROVEMENTS**

HDR will provide additional design services to accommodate requests made by the San Bernardino Municipal Water Department (SBMWD). The items in this task are similar in character to those listed in Task 3 above, but the items listed below have been separated out for potential reimbursement by the SBMWD.

#### **TASK 7.1 CITY WATER LINE AT RIALTO AVENUE AND I STREET**

Following submittal of the 100% plans, the SBMWD requested that SANBAG install a new water line near the intersection of Rialto Avenue and "I" Street during the construction of the DSBPR project. The proposed water line will be designed by HDR and constructed by the Contractor for the DSBPR project. Discussions are underway for SBMWD to reimburse SANBAG for all design and construction costs for this water line, possibly to be offset by SBMWD waiving any permitting fees.

#### **Deliverables**

- Water line plans will be included in the final DSBPR plan set.

#### **Assumptions**

- Changes will be required to a maximum of 10 plan sheets.

### **TASK 8 ADDITIONAL RAIL OPERATIONS MODELING**

Metrolink requested that SANBAG provide additional rail corridor modeling to facilitate operations, maintenance, and crew work orders during and after construction of the DSBPR project. This task includes additional rail modeling to assist Metrolink in determining effective rail operations strategies during construction beginning with the EMF cutover and continuing through the various stages of the DSBPR project.

#### **TASK 8.1 MEETINGS AND COORDINATION**

HDR will meet with Metrolink prior to performing the modeling work to discuss Metrolink's planned operations during construction so that HDR's modelers better understand the planned approach during modeling efforts. Once HDR has input the Metrolink-provided operating plans

into RTC, they will either validate those plans or work with Metrolink to adjust the plans accordingly. A final meeting will be held to discuss results of the modeling.

### **Assumptions**

- Metrolink will develop and provide HDR staff with operating plans.
- Two face-to-face meetings with Metrolink will be required: one before the modeling work begins, and one following the modeling work to discuss the results with Metrolink.
- Three conference calls will be required for cooperation between HDR and Metrolink staff.

## **TASK 8.2 MODELING ANALYSIS**

The HDR team will build an existing condition model, with current track infrastructure and train schedules, and simulate Metrolink's operational plan for the cutover to EMF. The model will be modified for each phase of construction, helping Metrolink to determine a preferred approach to optimize the altered operating conditions. HDR will also help test and validate crew options during each phase (hostler requirements).

In addition, HDR will simulate a closure of the north lead into the EMF, forcing Metrolink trains to enter and exit the facility via the south lead. The south lead will be modeled using three infrastructure scenarios:

- A new control point will be installed at the south lead switch
- A turnout with electronic timer will be installed at the south lead switch
- A hand throw turnout without signals will be installed at the south lead switch

Trains to/from EMF will be seeded into the Metrolink San Bernardino Line model to measure the impact upon daily train operations each model variation may have.

### **Deliverables**

- Modeling results

### **Assumptions**

- Modeling will be modified for each of the six phases of construction and will also be done for the existing condition and final condition.
- HDR will not be required to provide any memoranda or reports based on modeling results.

## **TASK 8.3 EXHIBITS**

HDR will prepare exhibits to assist coordination efforts during the two planned meetings with Metrolink.

### **Deliverables**

- Meeting exhibits

### **Assumptions**

- Up to three exhibits will be prepared as needed for each of the scheduled face-to-face meetings.

## **TASK 9 BNSF RAIL, SIGNAL, AND UTILITY DESIGN AND RECORD OF SURVEY**

This task includes the design of a new communications and signal system for a portion of the rail corridor north of Rialto Avenue that connects the Santa Fe Depot and the EMF yard. In conjunction with this work, a Record of Survey will be prepared from CP Rana to CP Vernon.

### **TASK 9.1 RAIL, UTILITY, AND SIGNAL DESIGN**

HDR will provide track design changes to replace an existing BNSF turnout with one which complies with Metrolink Engineering Standards. Additionally, HDR will provide associated design changes for drainage, grading, and utilities.

HDR's subconsultant, PRE, will develop plans and an estimate for signal and communication design at Control Point (CP) Shortway and CP Mill. Work shall be composed of design of a new CP called CP Shortway, and modifications to the existing CP Mill for full SCRRA control and dispatching. Coordination with BNSF Railway Signal group will be necessary regarding interfacing between SCRRA and BNSF at CP Mill and/or CP Rana.

#### **Deliverables**

- Revised project plans
- Integrated plans as part of the entire DSBPR project final submittal.
- Integrated estimate as part of the entire DSBPR project final submittal.

### **TASK 9.2 DESIGN SERVICES DURING CONSTRUCTION - PTC IMPLEMENTATION**

PRE will provide additional submittal review, RFI responses, as-built documentation preparation, Application Programming and Technical Assistance during construction for two new CPs added to the project. Additional submittal review, RFI responses, and coordination with Contractor and SCRRA will also be provided to assist SCRRA with the implementation of PTC.

#### **Deliverables**

- Responses to RFIs and Submittals

#### **Assumptions**

- The task does not include activities in conjunction with civil, structural, mechanical, or architectural engineering.
- The task does not include costs for deliverables other than stated within this task.
- Permits are not required for the PRE team's scope of work.
- PRE shall provide Adobe "pdf" files for deliverables.

### **TASK 9.3 RECORD OF SURVEY**

HDR's subconsultant, Project Design Consultants (PDC), will provide a record of survey of the existing BNSF railway corridor that commences at CP Vernon (also being the historic San Bernardino Depot property) and runs southwesterly to the intersection with the Eastern Maintenance Facility (EMF) property and CP Rana. PDC will utilize the existing high-precision control network in place for the DSBPR PROJECT and will tie-into the pending record of survey at said Depot grounds.

The survey will determine the centerline and right of way width of each major crossing street and the two existing major storm drain creek facilities. The results of the survey will be incorporated into a Record of Survey (RS) to be recorded with the County of San Bernardino. PDC will set maximum of twelve railway right of way monuments at strategic locations along said railway.

#### **Deliverables**

- Record of Survey filed with the County of San Bernardino

#### **CONTINGENCY**

Contingency scopes and associated budgets are provided in this Proposal for the following potential activities.

##### *DSBPR BNSF Support*

A contingency budget was established for overall engineering design to provide SANBAG with design support throughout the Memorandum of Understanding (MOU) negotiation process with BNSF and to support SANBAG by providing possible minor design changes resulting from the negotiation process with the BNSF Railway.

##### *EPIC Land Solutions Contingency*

A contingency budget was established for EPIC Land Solutions to provide SANBAG with additional right of way services beyond this scope in the event they are required.

##### *HDR Additional Design Tasks Support*

A contingency budget has been established to provide SANBAG with additional design services that may be required due to changing requirements of stakeholders during the bid and construction phases of the project. This contingency will allow SANBAG to obtain design and support services obtained in an expedient manner during the time-sensitive bid and construction phases of the project.

##### *Right of Way Certification Submittal and Updates*

Upon SANBAG's request, HDR will coordinate the submittal of the Right of Way Certification package to Caltrans District 8 for review and approval. HDR will participate in multiple coordination meetings with SANBAG, Caltrans, Subconsultants and Utility Owners and will update information in the Certification package as information is received and per Caltrans review comments.

Certification will be updated to Level 2 during project construction.

## ATTACHMENT A

### Contract No. C10079 Amendment No. 7

#### Contract Amendment History

Below is the contract history between SANBAG and HDR Engineering, Inc. identifying the amendments that have been approved by the Board.

- Original Contract – Approved February 2010, for \$7,390,150.
- Amendment No. 1 – Approved June 2010, for \$1,021,704 for the sbX Bus Rapid Transit project right-of-way acquisition services. Total not-to-exceed amount following this amendment was \$8,411,854.
- Amendment No. 2 – Approved January 2011, for \$2,962,795 for additional design services for tasks on DSBPRP and RPRP and an additional \$118,729 for sbX right-of-way acquisition services. Total not-to-exceed amount following this amendment was \$11,374,649.
- Amendment No. 3 – Approved June 2011, for an additional net increase of \$4,866,142. The amendment included removal of the right-of-way acquisition services for the Omnitrans sbX bus rapid transit project and added completion of construction bid documents for the DSBPRP portion of the Project to the scope of work. Total not-to-exceed amount following this amendment was \$15,565,358.
- Amendment No. 4 – Approved September 2011, an additional \$8,995,000 for environmental clearance and preliminary engineering for the RPRP portion of the Project. In general this work included replacement of track, bridges, and grade crossings, construction of passing sidings, stations, railroad signals and communication systems, Positive Train Control, a maintenance facility, locomotive and passenger car procurement and rehab. Total not-to-exceed amount following this amendment was \$24,560,358.
- Amendment No. 5 – Approved January 2012, an increase of \$3,924,694 for additional design services and for design services during construction. Total not-to-exceed amount following this amendment was \$28,485,052.
- Amendment No. 6 – Approved September 2013, an increase of \$2,899,300 to accommodate the FTA's request for the RPRP project to be processed under an Environmental Impact Study as opposed to an Environmental Assessment. Additional design services were also required for the DSBPRP due to third party requests. Total not-to-exceed amount following this amendment was \$31,384,352.

**Downtown San Bernardino Passenger Rail Project and Redlands Rail Passenger Rail Project**

Task Description	DSBPR HDR	TOTAL FEE Epic Land Solutions (Epic)	TOTAL FEE PAC	TOTAL FEE RPM	TOTAL FEE PRE	TOTAL FEE PDC	TOTAL PROJECT FEE
	DSBPR TOTAL FEE HDR Engineering, Inc. (HDR)						
TASK 1: ADDITIONAL CITY OF SAN BERNARDINO PERMITS AND REQUIREMENTS SUPPORT (6)(7)	\$102,909	\$0	\$0	\$0	\$0	\$0	\$102,909
TASK 2: EMF - ADDITIONAL SERVICES (2)	\$42,886	\$0	\$0	\$0	\$0	\$0	\$42,886
TASK 3: FINAL DESIGN REVISIONS (1)(2)(4)(5)(6)(7)	\$536,658	\$0	\$7,710	\$68,750	\$0	\$0	\$603,318
TASK 4: PLATFORM MODIFICATIONS TO ACCOMMODATE LEVEL BOARDING (3)	\$217,753	\$0	\$0	\$0	\$0	\$0	\$217,753
TASK 5: ADDITIONAL SUPPORT SERVICES FOR UTILITY COMPANY NEGOTIATIONS AND COORDINATION (1)(6)(7)	\$97,616	\$0	\$0	\$0	\$0	\$0	\$97,616
TASK 6: RIGHT-OF-WAY DESIGN CHANGES (1)(6)(7)(8)	\$729,836	\$166,096	\$0	\$0	\$0	\$0	\$894,932
TASK 7: SAN BERNARDINO MUNICIPAL WATER DEPARTMENT UTILITY IMPROVEMENTS (1)(7)	\$10,978	\$0	\$0	\$0	\$0	\$0	\$10,978
TASK 8: ADDITIONAL RAIL OPERATIONS MODELING (2)	\$76,885	\$0	\$0	\$0	\$0	\$0	\$76,885
TASK 9: BNSF RAIL, SIGNAL, AND UTILITY DESIGN AND RECORD OF SURVEY (5)	\$39,791	\$0	\$0	\$0	\$129,500	\$35,414	\$204,705
CONTINGENCY* (1)(2)(3)(4)(5)(6)(7)	\$505,000	\$36,000	\$0	\$0	\$0	\$0	\$540,000
BUDGET FOR ODC'S (1)(2)(3)(4)(5)(6)(7)	\$47,000	\$6,000	\$0	\$0	\$0	\$0	\$53,000
<b>TOTAL FEE SCOPE ADDED</b>	<b>\$2,407,611</b>	<b>\$206,096</b>	<b>\$7,710</b>	<b>\$68,750</b>	<b>\$129,500</b>	<b>\$40,414</b>	<b>\$2,949,981</b>
<b>DEDUCTION OF REDLANDS PASSENGER RAIL PROJECT PEIR TOD SCOPE:</b>							<b>-\$665,057</b>
<b>VALUE AFTER RPRP SCOPE DEDUCTION:</b>							<b>\$2,183,924</b>

**Additional work drivers:**

- (1) Utility Companies
- (2) Metrolink
- (3) FTA
- (4) Omnitrans
- (5) BNSF
- (6) Right-of-Way Negotiations
- (7) City of San Bernardino
- (8) CTC

**Contingency Breakdown:**

- Task 1: Additional City of San Bernardino Permits and Requirements Support \$25,000
- Task 2: EMF - Additional Services \$15,000
- Task 3: Final Design Revisions \$185,000
- Task 4: Platform Modifications to Accommodate Level Boarding \$25,000
- Task 5: Additional Support Services for Utility Company Negotiations and Coordination \$55,000
- Task 6: Right-of-Way Design Changes \$135,000
- Task 7: San Bernardino Municipal Water Department Utility Improvements \$10,000
- Task 8: Additional Rail Operations Modeling \$80,000
- Task 9: BNSF Rail, Signal, Utility Design, and Record of Survey \$540,000
- Total Contingency:**

SANBAG Contract No. C10079-2  
San Bernardino County Transportation Authority

and

HDR Engineering Inc.

for

Redlands First Mile and Redlands Passenger Rail Project

**FOR ACCOUNTING PURPOSES ONLY**

<input checked="" type="checkbox"/> Payable	Vendor Contract # _____	Retention:	<input type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID <u>HDR I</u>	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Amendment

Notes:

Original Contract:	<b>\$ <u>6,990,150</u></b>	Previous Amendments	<b>\$ <u>1,021,704</u></b>
		Previous Amendments	<b>\$ <u>0</u></b>
Contingency / Allowance Amount	<b>\$ <u>400,000</u></b>	Contingency / Allowance Total:	
		Current Amendment:	<b>\$ <u>2,962,795</u></b>
		Current Amendment Contingency / Allowance:	<b>\$ <u>0</u></b>

Contingency Amount requires specific authorization by Task Manager prior to release.

**Contract TOTAL ► \$ 11,374,649**

\* Funding sources remain as stated on this document unless and until amended by proper authority. Funding sources are those which are ultimately responsible for the expenditure.

▼ Include funding allocation for the original contract or the amendment

Main Task/Project	Level 1	Level 2	Cost Code/ Object	Grant ID/ Supplement	Funding Sources/ Fund (Measure I, STP, CMAQ, etc.)	Type	Amounts for Contract Total or Current Amndmnt Amt
315	000	000	52005	99008	Omnitrans		<b>\$ <u>118,729</u></b>
379			52005	4150	Measure I Metrolink/Rail		<b>\$ <u>11,255,920</u></b>

Original Board Approved Contract Date: 2/3/10 Contract Start: 2/8/10 Contract End: 2/8/13

New Amend. Approval (Board) Date: 12/1/10 Amnd. Start: 12/1/10 Amend. End: 2/8/13

Allocate the Total Contract Amount or Current Amendment amount between Approved Budget Authority in the current year and Future Fiscal Year(s) Unbudgeted Obligation.

Approved Budget Authority ►	Fiscal Year: <u>10/11</u>	Future Fiscal Year(s) -	Unbudgeted Obligation ►
	<b>\$ <u>0</u></b>		<b>\$ <u>2,962,795</u></b>

Budget authority for this contract currently exists in Task No. \_\_\_\_\_ (C-Task may be used here.).

A budget amendment is required. A Budget Amendment Request is attached.

**CONTRACT MANAGEMENT**

Check all applicable boxes:

- Intergovernmental    
 Private    
 Federal Funds    
 State/Local Funds  
 Disadvantaged Business Enterprise (DBE)    
 Underutilized DBE (UDBE)

Task Manager: Mitch Alderman	Contract Manager: Ryan Graham
------------------------------	-------------------------------

Task Manager Signature \_\_\_\_\_ Date \_\_\_\_\_ Contract Manager Signature \_\_\_\_\_ Date \_\_\_\_\_

Chief Financial Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

**AMENDMENT NO. 2**  
**AGREEMENT BY AND BETWEEN**  
**SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**  
**AND**  
**HDR, INC**  
**FOR**  
**REDLANDS FIRST MILE AND REDLANDS PASSENGER RAIL PROJECT**

This AMENDMENT No. 2 to CONTRACT No. 10-079 entered into this 5th day of January, 2011 between the firm of HDR, Inc (hereafter called CONSULTANT) and the San Bernardino Associated Governments/San Bernardino County Transportation Authority (hereafter called AUTHORITY):

WITNESSETH,

WHEREAS, SANBAG, under SANBAG Contract 10-079 ("Contract"), has engaged the services of CONSULTANT to provide consultant support for the Redlands First Mile and Redlands Passenger Rail Project ("Project"); and

WHEREAS, The parties desire to amend the scope of work;

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

1. The scope of work has been amended to include the additional work included in Attachment A to this agreement.
2. The not-to-exceed amount of the Contract shall be increased by \$2,962,795. No additional contingency amount is included in this amendment. The amended total Contract not-to-exceed amount shall be \$11,374,649

Except as amended by this Amendment No. 2, all other provisions of the Contract and any prior Amendments to the Contract remain in full force and effect.

IN WITNESS THEREOF, the authorized parties have below signed:

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

**HDR, INC**

By: \_\_\_\_\_  
Brad Mitzelfelt  
President

By: \_\_\_\_\_

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

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

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Penny Alexander-Kelley  
SANBAG Counsel

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

## ATTACHMENT "A" SCOPE OF SERVICES AMENDMENT

### BACKGROUND

There have been a series of events that have caused the project scope to expand due to a number of unforeseen discoveries and changes in direction that have taken place from the inception of the project that lead to this amendment request. The scope items described below are segregated between the Redlands First Mile (RFM) project, the Redlands Corridor Alternatives Analysis (RCAA) project and the Omnitrans sbX (SBX) project. The following items changed the course of direction:

**RFM:** The STV concept plans and alternatives report were the basis of scoping the preliminary design, environmental document and right-of-way support. Based on significant operations modeling performed by HDR, it was determined that there were several missing components that were required to develop a functioning facility.

1. Layover Facility - There was a need to investigate opportunities to increase layover capacity since the existing Inland Empire Maintenance Facility (IEMF) will need to be abandoned and salvaged due to track configuration constraints. HDR developed concept and conducted rail operation modeling to evaluate four potential alternatives to address this issue: (1) utilizing the proposed Transit Center and existing Santa Fe Depot stub-tracks and utilizing the existing Eastern Maintenance Facility (EMF), (2) new layover facility at Sierra Avenue, (3) new layover facility at G Street, and (4) expanding the existing EMF in accordance with the previous approvals for that facility. Based on rail modeling, alternative 1 was determined to be feasible reinforcing the idea that the RFM project and EMF expansion projects have independent utility. Alternative 1, however, presented an inefficient and fragmented situation where layover locations would be spread out at three locations that would require an increase in operations cost to address crew distribution, security of layover trains and limitations in operations. Based on construction cost estimates and site constraints, it was determined that building out of the previously approved expansion of the EMF would be least costly and the most efficient alternative when compared to constructing new layover facilities. Two variations were developed to expand EMF: to expand the yard tracks laterally to maintain the new yard tracks short of Lytle Cajon Channel and to construct a bridge over Lytle Cajon Channel and expand longitudinally. Based on requests from Metrolink, the longitudinal expansion variation was chosen to maintain consistency with the original phased design of EMF following the Phase 3 approach, which was previously approved through a California Environmental Quality Act (CEQA) Statutory Exemption. The planned and previously approved expansion of the EMF was designed to serve the whole SCRRA rail system and SANBAG has decided to undertake the design development of expanding EMF through this scope of work. SANBAG will implement construction of the EMF expansion based on funding availability.
2. Rail Operations - In order to maintain rail operations and make the necessary pedestrian safety improvements to accommodate Amtrak and Metrolink trains at the Santa Fe Depot, a pedestrian grade separation was required. HDR evaluated four alternatives and the PDT chose the Mission Style pedestrian overhead that will be located at the west end of the Depot.
3. E Street Transit Center - HDR evaluated eight alternatives at the proposed transit Center

to balance the requirements of Metrolink, sbX and the future RCAA projects. The PDT selected an alternative that addressed sbX needs and future expansion needs that met the requirements of the rail operations modeling.

4. Corridor Alignment - The RFM project alignment has been revised from the original concept report to meet Metrolink track alignment requirements. This has increased the number of impacted properties, real estate acquisition, drainage, grade crossings, and the environmental process.
5. Environmental Process - HDR determined that there is a high likelihood that unmitigable impacts related to noise and air quality issues will occur. Additionally, modification to the Depot, which is listed on the National Register of Historic Places (NRHP), is a sensitive issue and requires detailed analysis. Based on these factors, the HDR Team recommended that the more appropriate environmental document to address these issues at a level of detail that provides legal defensibility is an Environmental Impact Report (EIR)/Environmental Assessment (EA) instead of the originally scoped Mitigated Negative Declaration (MND). In fact, the potential for the noise-related impact to remain significant and unavoidable requires that SANBAG prepare an EIR.

**RCAA:** The RCAA scope has also been expanded to include preparation of a Programmatic Environmental Impact Report (PEIR) for Proposed Transit Supportive Land Use Updates in the form of General Plan Amendments and/or zoning changes for up to ten station area locations. The Cities of San Bernardino, Loma Linda, and Redlands along the corridor will define proposed transit supportive land use updates for each of the station areas to be analyzed within the PEIR. The PEIR will need to be certified by each of the participating jurisdictions (CEQA Lead Agencies). One PEIR will be prepared that each jurisdiction will certify. SANBAG will act as a liaison between the jurisdictions and the jurisdictions' project manager/agent for preparation of the PEIR. Updates to existing land use plans and the preparation of the PEIR will require substantial collaboration and cooperation among the participating jurisdictions throughout the process, and is integral to the progress and successful implementation of the project and the PEIR. The PEIR will incorporate as applicable the goals, policies, and objectives of the Regional Transportation Plan (RTP), the Sustainable Communities Strategy (SCS), and the Regional Greenhouse Gas (GHG) Inventory and Reduction Plan that are anticipated to be developed concurrently with the proposed PEIR for Proposed Transit Supportive Land Use Updates.

**SBX:** Several additional subconsultants had to be added to provide appraisals to support the right-of-way services for the sbX project. This scope of work identifies additional tasks that were requested of the HDR team.

## SCOPE OF WORK

### **TASK 1 PROJECT MANAGEMENT AND ADMINISTRATION (RFM)**

Additional labor hours are being requested to account for ongoing project management, coordination, and project accounting due to the expanded scope outlined in this amended scope proposal.

#### **TASK 1.1 PROJECT ADMINISTRATION (RFM)**

The Consultant will provide ongoing management and staff to plan, organize, direct, supervise, control, and coordinate administrative tasks related to this scope of work.

### **TASK 2 AGENCY/PROJECT/UTILITY COORDINATION AND MEETINGS (RFM)**

The original scope of work did not anticipate the additional number or duration of required project meetings associated with the RFM and RCAA Projects. Additional labor hours are being requested for internal coordination and meeting with the SHPO to discuss pedestrian bridge options and potential impacts to the Santa Fe Depot. The additional hours also take into account a longer environmental schedule and increased level of detail required for preparation of an EIR. In addition, based on the original scope of work, it was assumed that all project impacts could be reduced to less than significant levels. Due to the level of impacts that are now anticipated, additional comments are expected; therefore, additional hours for comment resolution meetings will be required.

#### **TASK 2.1 AGENCY COORDINATION (RFM)**

HDR and its subconsultants will continue to coordinate with all external agencies, jurisdictions, and third parties during environmental clearance and preliminary design development.

- 2.1.1 **SANBAG:** The amended scope is intended to cover both past and future hours dedicated to meetings and coordination related to the expanded scope items discussed above. In addition, HDR will continue to provide presentation support services on an as needed basis and will attend all requested presentations in support of the RFM and RCAA projects.
- 2.1.2 **Railroads (Metrolink, BNSF, Amtrak and CHSRA):** The original scope did not account for focused coordination with Metrolink to obtain past design and environmental documents related to the recently constructed EMF. HDR has also continued to coordinate with Metrolink on the subject of EMF at biweekly meetings in Los Angeles intended for its existing Metrolink On-Call Professional Engineering Design Services Contract.
- 2.1.3 **Cities (San Bernardino):** Additional scope and hours are being requested to further coordinate with the City of San Bernardino on the proposed grade crossing closures along the RFM Project. In particular, the original scope did not account for a technical memorandum and detailed analysis of closing versus maintaining the existing Third Street grade crossing. In addition, additional coordination with the Cities will be required resulting from the need to prepare an EIR, which was not included in the original scope of services.

- 2.1.5 Permitting Agencies (Caltrans, County, FRA, FTA, RWQCB and USACE): Additional hours will be required to coordinate with applicable regulatory permitting agencies on the development of an EIR for the RFM Project and any necessary regulatory permits (e.g., Clean Water Act 404, 401). The additional hours will also cover up to two additional CEQA public review meetings: one meeting during the NOP review period and one meeting after the Draft EIR is circulated for public review.
- 2.1.10 State Historic Preservation Office (SHPO): The original scope did not include coordination with SHPO to develop consensus on a pedestrian overpass or underpass concept at the Santa Fe Depot. The HDR team has developed architectural renderings of three overpass concepts and one underpass concept to be presented to SHPO at its headquarters in Sacramento. SANBAG will determine which of the four concepts will be presented to SHPO based on input from project stakeholders.

**Deliverables:**

- HDR will maintain files containing documentation of decisions made and communications with all listed parties above. HDR will submit these files to SANBAG during project closeout or at the request of SANBAG throughout the duration of this project.

**TASK 2.2 MEETINGS (RFM)**

The expanded scope will necessitate additional meetings beyond what was originally budgeted in order to develop consensus and ascertain key constraints and design criteria related to the EMF, EIR and other key tasks outlined in this proposed scope amendment.

- 2.2.1 Project Coordination Meetings: The HDR team will continue to conduct biweekly project coordination meetings with key staff, task leaders and SANBAG to discuss project reporting, coordination requirements and progress at the HDR Riverside office. The additional scope is intended to cover past participation by key staff assigned to the operations, EMF, pedestrian overpass and EIR tasks. The original scope did not account for the prolonged duration required to develop consensus on these particular aspects of the project due to the changes discussed herein.
- 2.2.2 Project Development Meetings: The HDR team will continue to conduct monthly project development meetings as indicated in the original scope. The additional scope is intended to cover past participation by key staff assigned to the operations, EMF, pedestrian overpass and EIR tasks. The original scope did not account for the prolonged duration required to develop consensus on these particular aspects of the project due to the changes herein.
- 2.2.3 City Meetings: The HDR team will continue to conduct meetings with the City of San Bernardino on as needed basis to discuss potential grade crossing closures at Third Street and I Street; along with improvements to existing grade crossings at Second Street, Rialto Avenue, G Street and E Street. In addition, HDR will continue to coordinate with the City of San Bernardino on obtaining as-built mapping for existing public utilities for incorporation into the existing utility base map. The original scope did not anticipate the

necessary magnitude of coordination required to obtain pertinent mapping data and approval of proposed street closures due to the changes herein and City's reduction of staff on resources.

- 2.2.4 **Railroad/Transit Meetings:** The HDR team will continue to coordinate with Metrolink, Amtrak and BNSF staff on developing consensus on the Santa Fe Depot track and platform reconfiguration concept. In addition, HDR will continue to coordinate with Metrolink staff on development of the expanded EMF to accommodate a total storage capacity of 12-6 car trains and 1-8 car train. The original scope did not include meetings dedicated to the development of a new layover facility site and eventual abandonment of the IEMF.
- 2.2.5 **Environmental Agency/Public Meetings:** Additional meetings will be required for preparation of an EIR through the end of November 2011. The original scope assumed preparation of a Draft and Final IS/EA, which was scheduled for completion in November 2010.
- 2.2.7 **Comment Resolution Meetings:** Deliverables related to new task items summarized in this amended scope will prompt a greater magnitude of design review comments relative to the original scope. At least one additional meeting will be required to develop consensus among reviewers and the HDR design team for the EMF 30% design submittal. Additional hours will be required to log design review comments and respond with the appropriate response dispositions and clarifying comments.
- 2.2.8 **State Historic Preservation Office Meetings:** The original scope did not include allowances for a pedestrian overpass at the historic Santa Fe Depot in order to safely address passenger circulation for Amtrak and SCRRA patrons. Construction of an overpass will prompt a series of meetings with the SHPO due to the overpass's relative size and proximity to the historic Depot. The meetings are anticipated to occur at SHPO's main headquarters in Sacramento, which will require preparation of architectural renderings of the SANBAG preferred alternative.

**Deliverables:**

- Preparation of meeting agendas, meeting minutes, action item tracker, meeting planner and scheduling.

**TASK 3 BASELINE ANALYSIS AND ENGINEERING SUPPORT EVAL (RFM)**

The expanded scope will necessitate additional topographic survey and utility mapping for areas not identified in the original scope.

**TASK 3.2 SURVEYING AND MAPPING (RFM)**

The original surveying and mapping footprint is not wide enough to provide the necessary topographic coverage to design track drainage features such as ditches and under drains. Due to Metrolink track geometry standards, the current proposed track alignment at I-215 is well outside of the existing right-of-way corridor in order to provide necessary horizontal clearances to the recently constructed corridor protection walls. The original survey footprint was defined

assuming that the I-215 corridor protection wall design would accommodate construction of a future second mainline track within the existing railroad corridor. However, the bearings of the recently constructed corridor protection walls require a near tangent track horizontal alignment in the vicinity of I-215, which consequently forces the tracks to encroach into private parcels on the south side of the corridor.

**3.2.5 Ground/3D Laser Scanning (HDS) Surveys:** Additional data processing is required for mapping from 3<sup>rd</sup> Street to S. Arrowhead Avenue that is beyond the limits identified in the original scope of work. This will include topographic mapping and 1-foot contours delivered in Microstation format. The DTMs will be updated and will be delivered in Inroads. Field verification will be completed of the visible surface utility features within the areas as well as QC of these areas. The backyards of the residences will not be included as the scanner would not have collected that information. The buildings and fence lines will be mapped in those cases.

**Deliverables:**

- Topographic mapping in Microstation format
- Digital terrain model in Inroads format

**TASK 3.4 UTILITY BASE MAPPING (RFM)**

Addition of the EMF and unanticipated challenges in obtaining requested existing utility mapping serves as the basis for requesting additional budget for this particular task. The original scope did not account for the level of effort necessary to obtain as-built and schematic utility mapping of public facilities within the original project footprint. The additional requested scope is intended to cover labor and expenses that have already been expended to complete this particular aspect of the project.

**3.4.1 Data Collection and Review:** Additional research and collection time was required to obtain and coordinate the existing utilities along the proposed project limits due to expansion of the project limits and associated with the lack of resources from agencies to collect and provide the data that required HDR staff to make multiple visits to those agencies to make copies of the available data.

**Deliverables:**

- Revised existing utility base map detailing utility location and type
- Updated utility matrix detailing all pertinent utility data

**TASK 3.5 GEOTECHNICAL INVESTIGATION (RFM)**

Expansion of the project footprint to include the EMF will necessitate additional borings at the existing EMF site, which will also include a new bridge over the Lytle Cajon Channel. Inclusion of the EMF will necessitate additions to the Geotechnical Investigation Plan and Draft/Final Geotechnical Report.

**3.5.3 Geotechnical Report:** The HDR team will prepare a technical report that includes the EMF within the defined project footprint and addresses the following topics identified in the original scope:

- Boring logs

- Soil classifications
- Laboratory testing results
- Suitability of materials at existing on-site borrow pit locations
- Geologic and seismic hazards evaluation
- Seismic design parameters
- Foundations design data
- Soils resistance to lateral loads
- Stability of excavations
- Evaluation of corrosivity
- Suitability of excavated materials for fill or structural backfill
- Recommendations for earthwork requirements
- Structural section thickness of base, sub base, pavement, and track roadbed

**Deliverables:**

- Updated Geotechnical Investigation Plan that includes additional borings in the EMF site
- Updated Draft and Final Geotechnical Reports that include the EMF site

**TASK 4 DESIGN REFINEMENT/ENVIRONMENTAL CLEARANCE (RFM)**

As previously discussed in the Amendment Background section, SANBAG decided to undertake the design development of expanding EMF through this scope of work. The HDR team is requesting additional scope that was necessary to provide additional rail operations modeling and to further develop the concept design of the expansion of EMF site as a separate construction package from the current RFM project. Additionally, HDR is requesting additional scope to prepare the EIR/EA documentation for the RFM project that will not address the expansion of EMF which has been previously approved.

**TASK 4.2 DESIGN REFINEMENT AND OPERATIONS MODELING (RFM)**

4.2.1 Alternatives Concept Layout Plans/Refinement: The original scope did not include allowances for a new layover facility to provide additional storage capacity as concluded in the RFM Operations Report. Eventually, it was determined that expanding the existing EMF at this time and according to previous approvals to provide additional capacity would be the most cost effective approach. Two alternatives were ultimately developed for opening day and ultimate build-out configurations.

**Deliverables:**

- Updated schematic for the track configuration that includes the EMF

4.2.4 Rail Operations Analysis: RTC modeling was expanded to confirm rail operations at the proposed EMF. Specifically, the New Case model infrastructure was modified to include the EMF and subsequently run to evaluate the network's ability to accommodate the proposed passenger train schedule and the requirements for capacity, flexibility, operational methods and future capacity designated by Metrolink, Amtrak and BNSF. The amended scope is intended to cover labor hours dedicated to the validation of the final track and train control system infrastructure proposed to support the proposed operations.

**Deliverables:**

- Meeting minutes and documentation of variations and uncertainties revealed in the RTC modeling process
- Rail Operations Report that includes EMF alternatives

4.2.5 **Project Definition Report (PDR):** The purpose of this report is to define the major project components, describe the project issues, make recommendations for a preferred design approach, and establish a conceptual cost estimate. This report will serve as the basis for future design efforts and will be distributed to all project stakeholders in order to develop consensus on the final track configuration concept.

**Deliverables:**

- Project Definition Report

**TASK 4.4 ENVIRONMENTAL CLEARANCE (RFM)**

Based on preliminary results of the noise and air quality technical reports, HDR determined that there is a high likelihood that impacts associated with these issues will be unmitigable and would remain significant and unavoidable. This determination was made after multiple internal discussions and discussions with SANBAG related to the evaluation of mitigation options. CEQA will not allow an MND to be prepared for a project that results in a significant and unavoidable impact. Therefore, the HDR Team recommends that the more appropriate environmental document to address these issues at a level of detail that provides legal defensibility is an EIR/EA.

4.4.1 **Strategy, Background, Scoping and NOP:** The HDR team proposes an increase in hours to account for the preparation and distribution of the Notice of Preparation and the increased level of detail, commensurate with an EIR, on project background discussion.

4.4.2 **Environmental Technical Memos:** The HDR team will continue to prepare studies and prepare technical reports in support of the EIR as follows:

4.4.2.2 **Air Quality:** The team will analyze air quality impacts resulting from increased motor vehicle trips generated by the expanded facility, along with impacts associated with its construction. The modified document will strictly adhere to the requirements set forth in the original project scope.

4.4.2.3 **Biological Resources:** Unanticipated security clearance issues and railway supervisor coordination issues decreased efficiency in the planned field survey approach and resulted in multiple trips to the field to complete the biological evaluation. Changes in project footprint will require additional field work and assessment.

4.4.2.4 **Cultural Resources:** It was originally assumed that only 13 properties would require historic evaluation. Following initiation of the field investigation and coordination with the City of San Bernardino, it was discovered that a substantial number of additional properties required evaluation. ICF has evaluated 35 properties for the RFM project. Changes in the project footprint will also require additional field work and

property assessment for both architectural historians and archaeologists. Additional hours have been added to the scope of work to address these changes.

The amended scope also includes allowances for completion of California Department of Parks and Recreation (DPR) Reports for additional properties to be impacted by the new project boundary.

4.4.2.5 Ground Water Monitoring Wells: The HDR team will identify the number and location of each monitoring well within the existing facility. The team will also research the BNSF Archives (known as the Pigeon Coup) for records and information pertaining to the size and depth of each well. Afterwards, HDR will meet with BNSF Staff to identify which environmental firm is responsible for monitoring the wells. HDR will also provide site reconnaissance to visually confirm each well location and existing condition; along with identifying which wells can remain in place, which ones need to be abandoned and which ones need to be redeveloped. Finally, HDR will schedule and attend team meetings for proper coordination.

4.4.2.8 Noise and Vibration: Additional hours will account for the need to compare the results of the FTA General Noise Assessment spreadsheet (Chicago Create / HMMH, 2006) with the guidance contained in Chapter 5 (General Noise Assessment) and Chapter 6 (Detailed Noise Assessment) of the FTA Transit Noise and Vibration Impact Assessment. The use of the chapters provides more flexibility in the choice of assumptions which may better suit the details of this project. The HDR team will also be taking measurements of operating Metrolink trains to refine the baseline noise assumptions. Changes in the project footprint will also require noise analysts to go back out in the field to gather additional baseline measurements for the noise and vibration analysis. A Vibration Assessment will also be prepared to analyze potential impacts to the historic Santa Fe Depot building from the proposed track realignment at the San Bernardino Metrolink Station. The Vibration Assessment will be a general-level screening analysis utilizing baseline noise measurements rather than baseline vibration measurements. Additional hours have been added to the scope of work to account for this analysis.

4.4.2.10 Visual Effects: Production of renderings has been a critical component of the RFM project to date, but it wasn't included in the original scope of services. Changes in aesthetics as viewed from sensitive public viewing areas will be presented through use of renderings to obtain environmental clearance from the State Historic Preservation Office (SHPO) and the City of San Bernardino. Changes in landform, as viewed from sensitive public viewing areas will be described verbally, assessed for impacts and significance. Mitigation options will be identified to address specific impacts. Lastly, an analysis will be performed using FHWA methodology of the existing versus "with project" visual quality.

4.4.2.13 Construction Impacts and Staging: The current proposed track alignment at I-215 is well outside of the existing right-of-way corridor in order to provide necessary horizontal clearances to the recently constructed corridor protection walls. The task's

original scope assumed that the I-215 corridor protection wall design would accommodate construction of a future second mainline track within the existing railroad corridor. However, the alignment of the recently constructed corridor protection walls require a near tangent track horizontal alignment in the vicinity of I-215, which consequently forces the tracks to encroach into private parcels on the south side of the corridor. The memo will need to provide an expanded commentary regarding the implications of the recently constructed I-215 corridor protection walls.

4.4.2.14 Water Quality Management Plan: To be in compliance with the San Bernardino County NPDES MS4 permit (adopted Jan 29, 2010), HDR will prepare the Preliminary Water Quality Management Plan (PWQMP) to summarize the storm water quality issues of the project preliminary engineering and environmental phase. The PWQMP is used to document the decision-making process relating to the implementation of BMPs within a project. Identification of storm water quality issues will be coordinated with, but not limited to, the following stakeholders: County of San Bernardino, City of San Bernardino, SANBAG, Santa Ana Region RWQCB, BNSF and others. It is assumed that one build alternative in addition to the no-build alternative will be evaluated in this report.

This report will be prepared in accordance with the Model Water Quality Management Plan Guidance from the San Bernardino County Storm water Program, dated June 1, 2004, based on Order no. R8-2002-012. The following assumptions are made:

- The PWQMP will be based on the Hydrology and Drainage Study.
- Project falls under a permit-specified category and is similar to a road/freeway/highway use project with corresponding pollutants of concern.
- The PWQMP template will be based on Order no. R8-2002-012, the previous related permit, but modified to comply with the last permit, Order no. 2010-0036.
- Update of the project PWQMP to be in compliance with the PWQMP regular and roadway template (consistent with the Order no. 2010-0036) is not part of this scope. These templates are scheduled for public release on July 29, 2011 and January 29, 2012, respectively.
- The proposed improvements (especially within the Depot) are not covered by the existing Statewide Industrial General Permit SWPPP.

The report will include related figures and tables and be included in the required PWQMP template. The identified proposed post-development Best Management Practices (BMPs) addressing storm water quality of the WQMP will be coordinated with the project WQAR. The scope of services includes preparation of the Draft, review, quality assurance and quality control, and solicitation of comments of the PWQMP.

**Deliverables:**

- Environmental technical memos as detailed above

4.4.3 EIR/EA: The original scope of work contemplated preparation of a Mitigated Negative Declaration that limits the project to actions which can be fully mitigated to below a level of significance. Based on preliminary results of the noise and air quality technical reports, there is a high likelihood that impacts associated with these issues will be unmitigable and would remain significant and unavoidable. This conclusion was made after multiple internal discussions and discussions with SANBAG related to evaluation of mitigation options. CEQA will not allow an MND to be prepared for a project that results in a significant and unavoidable impact. Therefore, the HDR Team recommends that the more appropriate environmental document to address these issues at a level of detail that provides legal defensibility is an EIR/EA. The environmental documents will comply with both CEQA and NEPA.

The level of detail required under CEQA to prepare a legally defensible EIR is substantially greater than an MND and will require substantially more time and effort. Therefore, additional hours have been added to this particular task for the preparation of the environmental document to reflect this change. For example, the EIR will need to include a more detailed assessment of the existing project site conditions as compared to an MND. The EIR will also require a more detailed analysis of potential project impacts related to the range of environmental issue areas, many of which have supporting technical studies (see below).

A primary difference between an EIR and MND and the basis for much of the additional time and effort proposed in the amendment is due to additional analysis sections. For example, an EIR requires evaluation of project alternatives. The number of alternatives that will be evaluated is unknown. An EIR also requires a more in-depth cumulative impacts analysis than an MND. This requires the EIR preparer to coordinate with local jurisdictions to obtain their current discretionary project lists and research the projects and incorporate the impacts from those projects into a cumulative impacts analysis. Other additional EIR sections and requirements specific to the RFM project that are over and above the requirements for an MND include preparation of a Statement of Overriding Considerations (SOC) and Findings of Fact. Preparation of a Mitigation Monitoring and Reporting Program (MMRP) will involve additional labor hours as the level of effort is increased with the analysis of additional project components resulting in additional impacts and mitigation measures not previously contemplated. The EIR for the RFM project will be prepared according to the requirements of CEQA and include all required components, as discussed above.

In addition, a Section 4(f) Evaluation, pursuant to U.S. DOT Act of 1966, 49 U.S.C. 303(c), will be prepared to address impacts to historic sites included in, or determined eligible for, the NHRP – specifically, the historic San Bernardino Depot.

The HDR team will prepare a joint EIR/EA per the requirements of CEQA and the Federal Transit Administration's (FTA) NEPA procedures. At this time, preparation of an EA is assumed; however, based on the preliminary results of the technical studies, upon review of the studies, FTA may determine that an Environmental Impact Statement (EIS) is required.

4.4.3.1 Screencheck Draft EIR/EA: As discussed above, preparation of the Screencheck Draft EIR/EA requires substantially more time and effort than preparation of an MND. ICF will prepare a Screencheck Draft EIR/EA for client review according to CEQA and

FTA format/guidelines. The following is a potential outline for the EIR/EA, however the actual document scope will be refined following completion of the Initial Study and coordination with FTA:

- Table of Contents
- Executive Summary
- Introduction, Purpose and Need
- Proposed Action and Alternative/Project Description
- Affected Environment/Existing Conditions
  - Aesthetics/Visual Resource
  - Agricultural Resources
  - Air Quality
  - Biological Resources
  - Climate Change
  - Cultural Resources
  - Geology, Minerals and Soils
  - Hazards and Hazardous Materials
  - Hydrology and Water Quality
  - Land Use
  - Noise
  - Paleontological Resources
  - Public Services and Utilities
  - Population and Housing
  - Recreation
  - Socioeconomics
  - Transportation and Traffic
  - Water Resources
  - Cumulative Impacts
- Environmental Consequences/Impact Analysis (includes topical areas listed above)
- Consultation and Coordination
- Other Required CEQA Sections
- References

4.4.3.2 Draft EIR/EA: As discussed above, preparation of the Draft EIR/EA requires substantially more time and effort than preparation of an MND.

4.4.3.3 Notice of Completion (NOC)/Notice of Intent (NOI): The HDR team will prepare a NOC to accompany submittal of the Draft EIR/EA to the County of San Bernardino Clerk and the Governor's Office of Planning and Research.

4.4.3.4 Mitigation Monitoring and Reporting Program: No scope change requested, however additional labor hours are added as the level of effort is increased with the analysis of an expanded project resulting in additional impacts requiring mitigation not previously contemplated.

4.4.3.5 Screencheck Final EIR/EA: As discussed above, preparation of the Screencheck Final EIR/EA requires substantially more time and effort than preparation of an MND.

4.4.3.6 Final EIR/EA Documents: Based on the preliminary results of the noise and air quality technical studies, the Final EIR/EA will require preparation of a Statement of Overriding Considerations. HDR assumes that SANBAG would contribute to development of the Findings in the event that significant and unmitigated impacts are identified. The Final EIR/EA will also require preparation of Findings of Fact (Section 15090 of the State CEQA Guidelines). These documents are not required for an MND and are also part of the basis for this amended scope of work.

4.4.3.7 Notice of Determination (NOD) and Finding of No Significant Impact (FONSI): No scope change requested.

#### 4.4.4 PUBLIC OUTREACH

This task includes attendance by staff at two additional public meetings that were not included in the original scope and fee estimate. Labor hours associated with additional meetings and stakeholder coordination required to fulfill public outreach requirements are included in this task. The addition of two meetings also requires the preparation of additional presentation materials and meeting notices.

#### **TASK 6 PREPARATION OF CONSTRUCTION DOCUMENTS (RFM)**

This task includes development of final 30% construction documents for the EMF and Santa Fe Depot pedestrian overpass/underpass that were not included in the original scope and fee estimate.

#### **TASK 6.4 STATION PLATFORM AND LIGHTING PLANS (RFM)**

The amended scope includes additional labor hours to evaluate existing lighting conditions in the vicinity of the historic Santa Fe Depot for compliance with the most stringent local jurisdictional lighting codes (e.g. Metrolink or City of San Bernardino). This expanded area includes the reconfigured parking lot directly east of the Depot along with the existing parking lots directly south and west of the Depot. In addition, the study area includes all pedestrian areas immediately surrounding the Depot, along with any additional areas at the discretion of SANBAG. Lastly, lighting will be added to the Depot's proposed pedestrian overpass in order to positively reinforce a patron's perception of safety and well being.

#### **Deliverables:**

- 30% Station Platform and Lighting Plans

#### **TASK 6.9 EMF PRELIMINARY ENGINEERING EXPANSION PLAN (RFM)**

The Eastern Area Maintenance Facility (EMF) expansion plans will include all required preliminary engineering level design documents for the expansion of the EMF. The proposed EMF expansion will substantially adhere to the Phase III expansion concept outlined in the *EMF Project Phasing and Funding Plan* which was authored by STV in February 2006. The current proposed concept developed by the HDR team includes opening day storage capacity for 12-6

car train consists and 1-8 car train consist for a total storage capacity of 13 trains. The expansion will occur in a southerly manner in order to avoid precluding the Phase II expansion concept that includes construction of a new locomotive and coach maintenance shop, train wash and a permanent transportation building. As a consequence, a new single span bridge will be required across the Lytle Cajon Channel that will connect into the recently constructed bridge across the Channel.

The proposed 30% preliminary engineering EMF expansion plans will include the following drawings:

<b>General Information</b>	
G-01	Cover Sheet
G-02	Title Sheet
G-03	Index of Drawings
G-04	Abbreviations and Symbols
G-05	Construction Site Plan
G-06	Survey Control Points and Right-of-Way Plan
G-07	Construction Staging Plan - Stage 1
G-08	Construction Staging Plan - Stage 2
G-09	Construction Staging Plan - Stage 3
<b>Trackwork Drawings</b>	
RR-01	Trackwork General Notes
RR-02	Trackwork Horizontal Geometry Notes
RR-03	Trackwork Key Plan
RR-04	Track Plan and Profile
RR-05	Track Plan and Profile
RR-06	Track Plan and Profile
RR-07	Track Typical Sections
RR-08	Track Details
RR-09	Track Geometry Data
<b>Civil Drawings</b>	
C-01	Storm Drain Key Plan
C-02	Storm Drain Plan 1
C-03	Storm Drain Plan 2
C-04	Storm Drain Plan 3
C-05	Storm Drain Plan 4
C-06	Fencing Plan
C-07	Fencing Plan
C-08	Site Paving and Grading Plan
C-09	Site Paving and Grading Plan
C-10	Site Paving and Grading Plan
C-11	Light Pole Foundation Plan
C-12	Light Pole Foundation Plan

	Utility Drawings
U-01	Existing Utilities
U-02	Composite Utilities Plan
U-03	Underdrain Key Plan
U-04	Underdrain and Oil Drip Line Plan
U-05	Sanitary Sewer Key Plan
U-06	Water and Natural Gas Plan
U-07	Fire Protection Plan
U-08	Underdrain Plan Sheet 1
U-09	Underdrain Plan Sheet 2
U-10	Underdrain Plan Sheet 3
U-11	Sanitary Sewer Plan and Profile Sheet 1
U-12	Sanitary Sewer Plan and Profile Sheet 2
U-13	Sanitary Sewer Plan and Profile Sheet 3
U-14	Drainage Details
U-15	Oil Drip Pan Details
U-16	Sanitary Sewer Details
	Structural Drawings
S-1	Bridge General Plan 1
S-2	Bridge General Plan 2
S-3	Typical Sections
S-4	Structural Details
S-5	Structural Details
S-6	Structural Details
S-7	Structural Details
S-8	Structural Details
S-9	Structural Details
	Plumbing Drawings
P-1	Plumbing Abbreviations, Symbols and General Notes
P-2	Plumbing Site Plan 1
P-3	Plumbing Site Plan 2
P-4	Plumbing Site Plan 3
P-5	Plumbing Site Plan 4
	Electrical Drawings
E-01	Electrical Abbreviations, Symbols and General Notes
E-02	Single Line Diagram
E-03	Title 24
E-04	Panel and Fixture Schedules
E-05	Site Plan
E-06	Electrical Details

**Deliverables:**

C10079-2

- 30% EMF Expansion Plans

**TASK 6.10 SANTE FE DEPOT PEDESTRIAN OVERPASS PLANS (RFM)**

6.10.1 Architectural Plans: The HDR team will prepare architectural plans and coordinate with HDR team discipline engineers for structural, track, civil/utility, mechanical, electrical, plumbing, lighting, security, way finding, and communications work related to the pedestrian overpass design at the historic Santa Fe Depot. The design will meet the design requirements outlined in the Metrolink Design Criteria Manual.

Reconfiguration of the Existing San Bernardino Depot as follows:

- Provide pedestrian overpass design, as approved, for access to isolated platform(s).
- Provide Elevator Design and coordinate with Electrical, Mechanical discipline engineers.
- Provide for platform canopies design and related work.
- Provide for communication/security office that will be housed at the base of the stairwell shaft of the pedestrian overhead bridge.
- Provide a layout of the security elements will be developed throughout the Santa Fe Depot and Transit Center sites.

The HDR team will submit the 30% construction documents to SANBAG including the following:

- Architectural drawings and specifications.
- Incorporation of review comments from SANBAG.
- Input to shared platform drawings.

6.10.2 Structural Plans: The HDR team will prepare Structural plans per the approach stated in Task 6.10.1.

6.10.3 Communication/Security Plan: The HDR team will prepare Communication/Security plans per the approach stated in Task 6.10.1.

The proposed 30% preliminary engineering Santa Fe Depot pedestrian overpass architectural, structural and communication/security plans will include the following drawings:

Architectural Drawings	
AP-01	Santa Fe Overpass Roof Plan
AP-02	Santa Fe Overpass Reflected Ceiling Plan
AS-01	Santa Fe Overpass Exterior Elevations
AS-02	Santa Fe Overpass Longitudinal Section
AS-03	Santa Fe Overpass Transverse Section
AS-04	Santa Fe Stair Section and Details
AS-05	Santa Fe Wall Sections
AS-06	Miscellaneous Overpass Details
AS-07	Finish, Door and Hardware Schedule
AS-08	Santa Fe Station Window Types
AD-01	Santa Fe Elevator Enlarged Plan and Section

AD-02	Santa Fe Elevator Cab Plan and Cab Elevations
AD-03	Santa Fe Elevator Cab Details
<b>Structural Drawings</b>	
S-01	Overpass Foundation Plan
S-02	Enlarged Plan of Stair and Elevator Area-1
S-03	Enlarged Plan of Stair and Elevator Area-2
S-04	Overpass Floor Framing Plan
S-05	Overpass Roof Framing Plan
S-06	Foundation Details-1
S-07	Foundation Details-2
S-10	Stair Details
S-11	Elevator Pits and Framing Details
S-12	Overpass Framing Details-1
S-13	Overpass Framing Details-2
S-14	Construction Phasing Drawings
<b>Communication/Security Drawings</b>	
CS-01	Security Office Layout Plan
CS-02	Site Security Plan-1
CS-03	Site Security Plan-2
CS-04	Miscellaneous Communication/Security Details

**Deliverables:**

- 30% Santa Fe Depot Pedestrian Overpass Plans
- 30% Communication/Security Plans

**TASK 7 TRANSIT ORIENTED DEVELOPMENT (RCAA)**

The HDR team will assist the Cities of San Bernardino, Loma Linda and Redlands with the creation of Transit Oriented Development (TOD) overlay zones or the necessary land use changes to help promote greater transit use. The HDR team will assist in preparing vision plans, guidelines, and standards for overlay district zoning, or another land use mechanism developed for implementation of TODs, at the Downtown San Bernardino Intermodal Transit Center, Mill Street, and Tippecanoe Avenue station areas in the City of San Bernardino. The team will build upon, collaborate with and coordinate their efforts with other consultant efforts. The following outlines a scope of work for a distance of approximately one-half (1/2) mile from each station area with a focus on the one-quarter mile area.

It is anticipated that the City of San Bernardino will reallocate resources from its Caltrans planning grant to create TOD Overlay Zones for Mill Street and Tippecanoe Avenue to potential RCAA station areas at Waterman Avenue and Mountain View Avenue. Reallocations are anticipated in September.

**TASK 7.1 BACKGROUND INFO, ISSUES, OPPORTUNITIES AND CONSTRAINTS AND INPUT INTO CITY OF REDLANDS TRANSFER DEVELOPMENT RIGHTS (TDR) STUDY (RCAA)**

a) Meet monthly with a TOD group including SANBAG, Omnitrans, City of San Bernardino, City of Redlands, City of Loma Linda and County of San Bernardino staff and key officials to obtain information, review previous studies, the City's General Plans, studies underway, each cities' goals for TODs and sustainable communities, proposed outreach program and potential implementation mechanisms under consideration such as an overlay zone, HDR will discuss funding windows and bench marks for funding. Assume five meetings.

b) Downtown San Bernardino Intermodal Transit Center TOD area:

The HDR team will provide the following scope of work for a distance of approximately one-half (1/2) mile for the San Bernardino Intermodal Transit Center Station area with a focus on the one-quarter (1/4) mile area.

Review new studies provided by the City, SANBAG, and Omnitrans including the San Bernardino Downtown Core Vision & Action Plan and San Bernardino Intermodal Transit Station and Village, and other relevant City plans, studies, and projects currently underway such as the EIR, Main Street Overlay, etc. Briefly review the City of San Bernardino General Plans regarding transit-supportive policies.

Update existing conditions, opportunities and constraints for the station area in the Redlands Passenger Rail Station Area Plan prepared by Gruen Associates (2007). Using SCAG data, the HDR Team will prepare GIS maps of existing land uses within ¼ and ½ mile for the station area. Also, a tabulation of existing uses by acreage will be prepared for the station area.

The HDR Team will conduct a series of interviews with city staff and other relevant stakeholders identified by staff for their input on the next steps to implement the station area plan, potential TOD principles, concepts, policies and guidelines.

Provide a memorandum summarizing findings on existing conditions, relevant plans, issues, opportunities and constraints for the San Bernardino Intermodal Transit Center station and incorporate this information into a PowerPoint presentation.

### **Deliverables**

- Update and expand the San Bernardino Intermodal Transit Center station information with graphics
- Memorandum summarizing existing conditions, plans, issues, opportunities and constraints.
- PowerPoint summary of the memorandum.

### **TASK 7.2 ALTERNATIVES AND CONSENSUS BUILDING (RCAA)**

For the Downtown San Bernardino Intermodal Transit Center area the HDR Team will prepare alternative land use plans for the station addressing land use, density and intensity, and circulation connectivity plans (vehicular, bike, pedestrian) for the station area south of Rialto Avenue to address transit supportive land use benchmarks. In addition, The HDR Team will refine policies, standards, and guidelines for the station area. Present alternative concepts to city staff at a meeting. Assume up to three (3) meetings total for this task.

For the City of Loma Linda, the HDR team will meet with appropriate staff to define and review their current TOD planning policies, standards and programs, and identify potentially

suitable adjustments to enhance the achievement of TOD. Two presentations to the City Council to summarize land use planning benefits from transit supportive land use and identify policy direction to consider transit supportive General Plan and zoning code land use updates will be provided. Presentations would be coordinated and conducted jointly with SANBAG staff. Two follow-up meetings with City staff on implementation of City Council policy direction to City staff.

### **Deliverables**

- Two presentations with SANBAG to the City Council of Loma Linda
- Two follow-ups meetings with City of Loma Linda staff
- Alternative concepts and policies, standards for the San Bernardino Intermodal Transit Center area

### **TASK 7.3 TOD CONTINGENCY TASK ITEMS (RCAA)**

The following tasks are contingency tasks to be provided on SANBAG task order.

#### **7.3.1 City of Redlands Transit Oriented Development Overlay Zone Support**

This task supports the City of Redlands in their creation and adoption of transit oriented development overlay zones or General Plan amendments for the ½ mile areas around each proposed transit station. Support would include assistance in document review and edits, policy development, urban design concepts, parking and traffic concepts. Specific support tasks to the City of Redlands would be defined and approved as SANBAG task orders.

#### **7.3.2 Draft SANBAG RCAA System Policy and Standards**

Assist with the creation of a SANBAG policy relative to stations, right of way and other interactions with cities and/or property owners within the corridor. As the system is new to SANBAG, a policy framework needs to be developed concurrently or in advance of project implementation. To date a Draft Station Joint Use and Development Policy was requested to be prepared to address potential private sector development of station areas. A draft was submitted to SANBAG for review and comment.

### **Deliverables:**

- Draft Station Joint Use and Development Policy submitted.
- Draft policy and/or standards for the RCAA system as requested in task orders

#### **7.3.3 General Plan Amendment and Coordination Support to Cities**

Provide additional support to cities regarding transit supportive General Plan Amendments and coordination and to the cities and SANBAG. Additional support could include meetings, presentations, data support, and organizational efforts to implement coordination.

#### **7.3.4 Coordination with SCAG Regarding Transit Supportive Land Use Updates**

Provides contingency support to coordinate RCAA transit supportive land use update assistance

to the cities with SCAG's update of the Regional Transportation Plan and creation of a regional Sustainable Communities Strategy (or Alternative Planning Strategy). The RCAA is somewhat ahead of SCAG's development of the updated Regional Transportation Plan and Sustainable Communities Strategy (or Alternative Planning Strategy) and coordination and with SCAG could assist the RCAA and the cities in implementing transit supportive land use. Tasks are anticipated to be enhanced data and policy coordination.

### **7.3.5 Gruen Associates Additional Scope of Services for Redlands Stations**

#### **Deliverables:**

- Existing Conditions analysis on 24" x 24" boards: Aerial photos, existing land use map, General Plan Land Use Map using art work from existing segment
- Opportunities and Constraints analysis on 24" x 24" boards
- Working Meetings in Redlands to develop land use plans: Five (5) meetings. With City staff, Tri-City, University of Redlands, New York land owner consultants
- Land Use Plans: plan design and graphics on 24" x 24" boards
- Powerpoint presentation: one for each of the three cities from the above information

#### **Assumptions:**

- Redlands stations: Mountain View, Alabama, California, New York, University, and Downtown (assume 5 of 6 stations)
- Input from City staff and other consultants will be provided
- Tabulations of land use areas not included (if included assume \$1,000)
- Only one set of revisions for land use plans.

### **TASK 7.4 PROGRAM ENVIRONMENTAL IMPACT REPORT FOR PROPOSED TRANSIT SUPPORTIVE LAND USE UPDATES (RCAA)**

Project Purpose: Existing land use densities within a half-mile radius of planned Redlands Corridor Alternatives Analysis (RCAA) stations (station areas) are not sufficiently transit supportive to achieve an adequate project rating based on the Federal Transit Administration (FTA) measurement criteria. These criteria are components of the FTA project evaluation process for capital funding assistance. Adoption of transit supportive land use planning updates in the station areas will be an important factor in meeting FTA funding criteria.

To move toward this goal, the General Plan land use designations and zoning classifications in the Cities of San Bernardino, Loma Linda, and Redlands would need to be amended to provide for more pedestrian and transit supportive land uses and densities around planned RCAA stations. Increasing land use density within station areas will increase the RCAA ridership potential along the corridor, and help support sustainable economic and community development.

The RCAA is a proposed high capacity transit system with three to ten transit stations along the corridor between downtown San Bernardino and the University of Redlands. The San Bernardino Associated Governments (SANBAG) is working to secure federal funding from FTA through New Starts and/or Small Starts Programs. The RCAA supports economic development by providing an important new element in the transit system to support the participating jurisdiction's ability to:

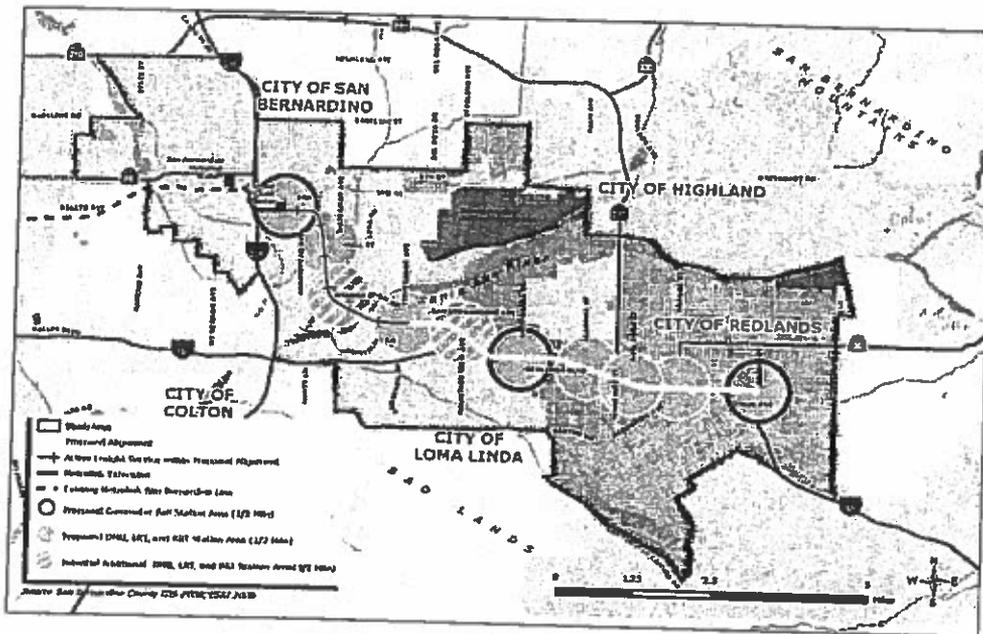
- Continue to attract new businesses and to retain existing businesses;
- Create viable locations for new businesses, new jobs, and new housing at underutilized sites;
- Support convenient compact development patterns with a variety and density of uses, integrate well-designed pedestrian systems and streetscapes, and increase opportunities to commute by walking or biking;
- Provide transit opportunities to reduce vehicle miles traveled (VMT); and
- Support local and regional planning goals for the development of transit corridors through the Inland Empire.

### **Project Understanding**

The project is the preparation of a Programmatic Environmental Impact Report (PEIR) for Proposed Transit Supportive Land Use Updates in the form of General Plan Amendments and/or zoning changes for up to ten station area locations (previously defined as being within a half-mile radius of planned RCAA stations). Station area locations are shown in Figure 1, Project Location and further described below:

1. San Bernardino Transit Center
2. Mill Street Station
3. Waterman Avenue Station
4. Tippecanoe Street Station
5. Mountain View Avenue Station
6. California Street Station
7. Alabama Street Station
8. New York Street Station
9. Downtown Redlands Station
10. University Station

**Figure 1 – Project Location**



The Cities of San Bernardino, Loma Linda, and Redlands along the corridor will define proposed transit supportive land use updates for each of the station areas to be analyzed within the PEIR. The PEIR will need to be certified by each of the participating jurisdictions. One PEIR will be prepared that each jurisdiction will certify. SANBAG will act as a liaison between the jurisdictions and the jurisdictions' project manager/agent for preparation of the PEIR.

Updates to existing land use plans and the preparation of the PEIR will require substantial collaboration and cooperation among the participating jurisdictions throughout the process, and is integral to the progress and successful implementation of the project and the PEIR. The PEIR will incorporate as applicable the goals, policies, and objectives of the Regional Transportation Plan (RTP), the Sustainable Communities Strategy (SCS), and the Regional Greenhouse Gas (GHG) Inventory and Reduction Plan that are anticipated to be developed concurrently with the proposed PEIR for Proposed Transit Supportive Land Use Updates.

#### ***Benefits of Programmatic Environmental Documentation***

The PEIR would meet the California Environmental Quality Act (CEQA) requirements for the Cities of San Bernardino, Loma Linda, and Redlands, which will act as CEQA lead agencies to consider the proposed transit and pedestrian supportive land use updates (within a half-mile of planned RCAA stations) in their respective cities. Review, comment, and certification of a PEIR by the City of San Bernardino, the City of Loma Linda, and the City of Redlands would provide a cohesive and formal approach to land use, transportation, and air quality planning in the corridor while also defining a framework for subsequent development proposals. When a particular development project is proposed within the half-mile transit supportive area, the respective participating jurisdiction would be required under CEQA to determine if a subsequent level of CEQA documentation (i.e., tiering) would be required in accordance with CEQA. The PEIR would provide a programmatic approach to CEQA documentation for transit supportive land uses in the corridor.

We understand that a Memorandum of Understanding (MOU) is currently being developed between the parties that will define the roles and responsibilities of SANBAG and the participating jurisdictions during the planning and implementation process. SANBAG will act as a liaison between the participating jurisdictions and project manager for preparation of the PEIR.

### **PROGRAM ENVIRONMENTAL IMPACT REPORT (RCAA)**

This scope of work addresses preparation of a PEIR and supporting technical studies for the Proposed Transit Supportive Land Use Updates in the form of General Plan Amendments and/or zoning changes within a half-mile radius for up to 10 planned RCAA stations in the Cities of San Bernardino, Loma Linda and Redlands (see Figure 1, Project Location). HDR recognizes that preparation of the PEIR is contingent upon completion of a MOU by and among SANBAG and the Cities of San Bernardino, Loma Linda and Redlands.

The PEIR would provide an assessment of the Proposed Transit Supportive Land Use Updates relative to the potential effects on the surrounding environment. The PEIR would include an evaluation of project related impacts and environmental effects, both positive and negative, that would occur as a result of the project. Many aspects of the project promote environmental stewardship within the region, and should be recognized within the PEIR. HDR's approach to the PEIR would address the project impacts and benefits equally, as appropriate. By providing a balanced assessment of project related effects on the environment, this will help to build consensus between participating jurisdictions and the public as to what the environmental impacts and benefits of the project would be. An initial evaluation of project-related benefits associated with Proposed Transit Supportive Land Use Updates includes the following:

- Supporting transit use along the corridor thus minimizing commute times and distances, while relieving congestion in the region;
- Reduced GHG emissions and air pollution;
- Reduced infrastructure costs;
- Promoting compact development patterns while maximizing infill development opportunities around existing infrastructure;
- Increasing energy efficiency (i.e., electricity, natural gas, and possible water consumption) by reduced building footprints;
- Incorporating a mix of housing types to accommodate a greater jobs/housing balance in the East Valley region; and
- Accommodating growth near transit, while conserving other areas within the region for lower intensity uses.

### **TASK 7.5.1 MOU DEVELOPMENT AND PROJECT DEVELOPMENT AND**

## INITIATION

### 7.5.1.1 Development of a Memorandum of Understanding (MOU)

The purpose of the MOU among SANBAG and the Cities of San Bernardino, Loma Linda and Redlands is to develop a PEIR for Proposed Transit Supportive Land Use Updates to the cities' respective General Plans that would be jointly adopted by the Cities and SANBAG. A Draft MOU will be submitted to SANBAG and the participating jurisdictions as directed by SANBAG for comprehensive review and comment, including legal review. The Draft MOU will be revised to reflect comments received, including legal review edits by SANBAG general counsel. A Final MOU document incorporating comments will be submitted to SANBAG. SANBAG will be responsible for securing parties' acceptance and signatures to the MOU.

#### Deliverables

- Draft MOU (Electronic copy); and
- Final MOU (Electronic copy)

### 7.5.1.2 Development of a Project Plan

The Project Plan will include a comprehensive summary of existing baseline land use information (General Plan and Zoning) for each station area within the Cities of San Bernardino, Loma Linda and Redlands to appropriately assess the proposed project relative to each of the environmental resource topics to be analyzed within the PEIR. The Project Plan will include a comprehensive project description, including detailed land use tables and graphic representation (maps) of the proposed land use updates for each station area.

The Project Plan will summarize the land use updates associated with the project, and provide a compilation of proposed land use development policy and standards for station areas in the Cities of San Bernardino, Loma Linda and Redlands. The Project Plan would also identify other existing plans, studies, and land use information being developed concurrently (under a separate effort) that would contribute to enhancing the sustainable development potential at station area locations.

The Project Plan will be prepared in close coordination with SANBAG and each of the participating jurisdictions to initiate the CEQA process accordingly, and mobilize HDR and subconsultant resources as appropriate. A Draft Project Plan will be submitted to SANBAG and the participating jurisdictions for comprehensive review and comment. The Draft Project Plan will be revised to reflect comments received from SANBAG and the participating jurisdictions. A Final Project Plan document will be submitted to SANBAG.

#### Deliverables

- Draft Project Plan (Electronic copy); and

- Final Project Plan (Electronic copy)

## **TASK 7.5.2 PROGRAM EIR TASK MANAGEMENT**

**7.5.2.1** Coordination of project team, client and participating jurisdictions. Attendance at up to 40 hours of project-related meetings, including the EIR kick-off meeting and scoping meeting.

**7.5.2.2** Assisting cities in proposing and helping facilitate cost effective CEQA collaboration not in the adopted Task 7 scope. The cities have identified the lack of a CEQA approach as being critical in implementing transit supportive land use planning updates. The task supports cities' consensus on the jointly adopted PEIR approach for transit supportive land use planning updates.

### **Deliverables**

- Monthly progress reports

## **TASK 7.5.3 TECHNICAL STUDIES**

HDR assumes that one set of consolidated comments on each of the draft technical studies will be provided by SANBAG and each of the participating jurisdictions. In an effort to be as cost efficient as possible, this is necessary because each technical study will need to be updated based upon comments from up to four commenting agencies. If comments on each technical study were received from multiple staff persons within each participating jurisdiction, the cost of the effort to incorporate comments would increase substantially.

### **7.5.3.1 Aesthetics/Visual Resources**

Prepare a program-level Aesthetics/Visual Resources Assessment report. The report will include an analysis of current visual assessments (e.g. studies undertaken as part of General Plan updates), provide a description of the existing visual environment, and analyze potential changes in visual resources (both inside and outside of station areas) relative to the preferred transit alternative selected for the RCAA. This report will be tailored to the specific thresholds of the applicable jurisdiction as applicable. This task includes review of existing visual assessments and information along with a site visit for the primary report preparer to take existing condition photos for incorporation into the report. Visual simulations are not proposed as part of this scope. HDR plans on utilizing the previously prepared Gruen Study (San Bernardino Downtown Specific Plan) to show typical building prototypes and visual examples reflective of similar transit supportive land uses that are proposed as part of the project.

HDR will submit a Draft Aesthetics/Visual Resources Assessment Report to SANBAG and the participating jurisdictions for review and comment. The Draft Aesthetics/Visual Resources Assessment Report will be revised to reflect comments received from SANBAG and

participating jurisdictions. HDR will produce a Final Aesthetics/Visual Resources Assessment Report and incorporate the results into the Aesthetics/Visual Resources section of the PEIR.

### 7.5.3.2 Air Quality

Prepare a program-level Air Quality Technical Report. The report will provide a description of baseline conditions, identify the regulatory environment related to air quality, and incorporate a regional analysis of air quality in the basin. This task will be completed by HDR's subconsultant, ICF.

ICF will prepare an analysis of air quality impacts consistent with applicable procedures and requirements of the South Coast Air Quality Management District (SCAQMD). The air analysis will describe existing environmental and regulatory air quality conditions, followed by a General Plan level analysis of the potential air quality impacts associated with the anticipated changes in General Plan designations, and the distribution of land uses within each station area due to the institution of transit supportive land uses. The air quality analysis will focus on the criteria for project-related pollutants of greatest concern in the South Coast Air Basin (SCAB) that would be affected by changes in land use designations in each jurisdiction. Those pollutants include ozone precursor (reactive organic gases [ROGs] and oxides of nitrogen [ $\text{NO}_x$ ]), carbon monoxide (CO), and inhalable particulate matter (PM10 and PM 2.5). ICF air quality specialists will prepare an air quality analysis describing existing air quality conditions, the project's air impacts, and mitigation measures (including those recommended and required by the SMAQMD) designed to reduce the significance of project-related air impacts. The mitigation measures will be discussed at a General Plan level of detail and would focus on any measures already identified in the General Plans of the participating jurisdictions.

In the air quality setting section, ICF will describe the existing environmental conditions and the current air quality regulatory environment as it applies to this program-level analysis. ICF will summarize meteorological and climatological data for the study area, as well as localized conditions in the vicinity of the proposed project using data collected by the SCAQMD and the California Air Resources Board (ARB). The pollutants of concern in the planned station area locations and their known health effects will also be described. The existing state and federal ambient air quality standards; the SCAQMD's attainment status with regard to those standards; and a discussion of applicable air quality goals, policies, and attainment plans of state and local agencies, including the region's most recent air quality plans, will be summarized. ICF will also describe the general locations of existing sensitive receptors in the vicinity of the station areas within the cities of San Bernardino, Loma Linda and Redlands.

ICF will identify potential air quality impacts using the SCAQMD's adopted thresholds of significance. ICF will describe the air quality thresholds used to identify significant impacts based on SCAQMD guidance, as well as the methodology used to estimate project-related emission impacts. Because the SCAQMD's localized significance thresholds (LSC) are not

applicable to regional projects of this nature, an analysis of air quality impacts using the SCAQMD LSC will not be conducted.

Construction impacts will be qualitatively evaluated and available and practicable mitigation measures, including those required and recommended by the SCAQMD and existing General Plan documents, will be discussed.

ICF will use the traffic data from the transportation and circulation analysis (i.e., trip generation rates or VMT) and the URBEMIS2007 or CT-EMFAC model to estimate operational emissions (area and mobile sources) of criteria pollutant associated with the proposed land use changes. This scope of work assumes the transportation and circulation analysis will provide traffic data under existing, interim, (with and without implementation of the proposed project), and build-out conditions (with and without implementation of the proposed project). ICF will also qualitatively evaluate whether the proposed General Plan amendments could result in increased health risks associated with diesel exhaust using guidance provided by the ARB, SCAQMD, and other published studies.

For the assessment of CO impacts, data from the transportation and circulation analysis will be reviewed to determine the need for localized CO modeling, based on methodology contained in the *Caltrans Transportation Project-Level Carbon Monoxide Protocol*. ICF will use the CALINE4 model and the latest version of ARB emission factors (EMFAC2007) to estimate CO concentrations at key intersections analyzed in the transportation and circulation analysis. CO concentrations at up to 3 intersections within each jurisdiction will be evaluated under existing, interim, (with and without implementation of the proposed project), and build-out conditions (with and without implementation of the proposed project). CO impacts will be assessed by evaluating whether the proposed project meets the ambient air quality requirements for localized pollutants by determining whether it causes or contributes to an exceedance of state or federal CO standards. Where significant impacts are identified, ICF will identify mitigation measures (including those recommended and required by the SCAQMD) designed to reduce the significance of project-related air impacts.

HDR will submit a Draft Air Quality Report to SANBAG and the participating jurisdictions for review and comment. The Draft Air Quality Report will be revised to reflect comments received from SANBAG and participating jurisdictions. ICF will produce a Final Air Quality Report and incorporate the results of this report into the Air Quality section of the PEIR.

#### **7.5.3.3 Global Climate Change/GHG**

Prepare a program-level Global Climate Change/GHG Emissions Report. This task will be completed by HDR's subconsultant, ICF. ICF will prepare an analysis of climate change impacts associated with the proposed land use changes to the station areas in the cities of San Bernardino, Loma Linda and Redlands. The climate change analysis will describe existing environmental and regulatory climate change quality conditions, followed by an analysis of the

project's construction and operational impacts. The climate change analysis will focus on the GHGs of greatest concern, carbon dioxide, (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) that will be generated by implementation of the proposed project. ICF climate change specialists will prepare a climate change analysis describing existing conditions, the project's impacts to climate change and impacts to the project resulting from climate change, and mitigation measures designed to reduce the significance of project-related climate change impacts.

In the project setting section, ICF will describe the key concepts of climate change, the GHGs of greatest concern and their contribution towards climate change, and the current climate change regulatory environment as it applies to this project. ICF will also summarize existing GHG levels at station area locations based on the current San Bernardino County and SCAQMD GHG inventories.

In the project impacts section, ICF will evaluate the project's contribution towards climate change, as well as the effects of climate change on the project. ICF will identify significant impacts using guidance provided by the SCAQMD and the ARB. If no guidance is available or relevant to the project, ICF will consult with SCAQMD and SANBAG staff to identify appropriate thresholds which to evaluate impacts related to climate change.

Relative to the existing "traditional" land uses, transit supportive land uses are anticipated to be higher in density. Higher density land uses are often associated with decreased building, utility, and roadway construction materials by virtue of their density. Savings in construction materials can reduce raw materials associated with mining, logging, manufacturing, transport, and installation, which can result in energy savings and reduced GHG emissions. However, because of the programmatic nature of the proposed project, specific data would not be available to quantify project-specific construction activities and associated emissions. Consequently, construction impacts will be qualitatively evaluated and available and practicable mitigation measures, including those recommended by the SCAQMD, General Plans, and the California Attorney General, would be identified and discussed.

Typically, higher density land uses result in fewer and shorter vehicle trips, which correlates to a reduction in VMT. ICF will use the traffic data from the transportation and circulation analysis (i.e., trip generation rates or VMT) and the URBEMIS2007 or CT-EMFAC model to estimate GHG emissions from vehicular trips and VMT associated with land use changes resulting from the proposed project.

In addition to fewer and shorter vehicle trips, higher density land uses are also expected to have a smaller footprint on a per-unit basis. This often translates into increased energy efficiency because smaller building sizes requires less energy for heating and cooling needs, while higher density land uses often have more shared common walls and less exposed surfaces (roof, walls, and windows), which results in less energy for space heating and air conditioning than detached buildings. As a result, it is anticipated that the transit supportive land uses associated with the

project would have reduced electricity, natural gas, and possibly water consumption, relative to the existing “traditional” land uses. ICF will quantify GHG emissions from energy and water use associated with land use changes resulting from the proposed project using land use designations for existing and project conditions, the ARB’s Reporting Tool for California GHG Emissions, and other accepted protocols.

In addition to evaluating the project’s contribution towards climate change, ICF will also evaluate the effects of climate change on the project. The following consequences of climate change are primary concerns to the state of California:

- Sea level rise;
- Increased frequency and intensity of wildfires;
- Increased frequency and intensity of extreme heat events;
- Diminished Sierra snowpack;
- Increased frequency of extreme precipitation and/or flooding events;
- Shifts in precipitation patterns and amounts; and
- Shifts in plant and animal distributions.

It is anticipated that the primary consequences of climate change affecting the station area locations include:

- Increased frequency and intensity of extreme heat events (increased energy usage for cooling needs and increased mortality from extreme heat events);
- Diminished Sierra snowpack (decreased water supply to the station areas); and
- Increased frequency of extreme precipitation and/or flooding events (decreased water supply to the station areas).

It is difficult to accurately quantify the effects of climate change at station area locations, as current tools and models do not have sufficient resolution to forecast localized changes in climate and resulting effects related to climate change. Consequently, ICF will present a qualitative evaluation of the consequences of climate change to the station area locations using studies published by, but not limited to, the ARB, California Department of Water Resources, California Energy Commission, California Climate Change Center, and California Natural Resources Agency. Where significant impacts are identified, ICF will identify mitigation measures (including those recommended by the California Attorney General) designed to reduce the significance of project-related climate change impacts.

HDR will submit a Draft Global Climate Change/GHG Emissions Report to SANBAG and the participating jurisdictions for review and comment. The Draft Global Climate Change/GHG Emissions Report will be revised to reflect comments received from SANBAG and participating jurisdictions. ICF will produce a Final Global Climate Change/GHG Emissions Report and will incorporate the results of this report into the Climate Change section of the PEIR.

### **Assumptions**

This scope of work assumes that GHG reductions associated with identified mitigation measures will not be quantified. It is also assumed that a HRA will not be required. If quantification is requested, ICF will prepare an amendment to the scope of work and cost to include mitigation quantification and HRA if necessary.

#### **7.5.3.4 Cultural and Historical Resources**

Prepare a program-level Cultural Resources Technical Report. This task will be completed by HDR's subconsultant, ICF that would include a records search for any newly identified resources at station areas (archeological and historical) that were not identified as part of the General Plan processes for the Cities of San Bernardino, Loma Linda and Redlands. A sensitivity analysis will be conducted based on a review of historic reference materials and a records search at the San Bernardino Archeological Information Center of the San Bernardino County Museum. For reference, the technical report will include the listings for the Cities of San Bernardino, Loma Linda and Redlands in the California Historical Resources Information System (CHRIS) which includes the statewide Historical Resources Inventory (HRI) database maintained by the California Office of Historic Preservation.

A discussion of archaeological resources and studies identified in the records search and General Plan documents for the participating jurisdictions will be included, as will baseline information for paleontological resources. A qualitative analysis will be provided for the preferred transit alternative selected for the RCAA relative to archaeological, historical and paleontological resources. Mitigation measures with an appropriate General Plan level of detail will also be identified. The analysis will further describe the cultural resources and identify the historical significance of structures at station area locations that could be affected by the proposed changes to land use. In addition, the analysis will identify the potential for archaeological sites to exist within station areas.

HDR will submit a Draft Cultural Resources Report to SANBAG and the participating jurisdictions for review and comment. The Draft Cultural Resources Report will be revised to reflect comments received from SANBAG and participating jurisdictions. ICF will produce a Final Cultural Resources Report and will incorporate the results of this report into the Cultural Resources section of the PEIR.

### **Assumptions**

This scope assumes that a table of historical resources at station area locations will be sufficient and that survey inventory forms for each resource will not be required.

#### **7.5.3.5 Hydrology**

Prepare a program-level Hydrology Assessment Memorandum. The memorandum would

provide a general discussion of hydrologic setting at station area locations and a qualitative assessment of potential impacts to hydrology relative to the preferred transit alternative selected for the RCAA. Technical memo discussion will include:

- Analysis of existing significant drainage facility design documents;
- Identification of FEMA floodplains within station areas;
- Qualitative analysis of hydrologic impacts from proposed design alternatives;
- Qualitative analysis of potential impacts from design alternatives on existing drainage facility performance;
- Qualitative analysis of impacts to FEMA floodplains potentially impacted by the project; and
- Qualitative analysis of potential mitigation options required from adverse impacts to drainage facilities or floodplains resulting from project development.

Hydrological analysis will be qualitative and will be based on the San Bernardino County Flood Control requirements. No quantitative rational method hydrology calculations, unit hydrograph hydrology calculations, or continuous hydrologic simulations will be completed.

HDR will submit a Draft Hydrology Assessment Memorandum to SANBAG and the participating jurisdictions for review and comment. The Draft Hydrology Assessment Memorandum will be revised to reflect comments received from SANBAG and participating jurisdictions. HDR will produce a Final Hydrology Assessment Memorandum and incorporate the results into the Hydrology section of the PEIR.

#### **7.5.3.6 Land Use and Planning**

Prepare a Land Use and Planning Memorandum. The memorandum would describe baseline land use conditions, based upon adopted land use plans (e.g., General Plans, Specific Plans, Community Plans, etc.) for each participating jurisdictions, with a comparative analysis to the Proposed Transit Supportive Land Use Updates. The memorandum will include a comprehensive description of the Proposed Transit Supportive Land Use Updates in the form of General Plan Amendments and/or zoning changes relative to the preferred transit alternative selected for the RCAA. The memorandum will also provide an analysis of the proposed project as it fits into the regulatory environment that promotes sustainable development (e.g., Senate Bill 375, RTP/SCS, and Assembly Bill 32).

HDR will submit a Draft Land Use and Planning Memorandum to SANBAG and the participating jurisdictions for review and comment. The Draft Land Use and Planning Memorandum will be revised to reflect comments received from SANBAG and participating jurisdictions. HDR will produce a Final Land Use and Planning Memorandum and incorporate

the results into the Land Use and Planning section of the PEIR.

### **7.5.3.7 Noise and Vibration**

Prepare a program-level Noise and Vibration Technical Report. The report would provide a description of baseline conditions and regulatory environment related to noise at station area locations and surrounding areas. This task will be completed by HDR's subconsultant, ICF. ICF will assess the noise and vibration impacts associated with implementation of the proposed project. ICF will identify relevant noise and vibration regulations and planning standards and determine significance thresholds by which to compare project impacts.

Existing noise and vibration conditions at station area locations will be quantified based on noise measurements, as well as available existing documentation (i.e., recent General Plan Updates, General Plan Amendments, etc). Short term measurements will consist of up to 10 short-term (10 to 15 minutes) and up to 5 long-term (continuous 24 hour measurement) measurements conducted at selected noise-sensitive locations. Noise/vibration effects from the various transit modes (commuter rail, Diesel Multiple Unit, Bus Rapid Transit and Light Rail Transit) will be assessed using the guidance and methodology as contained in the FTA's Transit Noise and Vibration Impact handbook. Traffic noise will be modeled using traffic data for existing, future without project, and future with project scenarios (up to 3 project scenarios are assumed). The most recent version of the Federal Highway Administration (FHWA)-approved traffic noise prediction model, Traffic Noise Model® (TNM®) Version 2.5 will be used for the traffic noise assessment.

The significance of noise impacts from the various project scenarios and transit modes will be compared and assessed based upon local standards for each of the participating jurisdictions. Potential impacts to existing and planned sensitive uses will be quantified at a programmatic level and mitigation measures (if necessary) will be recommended. The mitigation measures will be consistent with a General Plan level of analysis and will focus on plans and policies established by the existing General Plans of the participating jurisdictions.

The results of the analysis will be summarized in a Noise and Vibration Technical Report. HDR will submit a Draft Noise and Vibration Technical Report to SANBAG and the participating jurisdictions for review and comment. The Draft Noise and Vibration Technical Report will be revised to reflect comments received from SANBAG and participating jurisdictions. ICF will produce a Final Noise and Vibration Technical Report and incorporate the results of this report into the Noise section of the PEIR

### **Assumptions**

Analyses of three project scenarios are included. If additional project scenarios are required, ICF will prepare an amendment to the scope of work and cost to include these scenarios.

### **7.5.3.8 Population and Housing**

Prepare a Population and Housing Memorandum. The memorandum will provide an assessment of population and housing changes that would occur as a result of the proposed project. Analysis will rely on SANBAG and SCAG forecast information for the participating jurisdictions and how those projections would change with the land use modifications. SANBAG forecast information will also be considered in light of the current status and development of the Regional Housing Needs Assessment and RTP/SCS.

HDR will submit a Draft Population and Housing Memorandum to SANBAG and the participating jurisdictions for review and comment. The Draft Population and Housing Memorandum will be revised to reflect comments received from SANBAG and participating jurisdictions. HDR will produce a Final Population and Housing Memorandum and incorporate the results into the Population and Housing section of the PEIR.

### **7.5.3.9 Public Services and Utilities**

Prepare a program-level Public Services and Utilities Assessment. The assessment will describe public services and utilities (on a jurisdiction-by-jurisdiction basis) and the potential changes in service demand relative to increased densities at station area locations. The assessment will consider the concentration of services and reduction in per/unit demand based upon density. Information from the Water Supply Analysis (Task 7.3.13) will be incorporated into this report.

HDR will submit a Draft Public Services and Utilities Assessment to SANBAG and the participating jurisdictions for review and comment. The Draft Public Services and Utilities Assessment will be revised to reflect comments received from SANBAG and participating jurisdictions. HDR will produce a Final Public Services and Utilities Assessment and incorporate the results into the Public Services and/or Utilities/Service Systems section of the PEIR.

### **7.5.3.10 Recreation**

Prepare a program-level Recreation Analysis Memorandum. The memorandum will describe recreation facilities in station area locations and the potential changes in recreation services relative to increased densities at station area locations. Program-level mitigation measures will be identified, if needed.

HDR will submit a Draft Recreation Analysis Memorandum to SANBAG and the participating jurisdictions for review and comment. The Draft Recreation Analysis Memorandum will be revised to reflect comments received from SANBAG and participating jurisdictions. HDR will produce a Final Recreation Analysis Memorandum and incorporate the results into the Recreation section of the PEIR.

### **7.5.3.11 Traffic**

Prepare a program level Traffic/Mobility Report. The report will describe baseline traffic, mobility and the regulatory environment that supports sustainable development at station area locations. This task will be completed by HDR's subconsultant, ICF. The analysis of potential transportation and circulation impacts resulting from the proposed project will be conducted by ICF with technical support from Iteris. It is expected that areas of intensification will be located in the vicinity of the RCAA corridor, and that areas of decreases in intensity may be located elsewhere within the Cities of San Bernardino, Loma Linda, and Redlands. It is assumed that up to ten areas of intensification will be identified (one per station area), as well as up to two areas of decreases in intensity in each City.

The General Plan documents of the participating jurisdictions will be reviewed to identify collector or higher classification roadways in the vicinity of each station area that may be affected by the change in intensity. In addition, locations along General Plan roadways that may be more distant from the locations where changes will take place, but that provide important regional connectivity to them, will also be identified. It is anticipated that up to four roadway segments in the vicinity of each station area plus two segments providing regional connectivity for each may be studied, for a total of up to 80 roadway segments (15 x 6). In addition, up to a total of 10 freeway segments on I-215 and I-10 may be studied.

Existing peak hour and daily traffic volumes will be collected for each study location. To the extent possible, data already collected for the RCAA will be utilized. Freeway data will be obtained from Caltrans' Performance Measurement System (PeMS). Existing and peak hour levels of service will be calculated based on the "Florida" level of service tables, which are included in Appendix A of the San Bernardino County Congestion Management Plan (CMP).

In order to maintain consistency with other work conducted for the project, the latest travel demand model used by SANBAG will be used for analysis of land use scenarios and ridership forecasts. Model scenarios will be developed for up to three land use alternatives to be evaluated as part of this effort. Each scenario may include intensifications and decreases in intensity in multiple areas. The model scenarios will be created by modifying the socioeconomic data (SED) in the traffic analysis zones of the model to reflect anticipated changes in population and employment in each zone. Adjustments may also be made to reflect changes in mode split (e.g., automobile, transit, walking) resulting from the proposed land uses changes. These adjustments may also be made "off-model" to reflect the impact of urban design or other attributes not captured by the model.

For each land use scenario, the analysis will develop year 2035 traffic volumes for all study area segments using existing traffic volumes and base-year and horizon-year modeled volumes, employing link post-processing methodologies approved by SANBAG. Future segment volumes will be compared to existing volumes to identify significant impacts, using impact criteria established by SANBAG and each of the participating jurisdictions. For segments at which a

significant impact is identified, Iteris will work with the project team to develop mitigation measures to reduce the impact to a less than significant level.

For each land use scenario, the analysis will include a summary of total daily VMT and Vehicle Hours Traveled (VHT) in the Cities of San Bernardino, Loma Linda, and Redlands. The VMT/VHT summaries will be broken down into 5-mph “speed bins” for both peak and off-peak periods, and for arterials and freeway segments separately. These data are for use in the Air Quality analysis prepared for the project.

A Draft Traffic/Mobility Report will be prepared documenting the methodologies, results, and conclusions of the traffic analysis. HDR will submit a Draft Traffic/Mobility Report to SANBAG and each of the participating jurisdictions for review and comment. The Draft Traffic/Mobility Report will be revised to reflect comments received from SANBAG and participating jurisdictions. ICF will produce a Final Traffic/Mobility Report and will incorporate the results of the report into the Transportation/Traffic section of the PEIR.

### **Assumptions**

- Up to ten areas of intensification will be identified (one per station area), as well as up to two areas of decreases in intensity in each City.
- Only the preferred alternative selected for the RCAA will be evaluated.
- Because the Programmatic EIR will cover proposed changes in generalized land use categories and not specific development projects, the traffic analyses will be conducted at the roadway segment level of analysis, not the intersection level of analysis. Roadway segment analysis is an appropriate level of analysis when site-specific details are not known, such as the locations of ingress and egress points or the design of particular projects. It is often used for General Plan traffic analyses; although in the past some cities in San Bernardino County have opted to conduct intersection level analysis in conjunction with their General Plans. This practice developed because, under the County’s CMP in place at the time, approval of subsequent development projects was facilitated by doing so. This is no longer the case, and there is no requirement that intersection level analyses be conducted for General Plan amendments.

#### **7.5.3.12 Water Quality**

Prepare a program-level Water Quality Assessment. The assessment will provide a general discussion of water quality issues and a qualitative assessment of potential impacts to water quality relative to increased densities at station area locations. Santa Ana Regional Water Quality Control Board has recently adopted San Bernardino County MS4 permit (Order R8-2010-0036) with no Water Quality Management Plan guidance yet created by the Co-permittees to implement this permit. Given the stage of stormwater permitting, project discussion will focus

on the new permit language and existing San Bernardino County Model Water Quality Management Plan. Based on these documents, project water quality discussion and qualitative analysis will include:

- Discussion of overall drainage patterns and receiving water bodies;
- Identification of potential pollutants generated by the project;
- Identification of downstream pollutants of concern;
- Identification of beneficial uses of receiving water bodies;
- Discussion of potential hydromodification impacts;
- Discussion of potential mitigation alternatives for pollutants of concern and hydromodification;
- Discussion of potential Low Impact Development (LID) features that could be utilized to treat and retain runoff in accordance with mitigation goals;
- General representative land use water quality impacts expected from changes in land-use (i.e. average impacts for a unit area); and
- General representative mitigation impacts (i.e. average beneficial mitigation per Best Management Practices [BMPs]).

Based on the preliminary level of design and the current stage of MS4 permitting within the County no specific quantitative water quality or detention calculations will be completed, including rational method hydrology calculations, unit hydrograph hydrology calculations, or continuous hydrologic simulations. No specific engineering or sizing of BMPs or detention basins will be completed.

HDR will submit a Draft Water Quality Assessment to SANBAG and the participating jurisdictions for review and comment. The Draft Water Quality Assessment will be revised to reflect comments received from SANBAG and participating jurisdictions. HDR will produce a Final Water Quality Assessment and incorporate the results into the Hydrology section of the PEIR.

#### **7.5.3.13 Water Supply Assessment**

Prepare a Water Supply Analysis Report. The report will identify existing and forecasted water demand relative to increased densities at station area locations. HDR will rely on adopted Urban Water Management Plans for the various water providers that serve the participating jurisdictions. The analysis will discuss both in terms of municipal and groundwater sources. Program-level mitigation measures will be identified.

HDR will submit a Draft Water Supply Analysis Report to SANBAG and the participating

jurisdictions for review and comment. The Draft Water Supply Analysis Report will be revised to reflect comments received from SANBAG and participating jurisdictions. HDR will produce a Final Water Supply Analysis Report and incorporate the results into the Public Services and Utilities section of the PEIR.

#### **7.5.3.14 Biological Resources**

Prepare a program-level Biological Technical Report (BTR). HDR will prepare a program-level technical report that will incorporate information into the BTR from the Biological Constraints Memorandum (HDR, September 2010) previously prepared for the RCAA. For areas not previously surveyed in the Biological Constraints Memorandum, HDR will conduct a general survey within the half-mile radius of each station to characterize the existing vegetation communities located. However, given the scope and scale of the project and the programmatic approach, HDR will primarily utilize existing databases from SANBAG and the participating jurisdictions to determine the presence of sensitive habitat. HDR will access available aerial photography to determine the presence of likely sensitive habitats/vegetation (and associated sensitive species) within the vicinity of the station areas. HDR will also perform a search of the California Natural Diversity Database (CNDDB) to identify sensitive botanical and zoological species that may occur within the vicinity of the station areas.

All of the researched information will be used to evaluate the potential for the project site and immediate vicinity to support sensitive vegetation communities and associated special-status biological resources (including federal and state listed species). Sensitive vegetation communities, flora/fauna, and jurisdictional areas will be addressed in the report as they relate to federal, state, and local regulations and a qualitative analysis will be provided for the preferred transit alternative selected for the RCAA relative to biological resources. The analysis will further describe the biological resources and identify the significance of sensitive biological resources (e.g., botanical, zoological, wetland/waters, etc) within the vicinity of station areas that could be affected by the proposed changes to land use. Programmatic-level mitigation measures will also be identified, as appropriate.

HDR will submit a Draft Biological Technical Report to SANBAG and the participating jurisdictions for review and comment. The Draft Biological Technical Report will be revised to reflect comments received from SANBAG and participating jurisdictions. HDR will produce a Final Biological Technical Report and will incorporate the results of this report into the Biological Resources section of the PEIR.

#### **Deliverables**

- Draft Aesthetics/Visual Resources Assessment Report (4 hard copies, one electronic copy)
- Final Aesthetics/Visual Resources Assessment Report (4 hard copies, one electronic copy)

- Draft Air Quality Report (4 hard copies, one electronic copy)
- Final Air Quality Report (4 hard copies, one electronic copy)
- Draft Global Climate Change/GHG Emissions Report (4 hard copies, one electronic copy)
- Final Global Climate Change/GHG Emissions Report (4 hard copies, one electronic copy)
- Draft Cultural Resources Report (4 hard copies, one electronic copy)
- Final Cultural Resources Report (4 hard copies, one electronic copy)
- Draft Hydrology Assessment Memorandum (4 hard copies, one electronic copy)
- Final Hydrology Assessment Memorandum (4 hard copies, one electronic copy)
- Draft Land Use and Planning Memorandum (4 hard copies, one electronic copy)
- Final Land Use and Planning Memorandum (4 hard copies, one electronic copy)
- Draft Noise and Vibration Report (4 hard copies, one electronic copy)
- Final Noise and Vibration Report (4 hard copies, one electronic copy)
- Draft Population/Housing Memorandum (4 hard copies, one electronic copy)
- Final Population/Housing Memorandum (4 hard copies, one electronic copy)
- Draft Public Services/Utilities Assessment (4 hard copies, one electronic copy)
- Final Public Services/Utilities Assessment (4 hard copies, one electronic copy)
- Draft Recreation Analysis Memorandum (4 hard copies, one electronic copy)
- Final Recreation Analysis Memorandum (4 hard copies, one electronic copy)
- Draft Traffic/Mobility Report (4 hard copies, one electronic copy)
- Final Traffic/Mobility Report (4 hard copies, one electronic copy)
- Draft Water Quality Assessment (4 hard copies, one electronic copy)
- Final Water Quality Assessment (4 hard copies, one electronic copy)
- Draft Water Supply Analysis Report (4 hard copies, one electronic copy)
- Final Water Supply Analysis Report (4 hard copies, one electronic copy)

## **TASK 7.6 NOTICE OF PREPARATION (RCAA)**

### **7.6.1 Preparation of the Notice of Preparation (NOP) for circulation**

HDR will prepare and submit to SANBAG and the participating jurisdictions a Draft NOP for review and comment. HDR will revise to produce an NOP ready for public review and submittal to the State Clearinghouse. SANBAG will distribute the NOP to the State Clearinghouse and publish the NOP one-time in newspapers of general circulation that cover the participating jurisdictions.

### **7.6.2 Preparation of the Notice of Completion (NOC)**

This will accompany the NOP to the State Clearinghouse.

## **Deliverables**

- Draft Notice of Preparation (Electronic copy)
- Final Notice of Preparation (Electronic copy)
- Notice of Completion (Electronic copy)

## **TASK 7.7 SCREENCHECK NO.1 PEIR (RCAA)**

**7.7.1** Preparation of a Screencheck Draft PEIR for review by SANBAG and the participating jurisdictions. HDR proposes the following outline for the PEIR.

- Executive Summary
- Project Description
- Environmental Analysis
  - Aesthetics
  - Air Quality
  - Biological Resources
  - Cultural Resources
  - Geology and Soils
  - Global Climate Change
  - Hazards and Hazardous Materials
  - Hydrology
  - Land Use and Planning
  - Noise
  - Population and Housing
  - Public Services
  - Recreation
  - Transportation/Traffic
  - Utilities/Service Systems
  - Water Quality
- Growth Inducement
- Cumulative Impacts
- Other Mandatory Discussion Areas
- Alternatives Analysis (For scoping purposes, HDR assumes that the “No Project” and two additional alternatives will be analyzed in the EIR (total of three alternatives). The alternatives will focus on the reduction of impacts. At this juncture of the project, it is most likely that the alternatives would be focused analyzing varying levels of land use density increases and/or avoidance of certain

portions of participating jurisdictions within the envelope of density increase that contain sensitive resources (e.g., biological and/or cultural).

- Mitigation Monitoring and Reporting Program

#### **Deliverables**

- Screencheck No. 1 PEIR – 3 hard copies and one CD each for SANBAG and each participating jurisdiction (12 hardcopies and 4 CDs total)

#### **TASK 7.8 SCREENCHECK NO. 2 PEIR (RCAA)**

- 7.8.1** Revise Screencheck No.1 PEIR to reflect comments made by SANBAG and participating jurisdictions to prepare a Screencheck No. 2 PEIR.

#### **Deliverables**

- Screencheck No. 2 PEIR – 3 hard copies and one CD each for SANBAG and each participating jurisdiction (12 hardcopies and 4 CDs total)

#### **TASK 7.9 SCREENCHECK No. 3 PEIR (RCAA)**

- 7.9.1** Revise Screencheck No. 2 PEIR to prepare Screencheck No.3 PEIR for review by SANBAG and the participating jurisdictions.

#### **Deliverables**

- Screencheck No. 3 PEIR – 3 hard copies and one CD each for SANBAG and each participating jurisdiction (12 hardcopies and 4 CDs total)

#### **TASK 7.10 DRAFT PEIR (RCAA)**

- 7.10.1** Revise Screencheck No. 3 PEIR to prepare a Draft PEIR for public review.

- 7.10.2** Prepare the Notice of Availability to accompany the PEIR. Submit to SANBAG and participating jurisdictions for review and revise, as needed, to address comments made by SANBAG and the participating jurisdictions.

- 7.10.3** Prepare a Notice of Completion to accompany the PEIR to the State Clearinghouse.

#### **Deliverables**

- Draft PEIR – 50 hard copies and 10 CDs

**TASK 7.11 1<sup>st</sup> Iterations Response to Comments/PEIR Errata (RCAA)**

- 7.11.1 Review all comment letters received on the public review Draft PEIR.
- 7.11.2 Prepare a matrix summarizing all comments received on the Draft PEIR.
- 7.11.3 Meet with SANBAG and participating jurisdictions to discuss response to comment approach.
- 7.11.4 Coordinate with SANBAG, participating jurisdictions and the PEIR technical specialists, as needed, for input on response to comments.
- 7.11.5 Draft response to comments for review by SANBAG and participating jurisdictions. For the purposes of this proposal if excessive comments are received, then the costs will be determined on a “negotiated basis” when the draft document and comments on the project become available. We understand that excessive comments are generally considered to be more than 20 commenting agencies/individuals and/or over 150 individual comments that require answers other than “comment noted”. This scope of work and cost estimate includes time to respond to up to 150 individual comments.

**Deliverables**

- Attend one meeting to discuss Response to Comments
- Response to Comment Summary Matrix (Electronic copy)
- Draft Response to Comments (Electronic copy)

**TASK 7.12 2nd Iteration Response to Comments/PEIR Errata (RCAA)**

- 7.12.1 Revise the response to comments and PEIR Errata to reflect comments made by SANBAG and participating jurisdictions. Resubmit to SANBAG and cities for second round review/comment.
- 7.12.2 Prepare the Mitigation Monitoring and Reporting Program (MMRP) for review.

**Deliverables**

- Revised Response to Comments (Electronic copy)
- Draft MMRP (Electronic copy)

**TASK 7.13 Final CEQA Document (RCAA)**

- 7.13.1 Finalize the PEIR, including response to comments and MMRP based upon final comments made by SANBAG and participating jurisdictions.

7.13.2 Preparation of Notice of Determination for each participating jurisdiction if the EIR is certified by their respective Councils.

**Deliverables**

- Final PEIR – 50 hard copies and 10 CDs
- MMRP
- Notice of Determination – Participating jurisdictions would pay the required California Department of Fish & Game (CDFG) and County filing fees.

**TASK 7.14 FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS (RCAA)**

7.14.1 Prepare the Findings of Fact for the PEIR. If the PEIR determines that the project will have significant and unmitigated impacts, HDR will also prepare the Statement of Overriding Considerations (SOC). HDR assumes that SANBAG and participating jurisdictions will contribute to development of the Findings in the event that significant and unmitigated impacts are identified. HDR will revise the Findings based upon comments made by SANBAG and the participating jurisdictions.

**Deliverables**

- Draft Findings/SOC (Electronic copy)
- Final Findings/SOC (Electronic copy)

**TASK 7.15 MEETINGS/HEARINGS (RCAA)**

7.15.1 Preparation for and attendance at up to 60 hours of meeting and/or hearings related to the PEIR. This includes attendance at a CEQA Scoping meeting. This is exclusive of the kick-off and response to comment meetings noted earlier in this scope of work.

**Deliverables**

- Meeting Attendance

**SBX OMNITRANS RIGHT-OF-WAY**

**TASK 1.0 SBX OMNITRANS APPRAISALS (SBX)**

The HDR team will assign real property appraisals and will coordinate obtaining appraisals. A "Notice of Intent to Appraise" will be sent to all property owners expected to have their properties partially or entirely acquired. Appraisers will send introductory letters indicating when

they expect to contact the owner for an appointment to perform the appraisal. If the land owner is agreeable, the appraiser and landowner will meet at the property at which time the landowner will be given an opportunity to provide the appraiser their opinions about the property and its value. When appraisals are completed, and before they are accepted, they are reviewed for accuracy and regulatory compliance by a review appraiser. The review appraiser will make the final recommendation of just compensation for SANBAG approval.

#### **Deliverables**

- NOI to appraise letters
- Written appraisals for all properties
- Appraisal review recommending just compensation

#### **TASK 1.2 SBX OMNITRANS ACQUISITION PACKAGE PREPARATION (SRX)**

A Purchase Offer package will be prepared for each landowner containing an offer letter and the accompanying regulatory statements and documents.

#### **Deliverables**

- Purchase Offer Package

#### **Assumptions**

- Omnitrans will provide document template
- Acquisition packages will be prepared for thirty (30) properties



- 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: 27

**Date:** July 10, 2013

**Subject:** Reimburse the Orange County Transportation Authority for purchase of Southern California Regional Rail Authority rolling stock, Rotem passenger cars

**Recommendation:** Reimburse the Orange County Transportation Authority (OCTA) \$6,041,376 for Rotem cars purchased by the Southern California Regional Rail Authority (SCRRA) by assuming responsibility for approximately \$1 million of OCTA's annual member share of the SCRRA capital budget from Fiscal Year 2013/14 through 2018/2019.

**Background:** Beginning in 2003, Southern California Regional Rail Authority (SCRRA) began the process of ordering new passenger and cab cars for Metrolink trains. After some contractual changes and re-bidding, SCRRA awarded a contract to Rotem on March 14, 2006. The base order included 54 coach cars and 33 cab cars for a total of 87. Four (4) additional contract options were exercised bringing the total number of cars purchased to 137 (57 cabs and 80 coaches).

Of the 137 cars purchased, Orange County Transportation Authority (OCTA) directly paid for 59 cars for their Fullerton to Laguna Niguel expansion project; Riverside County Transportation Commission (RCTC) paid for 17 cars for their Perris Valley Line expansion project; and SANBAG paid for 3 cars for non-specific uses. The balance of cars purchased was paid for using the SCRRA "All-share Formula", which distributes costs amongst the member agencies for system-wide expenses. The member agencies contributed various local, state, and federal

*Approved  
Board of Directors*

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

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

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

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

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

BRD1307b-jrf

Attachments:

<http://portal.sanbag.ca.gov/mgmt/committee/commuter/crtc2013/crtc1306/AgendaItems/CRTC1306b1-jrf.pdf>

funds for a total of \$273.8 million with Los Angeles County Metropolitan Transportation Authority (LACMTA) paying Ventura County Transportation Commission's (VCTC) share. SANBAG's share, including the 3 cars purchased for non-specific uses, was approximately 16% (\$44 million).

In October 2005, the OCTA Board directed SCRRA to purchase 59 Rotem cars to support expanded service between Fullerton and Laguna Niguel, known as the Metrolink Service Expansion Project (MSEP). However, as a result of economic conditions and reduced transit demand, SCRRA is operating fewer trains than originally anticipated between Fullerton and Laguna Niguel, resulting in 22 excess Rotem cars in the SCRRA fleet. OCTA has requested that the other SCRRA member agencies pay for a share of these excess cars. The total amount of these 22 cars equals \$41.9 million and is distributed to each of the other member agencies based on the All-share Formula. The proposed distribution is as follows:

**Rotem Car Reconciliation – Distribution of Costs**

Agency	All-share Formula Distribution	Cost Distribution
SANBAG	14.4%	\$6,041,376
LACMTA	47.5%	\$19,928,150
OCTA	19.8%	\$8,306,892
RCTC	11.1%	\$4,656,894
VCTC	7.2%	\$3,020,688
<b>Total</b>		<b>\$41,954,000</b>

To date, RCTC has paid their reconciliation share in full; VCTC has paid nearly \$2 million of their reconciliation share; and LACMTA has committed to paying their reconciliation share contingent upon all other member agencies commitment to reconcile. Based on a staff report recommendation and MOU between SCRRA and OCTA, approved at the October 14, 2011 SCRRA Board Meeting (included as Attachment A), the member agencies have agreed that the reconciliation can come from direct contributions to specific shared projects or simply by member agencies assuming portions of OCTA's annual capital budget contribution.

For each weekday, SCRRA operates 37 consists with a total of 195 cars, that make up 169 trains. A consist is the make-up of each train. Rotem cars are safer as compared to the Bombardier cars previously purchased, due mostly to crash energy management systems. Generally, this is a system within each car that absorbs impact energy. Due to these additional safety features, each consist, at a minimum, is comprised of one (1) Rotem cab car at the end of the each train and one (1) Rotem coach car behind the locomotive. (A cab car is used in the "push" mode with a compartment and duplicate train controls for the engineer.) In

general, all Metrolink trains run in the “pull” mode coming out of Los Angeles Union Station with the locomotive in the lead and in the “push” mode with the cab car running at the front of the train headed towards Los Angeles. Since there are no plans or funding to purchase additional Rotem cars, and once all 137 Rotem cars are put into service, 58 of the existing Bombardier cars will be needed to complete train consists. As a result of purchasing the Rotem cars and restrictions on selling most of the equal amount of Bombardier cars, SCRRA has begun to store the Bombardier cars throughout the Metrolink system. SCRRA is also exploring leasing as many Bombardier cars as possible.

The reconciliation for the purchase of 22 Rotem cars is based on the core concept that the Metrolink service is a partnership and that all cars purchased are part of the entire 512 mile Metrolink system. A train that starts the day in Riverside may travel to Los Angeles, then through Orange County, then through the Inland Empire ultimately terminating in San Bernardino. The next day that same train set will travel on different routes. These “cycles” are choreographed to meet the service commitments of the schedule and to also make sure the equipment is properly cleaned and maintained. In addition, the number of Rotem cars within a train consist are not always the same, other than the basic requirement of two (2) Rotem cars per consist. Individual cars are also “cycled” out of service depending on maintenance and inspection requirements. Thus the concept that one (1) member agency funds a discrete asset is counter to how that asset is utilized.

SANBAG staff completed an analysis to determine the number of Rotem cars utilized by the County of San Bernardino, taking into account the system wide “cycling” of train consists and cars as discussed above. Based on this analysis, the County of San Bernardino uses 17 Rotem cars on any given weekday. To date, SANBAG has only paid for 13 Rotem cars, 3 directly and 10 through the All-share Formula. Reconciliation of \$6.04 million to OCTA, based on the All-share Formula distribution for reconciliation of the 22 cars, will add three additional cars paid by SANBAG, bringing the total to 16.

Based on the analysis discussed above, staff recommends that SANBAG reimburse OCTA in an amount of \$6,041,376 for Rotem cars purchased by SCRRA. Reconciliation will occur by SANBAG assuming responsibility for approximately \$1 million of OCTA’s annual member share of the SCRRA capital budget from Fiscal Year 2013/14 through 2018/19.

***Financial Impact:***

Reimbursement to OCTA for Rotem cars will cost a total of \$6,041,376 and will be reconciled by assuming an annual portion of approximately \$1 million per year of OCTA’s contribution to SCRRA’s capital budget over six (6) years. Pending approval of the reimbursement plan, the specific allocation will be presented to the Board with the overall SCRRA fiscal year budget allocations.

Board Agenda Item  
July 10, 2013  
Page 4

**Reviewed By:** This item was reviewed and unanimously recommended for approval by the Commuter Transit and Rail Committee on June 20, 2013.

**Responsible Staff:** Mitch Alderman, Director of Transit and Rail Programs

**METROLINK**

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**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY**

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**TRANSMITTAL DATE:** October 7, 2011  
**MEETING DATE:** October 14, 2011 **ITEM 8**  
**TO:** Board of Directors  
**FROM:** Chief Executive Officer  
**SUBJECT:** Rotem Car Reconciliation

**Issue**

Board approval is required to enter into an agreement with the Orange County Transportation Authority (OCTA) and subsequently agreements with the other Member Agencies (MA) for reconciliation of costs associated with the Rotem Car procurement.

**Recommendation**

Staff recommends the Board authorize the Chief Executive Officer (CEO) to complete negotiations and execute an agreement with OCTA for the reconciliation of costs for Rotem Cars (see attached document). Additionally, delegate authority to the CEO to enter supporting agreements, if needed, with each Member Agency and to track progress on overall reconciliation for 22 Rotem cars.

**Alternative**

The Board can recommend an alternate approach to document and reconcile Rotem Car procurement costs between Member Agencies.

**Background**

SCRRA awarded a contract to Rotem for the procurement of 137 passenger rail cars. The base order of the contract was for 87 cars (54 Trailers and 33 Cabs). This quantity of cars was to provide a cab car for every consist and would also provide additional trailer cars for over-crowded trains or proposed new services. The contract also contained options that have been executed and bring the total procurement to 57 cabs and 80 trailers. The first three options were funded by specific member agencies that were procuring additional cabs and trailers for future expansion needs. The final option was for 20 trailers and was funded by bond funds designated to Metrolink.

Metrolink Service is provided by train consists that run all over the 512 mile system. A train that starts in Riverside may travel to Los Angeles, then Oceanside, then spend the

night in San Bernardino. The next day that same train set will travel on the different routes, receive mid-day service at the Central Maintenance Facility, then will end the day at the Oceanside layover. These "cycles" are choreographed to meet the service commitments of the schedule and to also make sure that the equipment is properly cleaned and maintained. Thus the concept that one member agency funds a discrete asset is counter to how that asset is utilized. While acknowledging that OCTA contributed funds for too many cars, the proposed reconciliation agreement documents and preserves the system-wide use of Metrolink assets.

OCTA took board action in October 2005 that committed \$137 million for the purchase of 59 cars. This quantity of cars was to support levels of service that are no longer anticipated. OCTA has been pursuing reconciliation for cars in excess of their current needs. The MAs started work on this issue in mid-2010. The initial concern was to document which agency contributed what funds and to identify what was the proposed purpose of those assets. Some cars were designated for expansion while others were designated for over-crowding or for spares. The next step was to determine how many cars were subject to the reconciliation. It was determined with the guidance of the MA CEOs that the correct number of cars in question was 22. It was also determined that because the OCTA contributions went to the original base order the reconciliation amount was guided by the cost of the cars in the base order.

The reconciliation can come from direct MA contributions to specific shared projects or simply by one MA assuming a portion of OCTA's annual rehab contribution. The agreement is to be flexible so reconciliation can occur with operating, capital or rehab funds. The reconciliation time period is recommended to start with next fiscal year's rehab budget, as explained in the attached letter and draft agreement, and to be complete within 5 years.

It should be noted that other agencies have contributed additional ROTEM cars and this contribution is recognized and credited towards the funding agency so that service expansion and future rehab costs are equitably distributed. Each agency has contributed a mix of funds to support the future service needs.

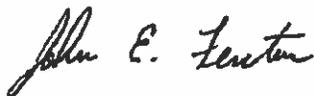
This is of primary concern to RCTC in regard to the future Perris Valley Line service which is slated to begin in 2013. RCTC contributed funds for 10 Rotem cars and 2 locomotives to support that service. This report is intended to memorialize the agreement of all parties that once the new Perris Valley Line service is ready to start the rail cars needed to run the service will be available without additional cost to RCTC for either the purchase of new ROTEM cars or the rehabilitation of existing equipment.

This agreement is entered into with OCTA but ultimately needs the other MA's participation and agreement to fulfill.

**Budget Impact**

This agreement does not impact the current year operating or rehab budget. Future rehab budgets may be impacted by reconciliation contributions.

Prepared by: Gray Crary, Chief Strategic Officer



JOHN E. FENTON  
Chief Executive Officer



September 2, 2011

Mr. Will Kempton  
Chief Executive Officer  
Orange County Transportation Authority  
550 South Main Street/ P.O Box 14184  
Orange, CA 92863-1584

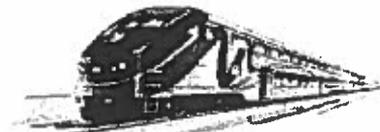
Dear Mr. Kempton,

Metrolink and its Member Agencies have been working to reconcile equity issues related to the Rotem Car procurement. SCRRA has contracted to purchase 137 cars, two-thirds of which have already been delivered. The core issue has been a concern over who contributed to the purchase of the cars and how the cars are utilized in the Metrolink system. After much discussion it was agreed that there are twenty-two (22) cars of this purchase that are in service throughout the system and are assets utilized at the discretion of the SCRRA Board. In order to keep those cars in general system use it was agreed that OCTA would be reimbursed for the cost of the 22 cars.

Given the proposed time to reconcile these costs there are several ways that a Member Agency can reimburse OCTA. Agencies can provide a cash contribution, pick up the OCTA share for a specific project or contribute on behalf of OCTA annual rehab costs. Reconciliation is proposed to begin in FY12/13 and it will be SCRRA's obligation to track and report progress by the other Member Agencies.

This reconciliation between SCRRA and OCTA is built on the core concept that the Metrolink service is a partnership and that all cars purchased are part of the system. The attached proposed Reconciliation Worksheet shows all Member Agency's share of the cost of the 22 cars in question. The cars have an agreed upon value of nearly \$42 million. The shares of the cost have been calculated using the "All-Share Formula" currently used for many of the system wide costs. The columns of the Work Sheet identify whether the reconciliation will occur with a cash contribution, allocation of annual rehab costs or reconciliation for a specific purpose. SCRRA will administer how the other member agencies handle the settlement of their shares.

Also attached is a proposed draft Memorandum of Understanding (MOU) for your comments. This MOU solidifies the concept that the system-wide deployment of vehicles is a benefit to the service as it provides flexibility and the ability to defer immediate rehab costs of the existing fleet. In order to

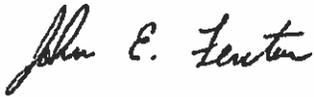


maintain such flexibility, this reconciliation must occur. The following sequence should bring this matter to conclusion:

1. Review Memorandum of Understanding and proposed reconciliation projects;
2. Take MOU to SCRRA Board of Directors in October (This item is slated to go to the September 23<sup>rd</sup> Planning and Finance Committee);
3. Seek annual rehabilitation and capital project reconciliation
4. Begin Reconciliation in FY 12/13, complete reconciliation in FY 16/17

I look forward to discussing this with you and the other Member Agencies.

Sincerely,



JOHN E. FENTON  
Chief Executive Officer

cc: Member Agency CEOs  
Richard Katz

# Rotem Car Reconciliation

(All Cars In System Service)

## Rotem Trailer Cars

Base Price	\$1.840
Insurance	\$0.020
Freight Cost	\$0.047
Total per car	\$1.907

**Total Reimbursement for 22 Cars**      **\$41.954**

## All-Share Ratio

LACMTA	47.50%
OCTA	19.80%
SANBAG	14.40%
RCTC	11.10%
VCTC	7.20%
<b>Total</b>	<b>100%</b>

<-----Values From All-Share %----->

Member Agency	Total Due	Cash (a) (b)	Rehab Costs		EMF Phase II - (C)	Express Trains	Total Paid
			Rehab	Costs			
VCTC	\$3.022	\$2.000	\$1.022	\$0.000	\$0.000	\$0.000	\$3.022
OCTA	\$8.306						
LACMTA	\$19.929		\$8.125	\$0.744	\$11.060	\$19.929	
SANBAG	\$6.041		\$3.180	\$0.573	\$2.288	\$6.041	
RCTC	\$4.657		\$4.413	\$0.244	\$0.000	\$4.657	
<b>Total</b>	<b>\$41.955</b>	<b>\$2.000</b>	<b>\$16.740</b>	<b>\$1.561</b>	<b>\$13.348</b>	<b>\$33.649</b>	

(a) VCTC cash contribution to Option 4 moves like amount for FY 16 PTMISEA funds for OCTA discretion.

(b) Combination of Passenger Cars, Locomotives, & Other Rehab

(c) Cost share formula for EMF Phase II: LA 47.68%, SB 36.72%, RS 15.58%.

Shares relate to train miles by agency over affected segments (minus OCTA).

(d) LACMTA contribution for trailer cars for express service to Antelope Valley (3 Trailer 1 spare) -AND- 60% of 3 SB Express Trailers

(e) SANBAG 40% of 3 SB Express Trailers.

5-Year Payback

(all values given in millions of dollars)

Member Agency	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	Project	Paid Over
<b>VCTC</b>	<b>\$3.022</b>	<b>\$1.022</b>	<b>\$0.818</b>	<b>\$0.613</b>	<b>\$0.409</b>	<b>\$0.204</b>	Cash	1 Year
Cash	\$2.000							
Rehab		\$0.204	\$0.204	\$0.204	\$0.204	\$0.204	OCTA Rehab	5 Years
EMF Phase II							EMF Phase II	5 Years
Express Trains							Express Trains	5 Years
Declining Balance	\$1.022	\$0.818	\$0.613	\$0.409	\$0.204	\$0.000		
<b>LACMTA</b>	<b>\$19.929</b>	<b>\$19.929</b>	<b>\$15.943</b>	<b>\$11.957</b>	<b>\$7.972</b>	<b>\$3.986</b>		
Cash								
Rehab	\$1.625	\$1.625	\$1.625	\$1.625	\$1.625	\$1.625		
EMF Phase II	\$0.149	\$0.149	\$0.149	\$0.149	\$0.149	\$0.149		
Express Trains	\$2.212	\$2.212	\$2.212	\$2.212	\$2.212	\$2.212		
Declining Balance	\$19.929	\$15.943	\$11.957	\$7.972	\$3.986	\$0.000		
<b>SANBAG</b>	<b>\$6.041</b>	<b>\$6.041</b>	<b>\$4.833</b>	<b>\$3.625</b>	<b>\$2.416</b>	<b>\$1.208</b>		
Cash								
Rehab	\$0.636	\$0.636	\$0.636	\$0.636	\$0.636	\$0.636		
EMF Phase II	\$0.115	\$0.115	\$0.115	\$0.115	\$0.115	\$0.115		
Express Trains	\$0.458	\$0.458	\$0.458	\$0.458	\$0.458	\$0.458		
Declining Balance	\$6.041	\$4.833	\$3.625	\$2.416	\$1.208	\$0.000		
<b>RCTC</b>	<b>\$4.657</b>	<b>\$4.657</b>	<b>\$3.726</b>	<b>\$2.794</b>	<b>\$1.863</b>	<b>\$0.931</b>		
Cash								
Rehab	\$0.883	\$0.883	\$0.883	\$0.883	\$0.883	\$0.883		
EMF Phase II	\$0.049	\$0.049	\$0.049	\$0.049	\$0.049	\$0.049		
Express Trains								
Declining Balance	\$4.657	\$3.726	\$2.794	\$1.863	\$0.931	\$0.000		

**DRAFT**

**MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY**

**AND**

**ORANGE COUNTY TRANSPORTATION AUTHORITY**

**AND**

**FOR**

**ROTEM RAIL CARS REIMBURSEMENT**

**THIS MEMORANDUM OF UNDERSTANDING**, is effective this \_\_\_\_\_ day of \_\_\_\_\_ 2011, by and between Southern California Regional Rail Authority (SCRRA), and the Orange County Transportation Authority (OCTA). The OCTA, San Bernardino Associated Governments, Ventura County Transportation Commission, Riverside County Transportation Commission and Los Angeles County Metropolitan Transportation Authority make up the MEMBER AGENCIES of the Southern California Regional Rail Authority.

**RECITALS:**

**WHEREAS**, SCRRA HAS PURCHASED 137 Rotem Cab and Trailer Passenger Cars and uses them as directed by its Board of Directors; and

**WHEREAS**, OCTA's Board of Directors, on June 9, 2005, approved the Metrolink Service Expansion Program (MSEP), to offer increased Metrolink service in Orange County; and

**WHEREAS**, in 2005 OCTA committed \$137 million to purchase 59 new rail cars to support existing and expanded Metrolink service, including the MSEP; and

**WHEREAS**, OCTA has scaled back the MSEP service roll out to align with available revenues; and

**WHEREAS**, it was determined that 37 of the 59 railcars independently funded by OCTA will be required for the expanded service, leaving 22 rail cars for available system-wide utilization; and

**WHEREAS**, MEMBER AGENCIES and SCRRA mutually desire to utilize the available 22 railcars for system-wide service within the Metrolink system; and



**DRAFT**

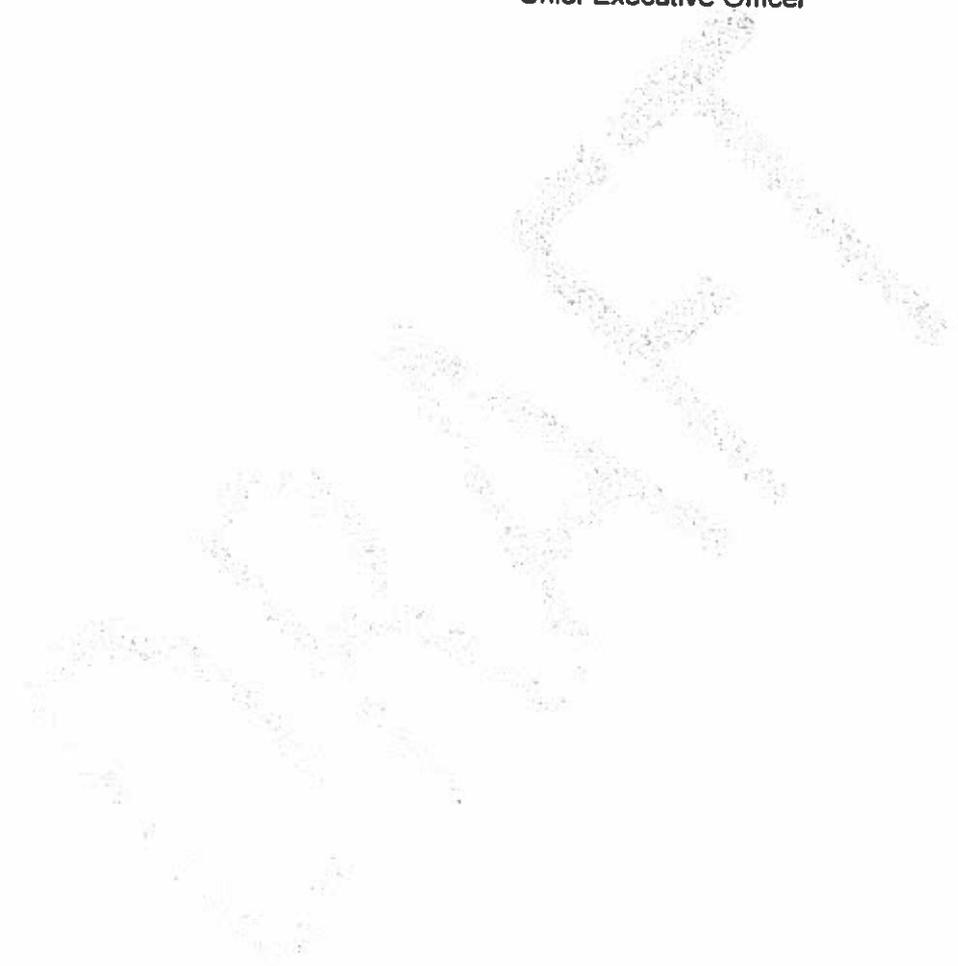
IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed on the date first above written.

**SOUTHERN CALIFORNIA REGIONAL  
RAIL AUTHORITY**

**ORANGE COUNTY TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
John E. Fenton  
Chief Executive Officer

By: \_\_\_\_\_  
Will Kempton  
Chief Executive Officer



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- 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: 28

**Date:** July 10, 2013

**Subject:** Review Financial Audits for Transit Operators

**Recommendation:**\* That the Board receive:

1. Omnitrans Comprehensive Annual Financial Report (CAFR) on the Annual Financial Audit for Fiscal Year 2011/2012
2. Mountain Area Regional Transit Authority (MARTA) Basic Financial Statements for Fiscal Year 2011/2012
3. Valley Transportation Services (Vtrans) Basic Financial Statements for Fiscal Year 2011/2012

**Background:** Public Utility Code 99245.2, Single Audit Act, and the U.S. Office of Management and Budget (OMB) require an annual audit be conducted of SANBAG and its affiliated organizations; Barstow Area Transit (BAT), Mountain Area Regional Transit Authority (MARTA), Morongo Basin Transit Authority (MBTA), Needles Area Transit (NAT), Omnitrans, Valley Transportation Services (Vtrans) and Victor Valley Transit Authority (VVTA). This item presents the results of audits performed on Omnitrans, MARTA, and Vtrans. The audit of the financial statements for Fiscal Year 2011/2012 was completed by two different firms. Mayer Hoffman McCann performed the annual audit for

*Approved  
 Board of Directors*

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

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

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

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

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

BRD1307c-mmm

- <http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1306/AgendaItems/CRTC1306A-mmm.pdf>
- <http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1306/AgendaItems/CRTC1306B-mmm.pdf>
- <http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1306/AgendaItems/CRTC1306C-mmm.pdf>

Omnitrans and Vavrinek Trine and Day Co., LLC performed the annual audits for MARTA and Vtrans.

Each financial audit is included as additional material with the board packet and includes the following reports:

1. Audit of Operators Basic Financial Statements or CAFR
2. Single Audit Compliance Reports in accordance with Budget and Management (OMB) Circular A-133
3. Statement on Auditing Standards 114 (SAS 114)
4. Statement on Auditing Standards 115 (SAS 115)
5. National Transit Database (NTD)

Report/Letter	Omnitrans	MARTA	Vtrans
Basic Financial Report		x	x
CAFR	x		
Single Audit Report	x	x	
TDA/Prop 1B Report	x		
SAS 114 Letter	x	x	x
SAS 115 Letter	x		
NTD Report	x		

A management letter from Mayer Hoffman McCann for Omnitrans is attached (Attachments A1). It provides recommendations to improve the following controls:

- Enhance procedures over subrecipient monitoring and reporting to ensure information required by OMB Circular A-133 is obtained and key data elements are provided to subrecipients.
- Enhance security controls over information technology systems which include removing accounts for former employees.

Audit requirement SAS 114 (The Auditor's Communication with Those Charged with Governance) establishes standards and guidance on the auditor's communication with those charged with governance in relation to an audit of financial statements. It describes the role of communication, legal considerations, those who are charged with governance, management, matters to be communicated, the communication process, and documentation.

Audit requirement SAS 115 (Communicating Internal Control Related Matters Identified in an Audit) establishes standards and provides guidance on communicating matters related to an entity's internal control over financial

reporting identified in an audit of financial statements. It is applicable whenever an auditor expresses or disclaims an opinion on financial statements. The section defines the terms deficiency in internal control, significant deficiency, and material weakness; provides guidance on evaluating the severity of deficiencies in internal control identified in an audit of financial statements; and requires the auditor to communicate in writing, to management and those charged with governance, significant deficiencies and material weaknesses identified in an audit.

The SAS 114 and SAS 115 findings are indicated below. Attachments for each operator are also referenced:

- MARTA - Deficit unrestricted net assets of \$56,715 primarily due to long term insurance liability. The deficit is expected to be funded through future earnings and no impact to operations is anticipated (Attachment B1).
- Vtrans - significant deficiency related to Internal Control (Attachment C1).
- Omnitrans - no significant matters to report (Attachment A2).

Single audit report includes report of internal control over financial reporting, Compliance, and schedule of expenditures of Federal Awards. The following significant deficiency and material weaknesses were identified by the Auditors:

- MARTA - Did not have formal year-end closing procedures. Subsequent to June 30, 2012, management implemented written procedures for year-end closing. Material weaknesses include documentation review or approval demonstrating performance of the control, implement policies and procedures for each of the key internal control system, bank reconciliations should be prepared reviewed, and approved timely, and adopt a comprehensive equipment management policy.
- Omnitrans - Develop and implement application and award procedures to ensure that the information required by OMB is obtained from all subrecipients during the application and award process. Additionally, all key data elements will be transmitted and reported to the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS).

NTD report is an agreed upon procedure on data contained in the Federal Funding Allocation Statistics Form for Omnitrans to evaluate compliance with the standards established by the Federal Transit Administration and NTD Form is in conformity with the requirements of Uniform System of Accounts and Records and reporting System, Final Rule, as specified in 49

CFR Part 630, Federal Register, January 15, 1993, and as presented in the 2012 Reporting Manual. The results of finding includes:

- Omnitrans - Develop and implement procedures to ensure that purchased transportation passenger miles entered into Trip Sheet Data Entry Database (Transtrack) are in agreement with the supporting trip sheets.

The financial statements for the transit operators includes an Independent Auditors' Report. Each transit operator received an unqualified opinion. The CAFR for Omnitrans provides not only the basic financial statements, but also management discussion and analysis, required supplementary information, and supplementary information.

Effective Audit Fiscal Year 2011/2012, SANBAG procured Vavrinek Trine and Day Co., LLC as the new auditor for the transit operators (excluding Omnitrans). The previous auditor Miers & Miers provided audit services since 1992. This change created challenges for the operators since it was a new process for them. Typically the audits are completed within 180 days after the end of the fiscal year. The transition to the new auditor required a 90 day extension. The Omnitrans audit was completed by the December deadline. MARTA and Vtrans were able to meet this extension deadline.

Barstow Area Transit, Needles Area Transit, Morongo Basin Transit Authority and Victor Valley Transit Authority are still in the process of completing their financial reports. Barstow Area Transit and Needles Area Transit audits are in process, MBTA financial statements are in the draft form, and VVTA financial reports are in draft form and single audit is in progress. Once these audits are completed, SANBAG staff will present and report them to SANBAG Board.

**Financial Impact:** This item has no financial impact to the SANBAG Fiscal Year 2012/2013 budget.

**Reviewed By:** This item was received by the General Policy Committee on June 12, 2013 and by the Commuter Rail and Transit Committee on June 20, 2013. The finance department has reviewed and approved this item.

**Responsible Staff:** Mitch Alderman, Director of Transit and Rail Programs

## Attachment A1



**Mayer Hoffman McCann P.C.**

**An Independent CPA Firm**

2301 Dupont Drive, Suite 200

Irvine, California 92612

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Administrative and Finance Committee  
Omnitrans

San Bernardino, California

### **Recommendations Regarding Internal Control**

In planning and performing our audit of the financial statements of Omnitrans as of and for the year ended June 30, 2012, in accordance with auditing standards generally accepted in the United States of America, we considered Omnitrans' internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Omnitrans' internal control. Accordingly, we do not express an opinion on the effectiveness of the organization's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore material weaknesses or significant deficiencies may exist that were not identified.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined above.

In addition, as a service to you, we identified other matters during our audit that provide you an opportunity to enhance your existing internal controls. The matters identified below are provided as recommendations for your consideration and are not considered to be material weaknesses or significant deficiencies in internal control.

#### **(1) Enhancing Procedures Over Subrecipient Monitoring and Reporting**

For all federal sub-awards, Omnitrans did not provide pertinent federal award information details (CFDA Title and number, award name and number, etc.) to its subrecipients as required by OMB Circular A-133.

## Attachment A1

Administrative and Finance Committee  
Omnitrans  
San Bernardino, California

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For sub-awards made on or after October 1, 2010, Omnitrans did not obtain the subrecipient's DUNS number during the subrecipient application and award process as required by 2 CFR Section 25.110 and Appendix A to 2 CFR part 25.

For non-ARRA sub-awards in excess of \$25,000, Omnitrans did not enter key data elements of the sub-award into the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS). A requirement under the Federal Funding Accountability and Transparency Act (Transparency Act), as amended by Section 6202(a) of the Government Funding Transparency Act of 2008) is that non-ARRA subawards over \$25,000 must be reported in the FSRS. The information is to be reported in FSRS no later than the last day of the month following the month in which the award or the modification was signed.

Program personnel were not aware of these reporting requirements. Failure to obtain the DUNS number and ensure that all subrecipients are entered into FSRS could result in inaccurate reporting of subrecipient awards and expenditures.

### **Recommendation**

We recommend that Omnitrans develop and implement subrecipient application and award procedures to ensure that the information required by OMB Circular A-133 is obtained from the subrecipient during the application process, and that the key data elements are provided to subrecipients and reported in FSRS by the end of the month following the month in which the award was made.

### **Management Response**

As recommended, Omnitrans will develop and implement application and award procedures to ensure that the information required by OMB Circular A-133 is obtained from all subrecipients during the application and award process. Additionally, all key data elements will be transmitted and reported on the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS).

## **(2) Need for Enhanced Security Controls over Information Technology Systems**

Access controls limit or detect inappropriate access to computer resources, thereby protecting them from unauthorized modification, loss and disclosure. Logical access controls require users to authenticate themselves (through the use of secret passwords or other identifiers) and limit the files and other resources that authenticated users can access and the actions that they can execute. Without adequate access controls, unauthorized individuals, including outside intruders and former employees, can surreptitiously read and copy sensitive data and make undetected changes or deletions for malicious purposes or personal gain. In addition, authorized users can intentionally or unintentionally read, add, delete, modify, or execute changes that are outside their span of authority. Inadequate access controls diminish the reliability of computerized data and increase the risk of destruction or inappropriate disclosure of data.

During our review of network and SAP accounts, we noted 5 former employees within active network accounts and 3 former employees with active SAP accounts. Omnitrans

## Attachment A1

Administrative and Finance Committee  
Omnitrans  
San Bernardino, California

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IT indicated the accounts remain active by request by the departmental directors in order to access information from their accounts. However, the accounts result in a weakness in the security posture of the network. The accounts can be construed as "shared" accounts that are not directly associated to a current employee.

During our prior year review of password configurations for users logging onto the network, we noted certain security policies and procedures could be enhanced to provide better security over the network processing environment. It was indicated the password configurations were updated to be more in line with industry best practice. However, we noted additional areas where the password required could be further enhanced. Specifically, we noted password complexity requirements were not enabled. In addition, we noted the minimum password age was set to 0. Without a minimum password age set to greater than 0, users can cycle through passwords repeatedly until they get to an old favorite. Included below are generally accepted industry best practice password configurations:

- A minimum character length, at least 8 characters, should be required for passwords.
- Passwords should be required to be changed periodically, between 30 to 90 days.
- Passwords should be required to contain both alphanumeric and special characters.
- Use of old passwords (for example, within 6 generations) should be prohibited.
- Unsuccessful attempts to login should be limited to between 3 and 5 attempts.
- Individual users should be uniquely identified rather than having users within a group share the same ID or password; generic user IDs and passwords should not be used.

### **Recommendation**

We recommend Omnitrans remove accounts for former employees. If this is not feasible, we recommend Omnitrans implement additional security controls over the accounts, including monitoring controls. In addition, we recommend Omnitrans enhance its user access (password) controls to be more in line with industry best practice.

### **Management Response**

As recommended Omnitrans will implement additional security controls over the accounts, including monitoring controls. Additionally, Omnitrans has begun steps to enhance its user access (password) controls by implementing the following:

1. Password length has to be 8 characters or more.
2. Password has to include combination of alpha and numeric characters.
3. User cannot use the previous 6 passwords.
4. User cannot recycle old password within the 30 days window.
5. User password will expire every 60 days.

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Omnitrans' written responses to the matters identified in our audit were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

This communication is intended solely for the information and use of the management, those charged with governance, others within Omnitrans, and agencies that provided federal financial assistance to Omnitrans and is not intended to be and should not be used by anyone other than these specified parties.

*Mayer Rothman McCann P.C.*

Irvine, California  
October 31, 2012

## Attachment A2



**Mayer Hoffman McCann P.C.**

**An Independent CPA Firm**

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Administrative and Finance Committee  
Omnitrans  
San Bernardino, California

We have audited the financial statements of Omnitrans for the year ended June 30, 2012, and have issued our report thereon dated October 31, 2012. Professional standards require that we provide you with the following information related to our audit.

**Our Responsibility under U.S. Generally Accepted Auditing Standards  
and OMB Circular A-133**

Our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

Our responsibility is to plan and perform the audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement. In planning and performing our audit, we considered Omnitrans' internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. We also considered internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the U.S. Office of Management and Budget (OMB) Circular A-133.

As part of obtaining reasonable assurance about whether Omnitrans' financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit. Also, in accordance with OMB Circular A-133, we examined, on a test basis, evidence about Omnitrans' compliance with the types of compliance requirements described in the OMB Circular A-133 Compliance Supplement applicable to its major federal program for the purpose of expressing an opinion on Omnitrans' compliance with those requirements. While our audit provides a reasonable basis for our opinion, it does not provide a legal determination on Omnitrans' compliance with those requirements.

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Administrative and Finance Committee  
Omnitrans  
San Bernardino, California

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We are responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures specifically to identify such matters.

### **Planned Scope and Timing of the Audit**

Audit fieldwork was substantially completed by September 21, 2012. We performed the audit according to the planned scope and timing previously communicated to you in our letter dated August 13, 2012.

### **Significant Audit Findings**

We reported to you in our single audit report on federal awards that our audit disclosed no material weaknesses in internal control. Other matters deserving your attention are reported in findings 2012-1 in the single audit report and in a separate letter addressed to you dated October 31, 2012.

### **Qualitative Aspects of Accounting Practices**

Management is responsible for the selection and use of appropriate accounting policies. We will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by Omnitrans are described in Note 1 to the financial statements. As described in Note 1 to the financial statements, Omnitrans changed accounting policies related to the reporting of deferred outflows of resources, deferred inflows of resources and net position by implementing Statement of Governmental Accounting Standards Board (GASB) No. 63, "Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position", in 2012. Implementing this GASB Statement did not result in any cumulative adjustment as of the beginning of the year. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

Examples of significant judgments and estimates reflected in Omnitrans' financial statements include:

- Judgments involving the useful lives and depreciation methodology to use for capital assets; and

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Administrative and Finance Committee  
Omnitrans  
San Bernardino, California

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- Judgments concerning whether an accrual for incurred but not reported claims for workers' compensation and general liability should be estimated and recorded at year end.
- Judgments involving the fair value and effectiveness of derivative investments associated with hedging transactions to stabilize the cost of fuel for buses.

We evaluated each of the significant judgments and estimates and found them to be reasonable and based upon supported documentation and/or reports from consultants specializing in the related field.

### **Difficulties Encountered In Performing the Audit**

We encountered no significant difficulties in performing and completing our audit.

### **Corrected and Uncorrected Misstatements**

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. To our knowledge, no misstatements were identified during our audit.

### **Disagreements with Management**

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting or auditing matter, whether or not resolved to our satisfaction that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### **Management Representations**

We have requested certain representations from management that are included in the management representation letter dated October 31, 2012.

### **Management Consultations with Other Independent Accountants**

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to Omnitrans' financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

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Administrative and Finance Committee  
Omnitrans  
San Bernardino, California

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### Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as Omnitrans' auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the Administrative and Finance Committee and management of Omnitrans and is not intended to be and should not be used by anyone other than these specified parties.

*Mayer Hoffman McCann P.C.*

Irvine, California  
October 31, 2012



Board of Directors  
Mountain Area Regional Transit Authority  
Big Bear Lake, California

We have audited the financial statements of the Mountain Area Regional Transit Authority (MARTA) for the year ended June 30, 2012. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter. Professional standards also require that we communicate to you the following information related to our audit.

**Significant Audit Findings**

*Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by MARTA are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year. We noted no transactions entered into by MARTA during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

- Management's estimate of the depreciation of capital assets is based upon the estimated useful lives of the related capital assets.
- Management's estimate of compensated absences liability is based upon the vacation leave balance and pay rate of all eligible employees
- Management's estimate of the self-insurance liabilities is based upon the annual statement provided by an external self-insurance administrator
- Management's footnote disclosure on the employee pensions and deferred compensation plan is based on executed agreements between MARTA and the pension plan and deferred compensation plan providers

We evaluated the key factors and assumptions used to develop the estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

## Attachment B1

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

- The disclosure of deficit unrestricted net assets in Note 12 to the financial statements. As of June 30, 2012, MARTA reported a deficit of \$56,715. Management indicated that the deficit was primarily due to the long term insurance liability described in Note 7 to the financial statements. The deficit is expected to be funded through future earnings. Management asserted that no impact to operations is anticipated.

The financial statement disclosures are neutral, consistent, and clear.

### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

### *Corrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. The misstatements noted below were corrected by management:

- Compensated absences were overstated by \$5,834 as of June 30, 2012.
- Self insurance liabilities were overstated by \$24,489 as of June 30, 2012.

### *Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated March 22, 2013.

### *Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Authority's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as MARTA's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

## Attachment B1

### *Other Matters*

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of the Board of Directors and management of MARTA and is not intended to be and should not be used by anyone other than these specified parties.

*Varrinck, Tami, Day, Co., LLP*

Rancho Cucamonga, California  
March 22, 2013



### INDEPENDENT AUDITORS' REPORT

To the Board of Directors  
Mountain Area Regional Transit Authority  
Big Bear Lake, California

We have audited the accompanying financial statements of the Mountain Area Regional Transit Authority (MARTA) as of and for the year ended June 30, 2012. These financial statements are the responsibility of MARTA's management. Our responsibility is to express an opinion on these financial statements based upon our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of MARTA's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to previously present fairly, in all material respects, the financial position of MARTA as of June 30, 2012 and the changes in financial position and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated March 22, 2013, on our consideration of MARTA's internal control over financial reporting and on our tests of its compliance with certain provisions of law, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Management has omitted management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

*Vavrinek, Trine, Day & Co., LLP*

Rancho Cucamonga, California  
March 22, 2013



**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Directors  
Mountain Area Regional Transit Authority  
Big Bear Lake, California

We have audited the basic financial statements of the Mountain Area Regional Transit Authority (MARTA) as of and for the year ended June 30, 2012 and have issued our report thereon dated March 22, 2013. Our report included an explanatory paragraph regarding MARTA's omission of management's discussion and analysis. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

**Internal Control Over Financial Reporting**

Management of MARTA is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered MARTA's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of MARTA's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of MARTA's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as described in the accompanying schedule of findings and questioned costs, we identified certain deficiencies in internal control over financial reporting that we consider to be material weaknesses and another deficiency that we consider to be a significant deficiency.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies described in the accompanying schedule of findings and questioned costs as items 2012-01, 2012-02, and 2012-04 to be material weaknesses.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency described in the accompanying schedule of findings and questioned costs as item 2012-03 to be a significant deficiency.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether MARTA's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, including Section 6667 of Part 21 of the California Code of Regulations and the allocation instructions of San Bernardino Associated Governments, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

MARTA's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit MARTA's responses and, accordingly, we express no opinion on them.

This report is intended solely for the information and use of MARTA's Board, management, federal agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

*Vaurmick, Trine, Day, Co., LLP*

Rancho Cucamonga, California  
March 22, 2013



**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH REQUIREMENTS  
THAT COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH MAJOR PROGRAM,  
INTERNAL CONTROL OVER COMPLIANCE AND THE SCHEDULE OF EXPENDITURES OF  
FEDERAL AWARDS IN ACCORDANCE WITH OMB CIRCULAR A-133**

To the Board of Directors  
Mountain Area Regional Transit Authority  
Big Bear Lake, California

**Compliance**

We have audited the Mountain Area Regional Transit Authority's (MARTA) compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of MARTA's major federal programs for the year ended June 30, 2012. MARTA's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of MARTA's management. Our responsibility is to express an opinion on MARTA's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133 *Audits of States, Local Governments and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about MARTA's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of MARTA's compliance with those requirements.

In our opinion, MARTA complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2012. However, the results of our auditing procedures disclosed an instance of noncompliance with those requirements, which is required to be reported in accordance with OMB Circular A-133 and which is described in the accompanying schedule of findings and questioned costs as item 2012-05.

**Internal Control Over Compliance**

Management of MARTA is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered MARTA's internal control over compliance with the requirements that could have a direct and material effect on a major federal program to determine the auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of MARTA's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, we identified a deficiency in internal control over compliance that we consider to be a significant deficiency as described in the accompanying schedule of findings and questioned costs as item 2012-05. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

#### Schedule of Expenditures of Federal Awards

We have audited the financial statements of MARTA as of and for the year ended June 30, 2012, and have issued our report thereon dated March 22, 2013, which contained an unqualified opinion on those financial statements. Our report included an explanatory paragraph regarding MARTA's omission of management's discussion and analysis. Our audit was performed for the purpose of forming our opinion on the financial statements that collectively comprise MARTA's basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the financial statements as a whole.

MARTA's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit MARTA's responses and, accordingly, we express no opinion on them.

This report is intended solely for the information and use of MARTA's Board, management, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

*Vaurinik, Tami, Day, Co., LLP*

Rancho Cucamonga, California  
March 22, 2013

**MOUNTAIN AREA REGIONAL TRANSIT AUTHORITY  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
FOR THE YEAR ENDED JUNE 30, 2012**

**II. FINANCIAL STATEMENT FINDINGS**

**Finding 2012-01**

**INTERNAL CONTROLS**

**Criteria:**

For certain internal controls, such as a review or an approval, a signature demonstrating the performance of the control should be evident.

**Condition:**

While testing various transaction cycles, we noted that certain internal controls were asserted by management to be implemented; however the evidence that the internal control was performed could not be presented.

**Context:**

The conditions noted above were identified during testing of various transaction cycles and inquiry with personnel throughout the engagement.

**Effect:**

The internal control environment is weakened.

**Cause:**

The performance of certain internal controls were not documented.

**Recommendation:**

MARTA should document the performance of internal controls through a signature, initial, date, or other method to ensure that the control was performed and to demonstrate the timing of the completion of the control.

**View of Responsible Official and Planned Corrective Actions:**

To better improve the performance of internal controls and to provide evidence that a review or approval of a document has taken place, management has implemented the practice whereby employees performing these reviews, approvals and data entry of financial documents will include their signature or initials and date that the action took place.

**MOUNTAIN AREA REGIONAL TRANSIT AUTHORITY  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
FOR THE YEAR ENDED JUNE 30, 2012**

**II. FINANCIAL STATEMENT FINDINGS**

**Finding 2012-02**

**POLICIES AND PROCEDURES**

**Criteria:**

MARTA should have policies and procedures for each of the key internal control systems. These policies should address:

- Control Environment; tone at the top, including the oversight of those charged with governance.
- Risk Assessment, the identification of risk, the process and/or procedures to address and manage risks (including fraud risks).
- Information and Communication; the policies should address how information is captured for financial reporting; and how MARTA will ensure effective communication will be maintained at all levels relating to the flow of information for financial and/or compliance reporting.
- Control Activities; outlining the specific and detailed procedures which will be followed for each internal control system.

**Condition:**

MARTA does not have a comprehensive set of formal policies and procedures. We have noted that many of the specific procedures followed by MARTA are based upon historical processes passed down verbally from employee to employee. Some of the specific areas which will need to have formal policies and procedures developed include: fraud, ethics, cash receipting, disbursements, payroll, budget, information technology, disaster recovery, capital assets, federal and state grant reporting, financial reporting, and year end closing. We noted the processes with formal written policies and procedures include capital assets and procurement which have not been updated since 1999 and 2001, respectively. As such policies and procedures over capital assets and procurement should be reviewed and updated as necessary.

**Context:**

The conditions noted above were identified during testing of various transaction cycles and inquiry with personnel throughout the engagement.

**Effect:**

The internal control environment is weakened. MARTA is at risk if certain employees were to leave as many of the processes are focused around specific employees that possess the detailed understanding of the systems.

**Cause:**

MARTA has not reviewed and/or documented in writing several of the key business processes. In addition, MARTA has not provided cross training for some of these areas.

**MOUNTAIN AREA REGIONAL TRANSIT AUTHORITY  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
FOR THE YEAR ENDED JUNE 30, 2012**

**II. FINANCIAL STATEMENT FINDINGS**

**Recommendation:**

MARTA should begin the process of the review, development, documentation and implementation of policies and procedures. In addition, personnel should work through the same process to ensure that all business practices address appropriate risks, internal controls are properly designed and documented, staff are properly trained, and that cross training is taking place.

**View of Responsible Official and Planned Corrective Actions:**

MARTA management is committed to improving control environment, risk management, communication and training of policy and procedures in key areas and thereby improving MARTA's systems and procedures. Subsequent to June 30, 2012, various policies and procedures including ethics, cash handling, disbursements, payroll, budget, capital assets, financial reporting and year-end closing have been written and implemented. Staff has received copies and training in these policies and procedures. Annually, management will perform a review of the procedures and processes making updates as necessary.

**Finding 2012-03**

**FINANCIAL REPORTING**

**Criteria:**

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein and for the fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles. This requires management to work through a year-end closing process to accumulate, reconcile, and summarize information for inclusion in the annual financial statements. The year-end closing process includes the review and/or reconciliation of all balances within MARTA's general ledger. Accounts must be reviewed for proper cutoff, classification and presentation. These processes should be complete before the external auditors begin the final fieldwork.

**Condition:**

MARTA did not have formal year-end closing procedures. As a result, the following deficiencies in the year end closing process were identified and recorded in the general ledger eight months after the fiscal year end, as follows:

- Compensated absences were not calculated correctly as of June 30, 2012.
- MARTA did not reconcile risk management liabilities relating to general liability and risk management per the general ledger to statements from the California Joint Powers Insurance Authority identifying liability balances at June 30, 2012.

**MOUNTAIN AREA REGIONAL TRANSIT AUTHORITY  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
FOR THE YEAR ENDED JUNE 30, 2012**

**II. FINANCIAL STATEMENT FINDINGS**

**Context:**

The condition noted above was identified during testing of various accounts related to MARTA's year-end balances. MARTA did not have a comprehensive year-end closing process. In addition, personnel were not adequately trained on the year-end closing process.

**Effect:**

As a result of the year-end closing process that was used by MARTA, the financial information provided contained several material misstatements.

**Cause:**

MARTA does not perform a complete year-end close on a timely basis and does not maintain a comprehensive closing checklist or formalized policies and procedures to ensure that year-end accounting entries have been reported.

**Recommendation:**

As a result of the audit fieldwork MARTA began to address the above noted items. MARTA must continue to develop a comprehensive year-end closing process. This process should include detailed checklists to ensure that each financial statement area is reconciled, balanced and reviewed during the closing process. The closing process manual should also detail specific assignments, staff and timelines to complete the process. After each area has been closed by staff it should go through a review process to ensure accuracy. Each of these steps should be documented and signed off on the comprehensive checklist. In addition MARTA should provide staff training on the year-end closing process to ensure that all areas have been adequately addressed.

**View of Responsible Official and Planned Corrective Actions:**

Subsequent to June 30, 2012, management has implemented written procedures for year-end closing, which includes a checklist for review and entries. Staff has reviewed and has been trained on the detail of the steps specific to completing the process

**Finding 2012-04**

**BANK RECONCILIATIONS**

**Criteria:**

Bank reconciliations, reconciling the bank statements to the general ledger should be prepared, reviewed, and approved timely.

**MOUNTAIN AREA REGIONAL TRANSIT AUTHORITY  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
FOR THE YEAR ENDED JUNE 30, 2012**

**II. FINANCIAL STATEMENT FINDINGS**

**Condition:**

We noted the bank reconciliations included items listed as reconciling that appeared to have cleared previously. We also noted that, in certain instances, the reconciled balance did not agree to the corresponding general ledger account balance.

**Context:**

MARTA maintains multiple bank accounts. The total cash balance on the reconciliation agreed to the total cash balance in the general ledger however, as noted in the condition above, the balances of certain individual accounts did not agree. The reconciliations also included detail that had cleared previously however had not been removed from the reconciliation.

**Effect:**

The risk of misstatement related to cash reconciliations is heightened.

**Cause:**

MARTA's procedures did not accurately reconcile cash to individual accounts and the review of the reconciliations was not documented.

**Recommendation:**

MARTA should enhance procedures to accurately reconcile cash to individual accounts and document the preparation, review, and approval of the reconciliations.

**View of Responsible Official and Planned Corrective Actions:**

A CPA firm has been hired by MARTA to do bank statement reconciliation of all accounts on a monthly basis, with documentation and review and approval being completed by the General Manager. This change is reflected in MARTA's Accounting Procedures.

**MOUNTAIN AREA REGIONAL TRANSIT AUTHORITY**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**

**FOR THE YEAR ENDED JUNE 30, 2012**

**III. FEDERAL AWARD FINDINGS AND QUESTIONED COSTS**

**Finding 2012-05**

**Program:** Formula Grants for Other Than Urbanized Areas (includes ARRA)

**CFDA No.:** 20.509

**Federal Grantor:** U.S. Department of Transportation

**Passed-through:** State of California – California Department of Transportation

**Award No.:** Various

**Award Year:** Various

**Compliance Requirement:** Equipment and Real Property Management

**Criteria:**

The June 2012 Office of Budget and Management (OMB) Circular A-133 Compliance Supplement suggests that auditors obtain the entity's policies and procedures for equipment management and ascertain if they comply with the State's policies and procedures.

**Condition:**

MARTA does not have a comprehensive equipment management policy.

**Questioned Costs:**

None

**Context:**

The condition noted above was identified during our examination of the equipment management requirements of the program.

**Effect:**

As a result of the condition, there is an increased risk of noncompliance with equipment management provisions.

**Cause:**

MARTA does not have a comprehensive equipment management policy.

**Recommendation:**

We recommend that MARTA adopt a comprehensive equipment management policy.

**Views of Responsible Officials and Planned Corrective Actions:**

Management has implemented written policies and procedures for asset management (procurement policy, disposition of assets policy, and inventory tracking procedures) subsequent to June 30, 2012.

**MOUNTAIN AREA REGIONAL TRANSIT AUTHORITY**  
**SCHEDULE OF PRIOR YEAR AUDIT FINDINGS AND RESPONSES**  
**FOR THE YEAR ENDED JUNE 30, 2012**

Summarized below is the current status of all audit findings reported in the prior year audit's schedule of audit findings and questioned costs.

**Financial Statement Findings**

Finding No.	Area	Status of Corrective Action
2011-01	Internal Controls	Partially implemented. See current year finding 2012-01
2011-02	Policies and Procedures	Not implemented. See current year finding 2012-02
2011-03	Financial Reporting	Partially implemented. See current year finding 2012-03
2011-04	Capital Assets	Partially implemented. See current year finding 2012-02
2011-05	Risk Management	Not implemented. See current year finding 2012-03
2011-06	Bank Reconciliations	Not implemented. See current year finding 2012-04
2011-07	Statement of Economic Interests	Implemented

**Federal Awards Findings**

Finding No.	Program	CFDA No.	Compliance Requirement	Status of Corrective Action
2011-08	Formula Grants for Other than Urbanized Areas (Indirect)	20.509	Reporting	Implemented
2011-09	Formula Grants for Other than Urbanized Areas (Indirect)	20.509	Equipment and Real Property Management	Not implemented. See current year finding at 2012-05
2011-10	Formula Grants for Other than Urbanized Areas (Indirect)	20.509	Reporting	Implemented



Vavrinek, Trine, Day &amp; Co., LLP

Certified Public Accountants

VALUE THE DIFFERENCE

## INDEPENDENT AUDITORS' REPORT

Board of Directors  
Valley Transportation Services  
Upland, California

We have audited the accompanying statement of financial position of Valley Transportation Services (V-Trans), (a California nonprofit organization), as of June 30, 2012, and the related statements of activities, cash flows and functional expenses for the year then ended. These financial statements are the responsibility of V-Trans' management. Our responsibility is to express an opinion on these financial statements based upon our audits.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of V-Trans' internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of V-Trans as of June 30, 2012, and the respective changes in its net assets and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued a report dated March 13, 2013, on our consideration of V-Trans' internal control over financial reporting and on our tests of its compliance with certain provisions of law, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Vavrinek, Trine, Day & Co., LLP

Rancho Cucamonga, California  
March 13, 2013



Board of Directors  
Valley Transportation Services  
Upland, California

We have audited the financial statements of the Valley Transportation Services (VTrans) (a California nonprofit organization) for the year ended June 30, 2012. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter. Professional standards also require that we communicate to you the following information related to our audit.

### **Significant Audit Findings**

#### *Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by VTrans are described in Note 2 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year. We noted no transactions entered into by VTrans during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

- Management's estimate of the depreciation of capital assets is based upon the estimated useful lives of the related capital assets.

We evaluated the key factors and assumptions used to develop depreciation estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

#### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

#### *Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated March 13, 2013.

*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Authority's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as VTrans' auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of SANBAG, the Board of Directors and management of VTrans and is not intended to be and should not be used by anyone other than these specified parties.

*Vawter, Tami, Day, Co., LLP*

Rancho Cucamonga, California  
March 13, 2013



**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Board of Directors  
Valley Transportation Services  
Upland, California

We have audited the financial statements of the Valley Transportation Services (V-Trans), (a California nonprofit organization), (V-Trans) as of June 30, 2012, and have issued our report thereon, dated March 13, 2013. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States.

**Internal Control over Financial Reporting**

Management of V-Trans is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered V-Trans' internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of V-Trans' internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of V-Trans' internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as described in the accompanying schedule of findings and responses, we identified certain deficiencies in internal control over financial reporting that we consider to be material weaknesses and other deficiencies that we consider to be significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We did not identify any deficiencies that we consider to be material weaknesses.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency described in the accompany schedule of finding and response as item 2012-01 to be a significant deficiency.

## Compliance and Other Matters

As part of obtaining reasonable assurance about whether V-Trans' financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

V-Trans' responses to the findings identified in our audit are described in the accompanying schedule of findings and responses. We did not audit V-Trans' response and, accordingly, we express no opinion on them.

This report is intended solely for the information and use of the SANBAG, the Board of Directors, management, others within V-Trans, and officials of applicable state grantor agencies and is not intended to be, and should not be used by anyone other than these specified parties.

*Vavnick, Trini, Day, Co., LLP*

Rancho Cucamonga, California  
March 13, 2013

**VALLEY TRANSPORTATION SERVICES**  
**(A California Nonprofit Organization)**

**SCHEDULE OF FINDING AND RESPONSE**  
**JUNE 30, 2012**

The following finding represents a significant deficiency, material weakness, and/or instance of noncompliance related to the financial statements that are required to be reported in accordance with *Government Audit Standards*.

**Finding 2012-01**

***Significant Deficiency***

**INTERNAL CONTROL – LACK OF SEGREGATION OF DUTIES**

**Criteria or Specific Requirement:**

An element of effective internal controls is the proper segregation of duties. The basic premise of segregating duties is to prevent situations where an employee has the ability to perpetrate an error or irregularity and to conceal it as well. Proper segregation of duties provides for a system of checks and balances such that the functions by one employee are subject to review through the performance of the interrelated functions of another employee or management.

**Condition Found:**

We noted a lack of segregation of duties in the preparation of year end closing and adjusting journal entries, as no additional review are imposed on the prepared and posted journal entries in the general ledger. The monthly bank reconciliation process is also lacking adequate segregation of duties, as the external consultant is assigned with the task of compiling the bank reconciliations and booking the interest income journal entries in the general ledger without further management approval.

**Context:**

A fundamental concept in the design of an effective system of internal control is the segregation of duties.

**Effect:**

V-Trans' internal control system is weakened and adequate safeguards in preventing material misstatements in the financial statements are missing.

**Cause:**

V-Trans' current internal control system is not adequately designed to maintain a sufficient and effective level of segregation of duties.

**Recommendation:**

To strengthen the internal control system, we recommended that V-Trans implement procedures to ensure adequate of management review and approval for all accounting related processes.



- 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: 29

**Date:** July 10, 2013

**Subject:** Fiscal Year 2013/2014 Transit Operator Funding Allocations

**Recommendation:** Approve Fiscal Year 2013/2014 Transit Operator Funding Allocations, as indicated in Table 1, to the City of Barstow, City of Needles, Morongo Basin Transit Authority, Mountain Area Regional Transit Authority, Omnitrans, Victor Valley Transit Authority and Valley Transportation Services.

**Background:** San Bernardino Associated Government (SANBAG) staff has met with each of the transit operators to determine their funding needs for Fiscal Year 2013/2014. Table 1 outlines the proposed Fiscal Year 2013/2014 transit funding allocations for the individual transit operators aside from Southern California Regional Rail Authority (SCRRA). SCRRA allocations are addressed in separate Board actions. Measure I, Local Transportation Funds (LTF), and State Transit Assistance Funds (STAF) available for allocation to the individual transit operators are included as part of the proposed SANBAG Fiscal Year 2013/2014 Budget. The various other Federal Transit Administration (FTA), Congestion Mitigation and Air Quality (CMAQ), and Proposition 1B funds are received directly by the transit operators and, therefore, are not included in the proposed SANBAG Fiscal Year 2013/2014 Budget.

*Approved  
 Board of Directors*

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

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

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

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

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

Table 1

**Operating Budget FY 2013/14**

	Barstow <sup>1</sup>	MBTA	MARTA	Needles	Omnitrans	VVTA	VTrans
FTA 5307					\$ 10,897,560		
FTA 5311	\$ 250,176	\$ 288,271	\$ 214,235	\$ 31,157		\$ 213,002	
Measure I - S&D	\$ 278,500	\$ 104,268	\$ 95,181	\$ 11,000	\$ 5,100,000	\$ 682,310	\$ 2,173,350
LTF <sup>2</sup>	\$ 2,138,331	\$ 2,620,024	\$ 2,036,152	\$ 179,721	\$ 36,349,721	\$ 13,989,028	
STAF-Operator		\$ 34,999	\$ 26,372		\$ 1,150,817	\$ 164,254	
MI - PDTMS <sup>3</sup>						\$ 213,120	
<b>Total</b>	<b>\$ 2,667,007</b>	<b>\$ 3,047,562</b>	<b>\$ 2,371,940</b>	<b>\$ 221,878</b>	<b>\$ 53,498,098</b>	<b>\$ 15,261,714</b>	<b>\$ 2,173,350</b>

**Capital Budget FY 2013/14**

	Barstow	MBTA	MARTA	Needles	Omnitrans	VVTA	VTrans
FTA 5307					\$ 6,043,440	\$ 3,556,757	
FTA 5339 <sup>4</sup>					\$ 3,406,336	\$ 381,337	
CMAQ			\$ 355,139		\$ 5,197,506	\$ 162,098	
LTF					\$ 7,000,000		
STAF-Pop <sup>5</sup>		\$ 24,306	\$ 30,500	\$ 256,460	\$ 3,100,000	\$ 2,128,000	
Prop 1B-PTMISEA					\$ 2,798,942	\$ 1,334,337	
Prop 1B Security					\$ 128,566	\$ 18,600	
<b>Total</b>		<b>\$ 24,306</b>	<b>\$ 385,639</b>	<b>\$ 256,460</b>	<b>\$ 27,674,790</b>	<b>\$ 7,581,129</b>	
<b>Grand Total</b>	<b>\$ 2,667,007</b>	<b>\$ 3,071,868</b>	<b>\$ 2,757,579</b>	<b>\$ 478,338</b>	<b>\$ 81,172,888</b>	<b>\$ 22,842,843</b>	<b>\$ 2,173,350</b>

<sup>1</sup>The LTF allocation to Barstow includes the unincorporated Colorado River LTF allocation for Big River service.

<sup>2</sup>The LTF allocations included under Operations reflect the total LTF available to the service area. Barstow, VVTA, MBTA and MARTA typically return a portion to the local jurisdictions for local street and road purposes pursuant to TDA Article 8. Additionally, the LTF amounts included under Operations may be used for either operating or capital expenses.

<sup>3</sup>Measure I (MI) - PDTMS allocation includes \$168,365 from Victor Valley and \$44,755 from North Desert.

<sup>4</sup>FTA 5339 allocation to Omnitrans includes revenue from FY 2012/13 and FY 2013/14.

<sup>5</sup>Use of STA-Pop for operations requires compliance with PUC Section 99314.6 efficiency requirements.

STAF-Population funds are distributed to the region based on population and to the transit operators based on need. The annual amount of STA-Population funds allocated to the various operators varies based on one-time capital needs and ongoing capital needs. Included as part of the Fiscal Year 2013/2014 proposed allocations are three one-time allocations of Mountain/Desert apportioned STAF-Population funds. Staff is recommending approval of \$2,000,000 to Victor Valley Transit Authority to assist with the purchase of five coach-style busses for their Fort Irwin service; \$200,000 to the City of Needles for construction of a vehicle storage facility; and \$30,500 to MARTA for vehicle maintenance equipment.

Additionally, in December 2010, the Board approved the return of \$7,000,000 unspent LTF to Omnitrans should they need it for the sbX project. Omnitrans has indicated a need for these funds which are included in Table 1 as a one-time allocation.

Prior to disbursement of LTF and STAF operators must submit their completed annual Transportation Development Act (TDA) audit for the previous fiscal year.

***Financial Impact:*** Allocation of the pass-through LTF, STAF and Measure I funds are included in the proposed SANBAG Fiscal Year 2013/2014 Budget.

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on June 20, 2013. The individual funding allocation plans have been reviewed by each transit operator.

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



- 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: 30

**Date:** July 10, 2013

**Subject:** Advancement of Fiscal Year 2013/2014 Local Transportation Funds to Omnitrans

**Recommendation:** Authorize advanced disbursement of Fiscal Year 2013/2014 Local Transportation Funds allocated to Omnitrans to assist with an unforeseen cash flow disruption, contingent upon the availability of funding and removal of the indirect cost allocation of 3.27% currently being charged to the San Bernardino Transit Center.

**Background:** On April 19, 2013, SANBAG received notification from Omnitrans that the Amalgamated Transit Union (ATU) Local 1704 had objected to the referral of Federal Transportation Grant CA-90-Z009 in the amount of \$15.3 million. Grant CA-90-Z009 is the federal funding that Omnitrans uses to fund Fiscal Year 2012/2013 Operating and Capital items on a reimbursement basis. The objection placed by ATU Local 1704 is part of a wider objection that the ATU has with the newly enacted Public Employees' Pension Reform Act of 2013, AB 340 (Furutani), Stats, 2012, Chapter 296 ("PEPRA") and has resulted in a processing delay for all Federal Transit Administration (FTA) grant applications within California.

Approximately \$11.4 million of Grant CA-90-Z009 is related to on-going preventive maintenance operations costs. As of mid-May 2013, Omnitrans has expended approximately \$10.1 million of funds which are to be reimbursed by Grant CA-90-Z009 and has a cash balance of approximately \$11.3 million. Omnitrans, like all other transit agencies that receive federal funds, must have a

*Approved  
 Board of Directors*

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

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

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

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

COG	CTC	X	CTA	SAFE	CMA
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Check all that apply.

cash balance to cover immediate monthly expenses while awaiting reimbursement of federal funds. In December 2010, the Board directed staff to work with Omnitrans to account for and retain 2/12ths of its yearly operating budget for cash flow purpose which is approximately \$11.5 million for Fiscal Year 2012/2013 and \$11.9 million for Fiscal Year 2013/2014.

As a short-term mitigation measure, Omnitrans has indicated a need to have SANBAG advance a portion of their Fiscal Year 2013/2014 Local Transportation Fund (LTF) allocation as a result of the FTA grant funds being withheld. Omnitrans' Fiscal Year 2013/2014 LTF allocation amount is \$36.34 million which is scheduled to be disbursed in four quarterly payments of \$9.1 million. At this time it is estimated that approximately \$3 million will need to be advanced to Omnitrans on top of their initial Fiscal Year 2013/2014 quarterly allocation amount of \$9.1 million. Should the grant funds continue to be withheld through the second quarter of Fiscal Year 2013/2014 it is anticipated that the second quarter disbursement will be increased by \$3 million as well.

The exact amount of funds that will be advanced to Omnitrans is currently unknown but in no event shall the total amount of LTF disbursed to Omnitrans exceed their Fiscal Year 2013/2014 LTF allocation amount of \$36.34 million without further Board action. SANBAG disburses LTF funds one year in arrears (the funds accumulated in Fiscal Year 2012/2013 are disbursed in Fiscal Year 2013/2014) and has a sufficient LTF cash balance to expedite Omnitrans' Fiscal Year 2013/2014 LTF disbursement.

Additionally, the FTA has suspended distribution of two other Omnitrans grants including CA-04-0229 in the amount of \$8,300,000 that is currently designated for the San Bernardino Transit Center and CA-95-X229 which is designated for the purchase of 40 Foot CNG Coaches, until the labor dispute is resolved. Construction of the San Bernardino Transit Center is scheduled to begin in early 2014 and does not have an immediate impact to Omnitrans' cash flow. Additionally, Omnitrans is delaying the purchase of the 40 Foot CNG Coaches until the labor dispute is resolved.

In order to advance the LTF funds to Omnitrans, SANBAG will require Omnitrans to remove the indirect cost allocation of 3.27% that is currently being charged to the San Bernardino Transit Center. The savings that will be realized by the removal of the 3.27% will go towards fully funding the San Bernardino Transit Center.

Board Agenda Item  
July 10, 2013  
Page 3

***Financial Impact:*** This item has no financial impact on the current Fiscal Year 2012/2013 budget or proposed Fiscal Year 2013/2014 budget. Any funding that may be advanced to Omnitrans will come from their Fiscal Year 2013/2014 Local Transportation Fund allocation.

***Reviewed By:*** This item was reviewed and unanimously recommended by the Commuter Rail and Transit Committee on June 20, 2013.

***Responsible Staff:*** Mitch Alderman, Director of Transit and Rail Programs



- 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: 31

**Date:** July 10, 2013

**Subject:** Financial Commitment to the Southern California Regional Rail Authority for Fiscal Year 2013/2014

**Recommendation:**\* That the Board approve the following:

1. Approve Fiscal Year 2013/2014 operating assistance allocation of \$11,442,000 in Valley Local Transportation Funds to Southern California Regional Rail Authority.
2. Approve Fiscal Year 2013/2014 capital assistance allocation of \$3,634,500 in Federal Transit Administration 5309 and 5337 funds with local match to be funded from Toll Credits.
3. Approve Fiscal Year 2013/2014 capital assistance allocation of \$1,000,000 in Federal Transportation Administration 5337 funds to Southern California Regional Rail Authority for the reimbursement of cost associated with the purchased of Rotem cars originally funded by Orange County Transportation Authority, provided the overall reimbursement plan was approved in the preceding agenda item.

**Background:** The Southern California Regional Rail Authority (SCRRA) Joint Powers Agreement requires that a preliminary budget be presented to the member agencies by May 1<sup>st</sup> of each year. On April 26, 2013 the SCRRA board

*Approved  
Board of Directors*

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

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

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

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

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

BRD1307d-mmm

Attachment: <http://portal.sanbag.ca.gov/mgmt/committee/commuter/crtc2013/crtc1306/AgendaItems/CRTC1306d2-mmm.pdf>

authorized the release of the Fiscal Year 2013/2014 preliminary budget, referenced here as "SCRRA Special Board". Adoption of the final budget is scheduled for June 28, 2013, and is contingent upon each of the five (5) member agencies approving their financial contribution for the fiscal year. The member agencies include SANBAG, Riverside County Transportation Commission (RCTC), Orange County Transportation Authority (OCTA), Los Angeles County Metropolitan Transportation Authority (LACMTA), and the Ventura County Transportation Commission (VCTC).

The proposed preliminary SCRRA budget for the Fiscal Year 2013/2014 is \$245.2 million consisting of \$211.4 million for operations and \$33.8 million for capital rehabilitation projects.

SANBAG's member agency share of the Fiscal Year 2013/2014 capital budget is \$3,634,500 and is funded with a combination of remaining Fiscal Year 2012/2013 Federal Transit Administration (FTA) 5309 funds and Fiscal Year 2012/2013 FTA 5337 funds.

Additionally, by separate SANBAG Board action, staff is requesting approval to reimburse SCRRA \$6 million over a three year period for costs previously incurred by OCTA for the purchase of Rotem passenger cars. The proposed preliminary budget reflects a reimbursement of \$2 million from SANBAG to SCRRA for the Rotem passenger cars resulting in a net deduction to OCTA's share of Fiscal Year 2013/2014 capital cost. Recommendation number three, formalizes the allocation of the \$2 million for Fiscal Year 2013/2014 contingent upon approval of the overall reimbursement plan by the SANBAG Board.

The Fiscal Year 2013/2014 operations budget amount of \$211.4 reflects an increase of 7.8% over the Fiscal Year 2012/2013 operations budget amount of \$196.1 million. SANBAG's member agency share of the Fiscal Year 2013/2014 Operation budget is \$11.447 million which is included in the approved SANBAG Fiscal Year 2013/2014 budget and funded with Valley Area Local Transportation Funds (LTF).

Member agency contributions towards operations represent the difference between the total cost of operations and all available revenue. The main increase in the total operations budget, approximately \$8.3 million, is attributed to the transition of Positive Train Control (PTC) from a grant funded capital cost to a reoccurring operations cost. Two other key operations cost increases include contractual increases from the five main contracts which include rate escalators and costs associated to the operation of the Eastern Maintenance Facility (EMF).

The increase in member agency subsidy was identified as a source of concern by the members of the SCRRA Technical Advisory Committee (TAC). One of the solutions proposed by the TAC to offset the increase in member agency subsidy was a fare increase. The amounts presented represent a budget based on the SCRRA Board approving a five percent (5%) fare increase and an assumed increase of 2% in ridership. Should the SCRRA Board not approve this recommendation, SANBAG staff will provide a revised budget to the SANBAG Board for discussion to increase contribution.

SANBAG typically funds most, if not all, of its member agency operating subsidy with Valley LTF. LTF is a one of two transit-specific fund types included under the State Transportation Development Act (TDA). In the Valley, these funds are only used for transit purposes. LTF is the most flexible funding source available to fund operations costs. The other transit funding sources available to the Valley are either restrictive in nature or ineligible to use as a funding source for SCRRA operations.

From a cash flow standpoint SANBAG can financially afford the additional subsidy request in the current Fiscal Year without adversely affecting the transit and rail program as it is currently constituted. However, there is concern by SANBAG staff that without a proper short range transit plan (or SCRRA agency strategic plan) to use for future budgeting, the revenue stream may not be large enough to support all of the needs in the San Bernardino Valley.

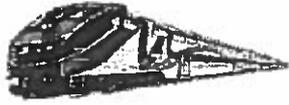
When this item was presented to the Commuter Rail and Transit committee staff identified a \$2,000,000 allocation request. However after discussion of item 13 Reimburse the OCTA for purchase of SCRRA rolling stock, rotem passenger cars the committee recommended a \$1,000,000 allocation for fiscal year 2013/2014

**Financial Impact:** This item is consistent with the adopted SANBAG Fiscal Year 2013/2014 budget. Currently staff has budgeted \$11.5 million of LTF Valley funds for operations which will pass through SANBAG financials.

The \$5.7 million of FTA 5337 and 5309 funds million will not pass through SANBAG financials as we are not currently an FTA grantee. These monies will be transferred from FTA to SCRRA directly with SANBAG responsible for allocation of the funds to SCRRA and programming of the funds in the Federal Transportation Improvement Program.

**Reviewed By:** This item was reviewed and unanimously recommended by the Commuter Rail and Transit Committee on June 20, 2013.

**Responsible Staff:** Mitch Alderman, Director of Transit and Rail Programs



**METROLINK**

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

**SPECIAL BOARD OF DIRECTORS**

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**A P R I L 2 6 , 2 0 1 3**

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Los Angeles County Metropolitan Transportation Authority

Orange County Transportation Authority

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San Bernardino Associated Governments

Ventura County Transportation Commission

**A G E N D A**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Public Comment**

**REGULAR CALENDAR**

4. **Preliminary Fiscal Year 2013-14 (FY14) SCRRA Budget**

The Southern California Regional Rail Authority (Authority) is required, as directed under the terms of the Joint Exercise of Powers Agreement (JPA), to provide to its Member Agencies, on or before May 1 of each year, a Preliminary Budget, effective July 1 of the succeeding fiscal year, for individual agency consideration and approval.

The Planning and Finance Committee recommends the Board authorize the transmittal of the Preliminary Fiscal Year 2013-14 (FY14) SCRRA Budget to its Member Agencies for their consideration. This report represents a summary of the Preliminary FY14 Budget for consideration. As such, there is no impact to the current (FY13) budget.

Page 1

5. **Positive Train Control (PTC) Project Update**

Staff and Contractor will address the schedule delivery and update the Board on the progress of the PTC program and answer any questions relating to this project. There is no written report. The Board may receive and file this report.

6. **Chief Executive Officer's Report**
  - Authority Update

7. **Chair's Comments**
8. **Board Members' Comments**
9. **ADJOURNMENT**



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**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY**

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**TRANSMITTAL DATE:** April 23, 2013

**MEETING DATE:** April 26, 2013 **ITEM 4**

**TO:** Board of Directors

**FROM:** Chief Executive Officer

**SUBJECT:** Preliminary Fiscal Year 2013-14 (FY14) SCRRRA Budget

**Issue**

The Southern California Regional Rail Authority (Authority) is required, as directed under the terms of the Joint Exercise of Powers Agreement (JPA), to provide to its Member Agencies, on or before May 1 of each year, a Preliminary Budget, effective July 1 of the succeeding fiscal year, for individual agency consideration and approval.

**Recommendation**

The Planning and Finance Committee recommends the Board authorize the transmittal of the Preliminary Fiscal Year 2013-14 (FY14) SCRRRA Budget to its Member Agencies for their consideration.

**Committee Review**

The Planning and Finance Committee reviewed and continued this item to the full Board with additional budgetary information. The additional information has been incorporated in the background section of this report shown in track changes.

**Alternatives**

The Board may choose to:

- 1) Take no action on the recommendation listed above; or
- 2) Recommend that changes be made to the Preliminary FY14 Budget prior to its transmittal to the Member Agencies.

**Background**

Attachment A is a revised tabular file that provides a summary of the proposed Preliminary FY14 Budget. Subsequent to the review and adoption by the Member Agencies, the Proposed FY14 Budget will be presented to, reviewed by, and considered for adoption by the SCRRRA Board of Directors at its June 2013 meeting.

The first draft of the Preliminary FY14 Budget has been presented to and discussed with members of the Technical Advisory Committee (TAC) at a special meeting held on April 11,

2013. Based on comments received from the TAC, staff has been able to achieve further reductions as reflected in the preliminary budget document that is attached. Further, staff expects to continue this Member Agency engagement through submittal to the Board in June 2013 to ensure all issues have been addressed and any required revisions are incorporated.

A revised version of the FY14 Budget was presented to the Planning and Finance Committee at a special meeting held on April 19, 2013. Based on feedback received from the Committee additional budgetary information is included relating to costs associated with Positive Train Control (PTC), TAP program and Eastern Maintenance Facility (EMF).<sup>1</sup>

As a guide to its development, the following priorities were established for the upcoming fiscal year:

#### SCRRA Budget Priorities for FY14

1. Continue the implementation of ongoing safety improvements and other organizational improvements;
2. Maintain same level of service;
3. Strive for cost reductions and efficiencies to offset portions of major outsourced contractual increases;

#### Overall Summary

The Preliminary FY14 Budget represents the continuation of the transformation of the SCRRA into the provider of Southern California's commute of choice.

The Preliminary FY14 is Budget is currently estimating a request of new budgetary authority of \$244.5 million. This Budget consists of Operating Budget authority of \$ 210.7 million, an increase of 7.4% over the FY13 Budget and new Capital Program authority of \$33.8 million in rehabilitation projects.

For those projects authorized during FY13 or earlier, staff continues to estimate the outstanding project balances and will include these figures in the final presentation to the Board in June.

#### Operating Budget

##### Train Operations and Maintenance of Way

The Train Operations component of the budget consists of those costs necessary to provide Metrolink commuter rail services across the six-county service area, including the direct costs of railroad operations, equipment maintenance, required support costs, and other

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<sup>1</sup> Please note all text throughout the document shown in 'track changes' indicates a change or additional information from the item presented to the Planning and Finance meeting on April 19, 2013.

administrative and operating costs. Ordinary MOW expenditures are those costs necessary to perform the inspections and repairs needed to assure the reliable, safe operation of trains and safety of the public. The current estimated value of Train Operations is \$125.4 million, Administration & Services is \$30.2 million, Insurance \$18.7 million and MOW is \$36.4 million.

The Preliminary FY14 Budget assumes the operation of a total of 2.8 million revenue service miles through the operation of 169 weekday trains. Weekend services consist of 76 trains operating on the Antelope Valley, San Bernardino, Orange County and Inland Empire/Orange County (IEOC) lines. The proposed budget does not include any incremental services pending review of several alternative services by the Member Agencies.

The single largest dollar increase within the operating budget is the implementation of the Positive Train Control (PTC) program of approximately \$8.64 million. The main cost drivers are associated with placing the federally mandate PTC System in service and the resulting transition of PTC from a grant funded capital project cost to recurring Operations and Maintenance cost. The PTC System will be incrementally placed into revenue demonstration service beginning in late September 2013 with the San Gabriel subdivision (San Bernardino line) and continuing until all subdivisions are completed in February 2014. The PTC contractor then has a 5 month acceptance or burn in process and should be generally de-mobilized by July 2014. Project close out activities, warranty management, response to audits, etc. will continue through the second half of calendar year 2014 and all of calendar year 2015.

The establishment of a PTC-function into the operating budget can be categorized as:

- 1) PTC and Computer Aided Dispatch (CAD) back office, on board and wayside systems license and warranties not covered by grant funds [*\$1 million*]
- 2) PTC and CAD Vendor maintenance support agreements and specialized technical support [*\$1.8 million*]
- 3) Commercial (AT&T, Verizon, Sprint) Telecommunication circuits, cell modems and mountain top leases [*\$1.2 million*]
- 4) Staff and O&M contractors staff to maintain/operate/support PTC/CAD System including back office, on-board, wayside communication components [*\$3.20 million*] and
- 5) Other/miscellaneous costs including facility repairs and modifications, specialized software and hardware to assume take over responsibility for the PTC System, PTC 220 lease and participation with outside railroads and costs from outside railroads (UP, BNSF) for PTC [*\$1.4 million*].

The \$8.4 million costs for PTC already reflects a phased implementation for FY14. However, the anticipated full year costs for FY15 would be approximately \$10 million. Please refer to Attachment C.

Contractual increases of the five operating contracts include rate escalators resulting in an increase of \$2 million.

The cost of Eastern Maintenance Facility (EMF) previously offset by the Rotem lease is now the responsibility of the Authority resulting in a cost of \$1.6 million. The increase in costs are primarily associated with additional pin-up crews and guards.

In an effort to increase focus on fare enforcement, the budget includes an additional 25 security guards to handle ticket inspections and other security related issues. However, this expense is offset by a reduction in the Sheriffs' forces.

### **Total Operating Revenues and Member Agency Contributions**

Operating revenues include farebox, dispatching, maintenance-of-way revenues, interest, other minor miscellaneous revenues, and are currently estimated to equal \$109.4 million, an increase of \$4.0 million, or 3.8% over the FY13 budget.

Fare Revenues, the largest operating revenue of the budget, are estimated to increase \$3.9 million or 4.4%, over the FY13 budget to a total of \$92.2 million. The total value reflects a 2% ridership growth, along with proposed fare adjustments as detailed in the next section (5% fare increase, \$0.6 million in fare revenues from the change to the weekend pass, and \$0.2 million from the change to the Personal Care Attendant fare revenue).

Maintenance-of-way revenues from the freight railroads and Amtrak are estimated from prior agreements based on estimates of current usage. The Preliminary FY14 Budget estimates an increase of 1.3% over the FY13 budget to a total of \$0.2 million.

Member Agency contributions represent the difference between the total costs of operations and all available revenues. The Preliminary FY14 Budget estimates total Member Agency contributions to equal \$101.3 million, an increase of \$10.6 million or 11.7% from the current budget which are mainly driven by the implementation of PTC.

### **Potential Fare Adjustments**

Staff sought Board approval on April 12, 2013 in order to begin the public review process for potential fare adjustments which would include any one of the following:

- 1) A potential fare increase of up to 7%; and/or
- 2) A potential change to the Weekend Pass and renamed to the Weekend Day Pass at \$10 each day; and/or
- 3) Amend the Personal Care Attendant (PCA) free ride policy and require all PCAs to obtain an official Metrolink PCA Identification Card at a cost of \$25 a year; or
- 4) Amend the PCA free ride policy to require a PCA to purchase a regular or Senior/Disabled/Medicare reduced fare.

| The chart on the following page below shows the increased revenue that would be gained by percentage of fare increase should the Board decide to approve an increase ranging from 0 to 7%.  
|

Fare Increase	Change in:	
	Revenue	Ridership
0% <sup>2</sup>	\$ 605,728	0
1%	\$ 1,296,107	(26,032)
2%	\$ 1,985,025	(51,753)
3%	\$ 2,672,498	(77,170)
4%	\$ 3,358,545	(102,289)
5%	\$ 4,043,182	(127,117)
6%	\$ 4,726,424	(151,659)
7%	\$ 5,408,289	(175,921)

The budget presented to the Committee assumed a 2% ridership growth, 5% fare increase and changes to the Weekend Pass and PCAs. However, per the Committee's request please refer to Attachment A which includes schedules reflecting no ridership growth or fare policy changes.

**Weekend Pass**

The Committee requested a breakdown on revenue generated from weekend service. Since the launch of the weekend pass:

- ✓ Weekend ridership has grown by 50%.
- ✓ Average weekend roundtrips increased by 3,000.
- ✓ One-way, round trip ticket revenue decreased by \$984,696 as customers bought lower cost weekend pass
- ✓ Net revenue increased by over \$2 million

**YEAR OVER YEAR CHANGE IN REVENUE**

	Weekend Pass	Ticket Deflection	Net Revenue Increase
FY12	\$ 1,986,190	\$ (663,228)	\$ 1,322,962
FY13 (YTD)	\$ 1,029,735	\$ (321,468)	\$ 708,267
Total YTD	\$ 3,015,925	\$ (984,696)	\$ 2,031,229
FY14 *	\$ (220,925)	\$ 826,653	\$ 605,728

\* effect of fare policy change

<sup>2</sup> Includes the proposed Weekend Pass Change. However, no PCA adjustment is reflected in the above chart.

### **Capital Budget**

Capital Rehabilitation projects replace assets with like or improved assets and thus preserve and extend the useful life of these capital assets.

New Rehabilitation authorization requests for FY14 were identified as necessary for efficient and safe rail operations. These projects total \$33.8 million and are represented in Attachment B. These projects were reviewed and considered by the TAC. The Planning and Finance Committee requested that staff evaluate any additional savings that may result from postponing certain rehabilitation projects. Staff is in the process of conducting this evaluation and will discuss this with TAC at an upcoming meeting prior to budget adoption by the Board in June.

The total rehabilitation program includes Track and Structures upgrades totaling \$10.8 million; Locomotive and Rolling Stock upgrades of \$5 million; Signal system improvements of \$4.3 million; Information Technology solutions to improve data management and integrity for \$2.6 million; Communications/CIS signage upgrades of \$7.6 million; facilities improvements of \$1.8 million; and other system-wide asset investments of \$1.0 million.

There are no New Capital requests for FY14.

### **Other Considerations**

The preliminary budget includes ~~23~~<sup>22</sup> additional positions related to PTC, and 1 additional internal audit position to support the Chief Auditor, resulting in an increased headcount for the Agency totaling ~~270~~<sup>269</sup> from its current 246.

### **Budget Impact**

This report represents a summary of the Preliminary FY14 Budget for consideration. As such, there is no impact to the current (FY13) budget.

Prepared by: Greg Wong, Program Management Analyst II  
Patricia Kataura, Interim Chief Finance Officer

  
MICHAEL P. DePALLO  
Chief Executive Officer

**FY2013-14 Budget Attachment changes from what was presented to the Planning and Finance Committee meeting held on April 19, 2013**

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- ✓ Deleted 1 staff position on PTC which reduced train operations, maintenance-of-way, salaries, indirect administrative costs (approximately \$80,000)
- ✓ Reallocated Fare Revenue to operating lines based on March Fare Revenue Report (to be presented to the Planning & Finance Committee 4/26/13 and to the Board 5/10/13)
  - MTA and OCTA revenues increased
  - SANBAG, RCTC, VCTC reduced slightly

<b>Items Not Included in Proposed FY13-14 Budget</b>	<b>Total FY 13-14</b>	<b>LACMTA Share</b>	<b>OCTA Share</b>	<b>RCTC Share</b>	<b>SANBAG Share</b>	<b>VCTC Share</b>
3% Merit Increase	599.0	312.2	109.1	55.0	63.4	59.3
Forensic Auditor (range)						
\$150K	150.0	75.6	27.4	15.4	15.8	15.8
\$1.5M	1,000.0	504.2	182.3	102.4	105.4	105.7

# Attachment A

## FY2013-14 Proposed Operating Budget

Attachments include changes from what was presented to the Planning and Finance Committee at its special meeting held on April 19, 2013.

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY  
FISCAL YEAR 2013-14 PROPOSED BUDGET  
Expenditure Growth  
(\$000s)**

	<b>FY12-13 Budget</b>	<b>Increase</b>	<b>PTC</b>	<b>EMF TAP Tickets</b>	<b>FY13-14 Proposed</b>
Train Operations	123,302	(368)		2,476	125,410
Maintenance of Way	27,686	3,573	5,104		36,363
Administration	26,504	357	3,291		30,153
Insurance	18,600	67			18,667
<b>Total</b>	<b>196,093</b>	<b>3,629</b>	<b>8,395</b>	<b>2,476</b>	<b>210,593</b>
<b>Increase Over FY12-13</b>		<b>1.85%</b>	<b>4.28%</b>	<b>1.26%</b>	<b>7.39%</b>

Increase: Expenses related to the FY12-13 Budget

PTC: Expenses related to PTC are included in the MOW and Staff Non-Labor budget line items

Other: EMF operations & TAP tickets

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY  
 FISCAL YEAR 2013-14 PROPOSED BUDGET  
 Annual Operating Budget Distribution by Cost Component  
 (\$000s)

	FY 12-13 Budget	FY 13-14 Increase	New Items: PTC, EMF, TAP Tickets	Proposed FY 13-14 Budget	FY13-14 Budget vs. FY12-13 Budget Increase %	PTC, EMF, TAP Related Items
EXPENSES	196,093	3,629	10,871	210,593	14,500 7.4%	
REVENUES	105,422	-	-	109,407	3,985 3.8%	
NET LOCAL SUBSIDY	90,671	3,629	10,871	101,186	10,515 11.6%	

OPERATIONS

Revenues						
Farebox Revenue	88,297			92,171	3,874	4.4%
Dispatching	2,763			2,699	(64)	(2.3%)
Other Revenues	670			670	-	0.0%
MOW Revenues	13,692			13,867	175	1.3%
Member Agency Revenues	74,678			82,519	7,841	10.5%
<b>Total Revenues</b>	<b>180,100</b>	<b>-</b>	<b>-</b>	<b>191,926</b>	<b>11,825</b>	<b>6.6%</b>
<b>Operations &amp; Services</b>						
Train Operations	37,195	1,585	1,200	39,980	2,785	7.5%
Equipment Maintenance	23,078	1,588		24,666	1,588	6.9%
Fuel	28,265	(2,474)		25,791	(2,474)	(8.8%)
Non-Scheduled Rolling Stock Repairs	100	(50)		50	(50)	(50.0%)
Operating Facilities Maintenance	1,064	(51)	50	1,063	(1)	(0.1%)
Other Operating Train Services	713	(72)		641	(72)	(10.1%)
Security - Sheriff	5,248	(782)		4,466	(782)	(14.9%)
Security - Guards	1,095	415	360	1,870	775	70.7%
Supplemental Additional Security	621	71		691	71	11.4%
Public Safety Program	196	74		270	74	37.9%
Passenger Relations	1,445	175		1,620	175	12.1%
Holiday Trains	350	(81)		269	(81)	(23.0%)
TVM Maintenance/Revenue Collection	4,198	(118)	867	4,947	749	17.8%
Marketing	1,297	(342)		954	(342)	(26.4%)
Media & External Communications	538	82		620	82	15.3%
Utilities/Leases	3,553	(876)		2,677	(876)	(24.7%)
Transfers to Other Operators	7,315	(46)		7,269	(46)	(0.6%)
Amtrak Transfers	1,367	-		1,367	-	0.0%
Station Maintenance	940	367		1,307	367	39.1%
Rail Agreements	4,726	166		4,892	166	3.5%
<b>Subtotal Operations &amp; Services</b>	<b>123,302</b>	<b>(368)</b>	<b>2,476</b>	<b>125,410</b>	<b>2,108</b>	<b>1.7%</b>
<b>Maintenance-of-Way</b>						
MoW - Line Segments	26,596	3,664	5,104	35,364	8,767	33.0%
MoW - Extraordinary Maintenance	1,090	(91)		999	(91)	(8.3%)
<b>Subtotal Maintenance-of-Way</b>	<b>27,686</b>	<b>3,573</b>	<b>5,104</b>	<b>36,363</b>	<b>8,677</b>	<b>31.3%</b>
<b>Administration &amp; Services</b>						
Salaries & Fringe Benefits	10,686	(151)	-	10,535	(151)	(1.4%)
Non-Labor Expenses	1,648	497	3,291	5,436	3,788	229.8%
Indirect Administrative Expenses	11,753	628		12,380	628	5.3%
Professional Services	1,917	(616)	-	1,301	(616)	(32.1%)
<b>Subtotal Administration &amp; Services</b>	<b>26,004</b>	<b>357</b>	<b>3,291</b>	<b>29,653</b>	<b>3,648</b>	<b>14.0%</b>
Contingency (Non-Train Ops)	500	-		500	-	0.0%
<b>Total Expenses Including MoW</b>	<b>177,493</b>	<b>3,562</b>	<b>10,871</b>	<b>191,926</b>	<b>14,433</b>	<b>8.1%</b>

RISK MANAGEMENT

<b>Revenues</b>						
Member Agency Revenues	18,600			18,667	67	0.4%
PL/PD Revenues					-	0.0%
<b>Total Revenues</b>	<b>18,600</b>	<b>-</b>	<b>-</b>	<b>18,667</b>	<b>67</b>	<b>0.4%</b>
<b>Insurance</b>						
Liability/Property/Auto	16,020	(65)		15,955	(65)	(0.4%)
Claims	1,000	-		1,000	-	0.0%
Claims Administration	1,580	132		1,712	132	8.4%
<b>Subtotal Insurance</b>	<b>18,600</b>	<b>67</b>	<b>-</b>	<b>18,667</b>	<b>67</b>	<b>0.4%</b>
<b>Total Expenses</b>	<b>18,600</b>	<b>67</b>	<b>-</b>	<b>18,667</b>	<b>67</b>	<b>0.4%</b>

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY - Pre PTC figures**  
**FISCAL YEAR 2013-14 PROPOSED BUDGET**  
**Budget Variances**  
**(\$000's)**

<b>Budget Line Item</b>	<b>FY13-14 Increase</b>	<b>Detail Amount</b>	<b>Variance</b>
Train Operations	1,585	719 Amtrak contract escalator	
		574 Dispatcher labor: 2 new positions & training; 1 additional position transfer from another CC vs. FY13 budget	
Equipment Maintenance	1,588	1,000 Equipment parts	
		225 Bombardier contract escalator	
Diesel Fuel	(2,474)	(2,474) FY14: 2.6 Gal/Mile & \$3.50/Gal vs. FY13 2.7 Gal/Mile & 3.75/Gal	
Security - Sheriff	(782)	(782) Delete 4 LAUS Units to offset increase in Guard budget	
Security - Guards	415	415 25 additional guards at EMF, on trains, and throughout system (\$580K under Supplemental Security)	
Public Safety Program	74	30 Interior safety message car wraps	
		30 Contractor safety tip line	
Passenger Relations	175	100 LAUS Red-Cap shuttle service	
Marketing	(342)	(150) Website maintenance transferred to IT	
		(150) Transferred to Media & External Communications	
Media & External Communications	82	150 Duties transferred from Marketing	
Utilities/Leases	(876)	(757) Data lines transferred to IT (Non-Labor line item)	
		(170) Mountain Top Antenna Sites moved to MOW	
Station Maintenance	367	215 LAUS Common Area improvements & maintenance	
		99 Stations: CMS maintenance, repair static signs, flagging at stations	
		53 LAUS: Minor platform & canopy repairs, painting, sign replacement	
MOW - Line Segments	3,664	1,168 Overhead allocation to MOW (increased labor, IT, & professional services)	
		868 Staff labor distribution to projects	
		736 MECC & VTMI contract escalators	
		450 Geometry Cary in Maintenance	
		170 Mountain Top Antenna Sites moved from Utilities/Leases\	
Non-Labor Expenses	497	757 Data lines transferred from Utilities/Leases to IT	
		(400) Digicon discontinued	
Professional Services	(616)	(800) Legal costs reduced based on history	
		200 Train operations consultant	

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY**  
**FISCAL YEAR 2013-14 PROPOSED BUDGET**  
**Cost Component Distribution to Member Agencies**  
(\$000s)

	FY 12-13 Budget	Proposed FY 13-14 Budget	LACMTA	OCTA	RCTC	SANBAG	VCTC
<b>EXPENSES</b>	196,093	210,593	112,406	46,026	14,915	25,886	11,360
<b>REVENUES</b>	105,422	109,407	59,589	25,389	6,529	14,280	3,700
<b>NET LOCAL SUBSIDY</b>	90,671	101,186	52,816	20,637	8,385	11,687	7,661

**OPERATIONS**

<b>Revenues</b>							
Farebox Revenue	88,297	92,171	48,293	21,733	6,485	12,838	2,823
Dispatching	2,763	2,699	1,412	904	-	56	326
Other Revenues	670	670	377	140	44	88	21
MOW Revenues	13,692	13,867	9,508	2,612	0	1,217	530
Member Agency Revenues	74,678	82,519	42,781	16,557	7,111	9,055	7,015
<b>Total Revenues</b>	<b>180,100</b>	<b>191,926</b>	<b>102,370</b>	<b>41,945</b>	<b>13,640</b>	<b>23,254</b>	<b>10,715</b>
<b>Operations &amp; Services</b>			0,5527	0,2220	0,0652	0,1219	0,0382
Train Operations	37,195	39,980	22,097	8,876	2,609	4,873	1,525
Equipment Maintenance	23,078	24,666	12,799	5,534	1,801	3,367	1,166
Fuel	28,265	25,791	13,606	6,311	1,832	3,191	851
Non-Scheduled Rolling Stock Repairs	100	50	27	11	3	7	2
Operating Facilities Maintenance	1,064	1,063	572	232	73	150	37
Other Operating Train Services	713	641	323	117	66	68	68
Security - Sheriff	5,248	4,466	2,609	933	255	560	108
Security - Guards	1,095	1,870	943	341	191	197	198
Supplemental Additional Security	621	691	362	163	49	96	21
Public Safety Program	196	270	136	49	28	28	29
Passenger Relations	1,445	1,620	828	384	116	242	51
Holiday Trains	350	269	142	59	19	40	10
TVM Maintenance/Revenue Collection	4,198	4,947	2,308	1,072	660	577	330
Marketing	1,297	954	499	209	69	145	32
Media & External Communications	538	620	313	113	64	65	66
Utilities/Leases	3,553	2,677	1,350	488	274	282	283
Transfers to Other Operators	7,315	7,269	4,082	1,457	402	1,054	273
Amtrak Transfers	1,367	1,367	434	869	-	-	63
Station Maintenance	940	1,307	792	199	69	181	66
Rail Agreements	4,726	4,892	1,802	1,415	977	363	334
<b>Subtotal Operations &amp; Services</b>	<b>123,302</b>	<b>125,410</b>	<b>66,023</b>	<b>28,833</b>	<b>9,555</b>	<b>15,487</b>	<b>5,512</b>
<b>Maintenance-of-Way</b>							
MoW - Line Segments	26,596	35,364	20,410	7,286	1,073	4,417	2,178
MoW - Extraordinary Maintenance	1,090	999	575	243	11	107	64
<b>Subtotal Maintenance-of-Way</b>	<b>27,686</b>	<b>36,363</b>	<b>20,985</b>	<b>7,529</b>	<b>1,083</b>	<b>4,524</b>	<b>2,242</b>
<b>Administration &amp; Services</b>							
Salaries & Fringe Benefits	10,686	10,535	5,310	1,930	1,075	1,111	1,108
Non-Labor Expenses	1,648	5,436	2,902	1,068	474	637	355
Indirect Administrative Expenses	11,753	12,380	6,242	2,257	1,264	1,305	1,308
Professional Services	1,917	1,301	656	237	133	137	137
<b>Subtotal Administration &amp; Services</b>	<b>26,004</b>	<b>29,653</b>	<b>15,110</b>	<b>5,493</b>	<b>2,951</b>	<b>3,191</b>	<b>2,909</b>
Contingency (Non-Train Ops)	500	500	252	91	51	53	53
<b>Total Expenses Including MoW</b>	<b>177,493</b>	<b>191,926</b>	<b>102,370</b>	<b>41,945</b>	<b>13,640</b>	<b>23,254</b>	<b>10,715</b>

**RISK MANAGEMENT**

<b>Revenues</b>							
Member Agency Revenues	18,600	18,667	10,035	4,080	1,274	2,632	645
PL/PD Revenues							
<b>Total Revenues</b>	<b>18,600</b>	<b>18,667</b>	<b>10,035</b>	<b>4,080</b>	<b>1,274</b>	<b>2,632</b>	<b>645</b>
<b>Insurance</b>							
Liability/Property/Auto	16,020	15,955	8,577	3,487	1,089	2,250	551
Claims	1,000	1,000	538	219	68	141	35
Claims Administration	1,580	1,712	920	374	117	241	59
<b>Subtotal Insurance</b>	<b>18,600</b>	<b>18,667</b>	<b>10,035</b>	<b>4,080</b>	<b>1,274</b>	<b>2,632</b>	<b>645</b>
<b>Total Expenses</b>	<b>18,600</b>	<b>18,667</b>	<b>10,035</b>	<b>4,080</b>	<b>1,274</b>	<b>2,632</b>	<b>645</b>

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY**  
**FISCAL YEAR 2013-14 PROPOSED BUDGET**  
**Operating Subsidy Allocation By Member Agency**  
(\$000s)

**2% Ridership Growth/5% Fare Increase/Weekend Pass/PCA Charge**

	<b>Total FY 13-14</b>	<b>LACMTA Share</b>	<b>OCTA Share</b>	<b>RCTC Share</b>	<b>SANBAG Share</b>	<b>VCTC Share</b>
<b>Expenses</b>						
Train Operations & Services	125,410	66,023	28,833	9,555	15,487	5,512
Maintenance-of-Way	36,363	20,985	7,529	1,083	4,524	2,242
Administration & Services	30,153	15,362	5,584	3,002	3,244	2,962
Insurance	18,667	10,035	4,080	1,274	2,632	645
<b>Total Expenses Incl. MOW</b>	<b>210,593</b>	<b>112,406</b>	<b>46,026</b>	<b>14,915</b>	<b>25,886</b>	<b>11,360</b>
<b>Revenues</b>						
Gross Farebox	92,171	48,293	21,783	6,485	12,838	2,823
Dispatching	2,699	1,412	904	-	56	326
Other Operating	670	377	140	44	88	21
Maintenance-of-Way	13,867	9,508	2,612	0	1,217	530
<b>Total Revenues</b>	<b>109,407</b>	<b>59,589</b>	<b>25,389</b>	<b>6,529</b>	<b>14,200</b>	<b>3,700</b>
<b>Total County Allocation</b>	<b>101,186</b>	<b>52,816</b>	<b>20,637</b>	<b>8,385</b>	<b>11,687</b>	<b>7,661</b>
<b>FY 2012-13 Budget</b>	<b>90,670</b>	<b>46,066</b>	<b>19,933</b>	<b>7,642</b>	<b>10,186</b>	<b>6,844</b>
<b>Increase/(Decrease)</b>	<b>10,516</b>	<b>6,750</b>	<b>704</b>	<b>743</b>	<b>1,501</b>	<b>817</b>
<b>Percentage Change</b>	<b>11.6%</b>	<b>14.7%</b>	<b>3.5%</b>	<b>9.7%</b>	<b>14.7%</b>	<b>11.9%</b>

52.395%

**INCREASE/(DECREASE) FROM FY12-13 BUDGET**

	<b>Total Variance</b>	<b>LACMTA Share</b>	<b>OCTA Share</b>	<b>RCTC Share</b>	<b>SANBAG Share</b>	<b>VCTC Share</b>
<b>Expenses</b>						
Train Operations & Services	2,108	1,633	(276)	131	478	143
Maintenance-of-Way	8,677	4,979	1,751	415	983	549
Administration & Services	3,648	2,240	547	342	353	167
Insurance	67	90	178	(156)	12	(57)
<b>Total Expenses Incl. MOW</b>	<b>14,500</b>	<b>8,942</b>	<b>2,199</b>	<b>731</b>	<b>1,826</b>	<b>802</b>
<b>Revenues</b>						
Gross Farebox	3,874	1,650	1,744	8	353	119
Dispatching	(64)	(69)	(3)	-	9	(1)
Other Operating	0	28	(5)	(20)	5	(7)
Maintenance-of-Way	174	583	(240)	(0)	(42)	(127)
<b>Total Revenues</b>	<b>3,984</b>	<b>2,192</b>	<b>1,495</b>	<b>(12)</b>	<b>325</b>	<b>(15)</b>
<b>Total County Allocation</b>	<b>10,516</b>	<b>6,750</b>	<b>704</b>	<b>743</b>	<b>1,501</b>	<b>817</b>

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY  
FISCAL YEAR 2013-14 PROPOSED BUDGET  
Fare Revenue and Ridership**

2% Ridership Growth/5% Fare Increase/Weekend Pass Change/PCA Charge

Operating Line	Average Daily Ridership			Revenue/Rider (\$'s)		Fare Revenue (\$000's)		
	FY12-13 Budget	FY13-14 Budget	% Incr FY13 Bud	FY12-13 Budget	FY13-14 Budget	FY12-13 Budget	FY13-14 Budget	% Incr FY13 Bud
San Bernardino								
Weekday	12,256	12,332	0.6%	7.47	7.62	23,528	23,956	1.8%
Weekend	7,120	8,258	16.0%	5.95	5.82	2,139	2,498	16.8%
Ventura County	4,413	4,259	-3.5%	6.12	6.73	6,941	7,315	5.4%
Antelope Valley								
Weekday	6,474	6,529	0.9%	7.43	7.36	12,214	12,255	0.3%
Weekend	3,977	5,359	34.7%	6.52	5.38	1,310	1,499	14.4%
Riverside	5,279	5,070	-4.0%	7.46	8.02	10,309	10,367	0.6%
Orange County								
Weekday	9,285	9,602	3.4%	7.52	8.30	17,743	20,326	14.6%
Weekend	3,180	4,009	26.1%	7.72	5.74	1,240	1,196	-3.5%
OC MSEP	166	78	-52.8%	7.00	7.50	294	150	-49.0%
IEOC								
Weekday	4,142	4,397	6.1%	6.40	6.64	7,240	7,446	2.8%
Weekend	2,026	1,658	-18.2%	3.33	5.09	341	439	28.8%
91	2,254	2,503	11.0%	8.23	7.35	4,999	4,726	-5.5%
Totals								
Weekday	44,268	44,771	1.1%			83,268	86,540	3.9%
Weekend	16,303	19,283	18.3%			5,029	5,631	12.0%
<b>Total</b>						<b>88,297</b>	<b>92,171</b>	<b>4.4%</b>

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY**  
**FISCAL YEAR 2013-14 PROPOSED BUDGET**  
**Maintenance of Way Revenues**  
**(\$000's)**

<b>Agreement/Territory</b>	<b>FY10-11 Actual</b>	<b>FY11-12 Actual</b>	<b>FY12-13 Budget</b>	<b>FY13-14 Budget</b>	<b>Change from FY13 Budget</b>
Amtrak Intercity	1,253	1,223	1,293	1,271	-1.7%
LAUS Rail Yard Operations & Maintenance (Amtrak)	718	503	625	500	-20.0%
Azusa Branch Shared Use (UPRR/SPTC)	121	185	155	135	-12.9%
Baldwin Park Branch Shared Use (UPRR/SPTC)	272	412	245	295	20.2%
Coast & Saugus Shared Use (UPRR/SPTC)	5,527	6,201	5,706	6,350	11.3%
East Bank Joint Facility (UPRR/SPTC)	891	765	825	780	-5.5%
Mission Tower (UPRR/SPTC)	80	89	86	92	7.0%
San Diego & Olive Subdivision Shared Use (BNSF)	1,548	1,553	1,975	1,750	-11.4%
Pasadena Subdivision Shared Use (BNSF)	2,330	2,338	2,500	2,432	-2.7%
State Grade Crossing (CPUC)	164	161	166	162	-2.3%
Federal Funds/Other Revenue	27	3	117	100	-14.2%
<b>Total</b>	<b>12,930</b>	<b>13,434</b>	<b>13,692</b>	<b>13,867</b>	<b>1.3%</b>

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY  
FISCAL YEAR 2013-14 PROPOSED BUDGET  
Non-Fare Operating Revenue  
(\$000's)**

**DISPATCHING AGREEMENTS**

Agreement/Territory	FY10-11 Actual	FY11-12 Actual	FY12-13 Budget	FY13-14 Budget	Change from FY13 Budget
Amtrak Intercity	1,949	1,904	1,960	1,951	-0.5%
Coast & Saugus Shared Use (UPRR/SPTC)	257	257	262	257	-1.8%
East Bank Joint Facility (UPRR/SPTC)	90	90	92	90	-2.0%
Mission Tower (UPRR/SPTC)	281	281	350	290	-17.0%
San Diego & Olive Subdivision Shared Use (BNSF)	44	48	46	48	5.1%
Pasadena Subdivision Shared Use (BNSF)	59	63	54	63	15.8%
North County Transit District (NCTD)	399	315	-	-	N/A
<b>Total</b>	<b>3,079</b>	<b>2,957</b>	<b>2,763</b>	<b>2,699</b>	<b>-2.3%</b>

**OTHER REVENUES**

Revenue Source	FY10-11 Actual	FY11-12 Actual	FY12-13 Budget	FY13-14 Budget	Change from FY13 Budget
Marketing Revenues	114	52	75	75	0.0%
ARRA 5307 - VCTC	582				N/A
FY07 Security Grant	(0)				N/A
Amtrak TVM Revenues	217	230	225	225	0.0%
Insurance Recoveries	108	32	-	-	N/A
Interest	264		300	300	0.0%
Miscellaneous Revenues	158	26	70	70	0.0%
<b>Total</b>	<b>1,442</b>	<b>340</b>	<b>670</b>	<b>670</b>	<b>0.0%</b>

<b>Total Non-Fare Operating Revenues</b>	<b>4,521</b>	<b>3,297</b>	<b>3,369</b>	<b>3,369</b>	<b>0.0%</b>
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**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY**  
**FISCAL YEAR 2013-14 PROPOSED BUDGET**  
**Maintenance of Way Expenditures and Revenue Offset**  
**(\$000's)**

**Revenue Forecast Allocation**

Line Segment/Territory	FY 13-14 Budget	LACMTA	OCTA	RCTC	SANBAG	VCTC
<b>Operating Lines</b>	<b>12,555</b>	<b>8,216</b>	<b>2,612</b>	<b>0</b>	<b>1,197</b>	<b>530</b>
LA - San Bernardino	1,651	454	-	-	1,197	-
LA - Ventura (Burbank Jct to Moorpark)	1,337	808	-	-	-	530
LA - Lancaster	5,561	5,561	-	-	-	-
Fullerton - San Diego County Line	2,451	-	2,451	-	-	-
Olive Subdivision	161	-	161	-	-	-
Riverside Layover Facility	0	0	0	0	0	0
River Corridor	1,392	1,392	-	-	-	-
Extraordinary Maintenance (Derailments, Storm Damage)	-	-	-	-	-	-
<b>Non-Operating Lines</b>	<b>1,312</b>	<b>1,292</b>	<b>-</b>	<b>-</b>	<b>20</b>	<b>-</b>
Sierra Madre - Claremont (Pasadena Sub)	1,292	1,292	-	-	-	-
Baldwin Park Branch (San Bernardino Co.)	20	-	-	-	20	-
<b>Total</b>	<b>13,867</b>	<b>9,508</b>	<b>2,612</b>	<b>0</b>	<b>1,217</b>	<b>530</b>

**Net Subsidy Allocation**

Line Segment/Territory	FY 13-14 Budget	LACMTA	OCTA	RCTC	SANBAG	VCTC
<b>Operating Lines</b>	<b>21,906</b>	<b>11,064</b>	<b>4,917</b>	<b>1,083</b>	<b>3,130</b>	<b>1,712</b>
LA - San Bernardino (1)	5,967	3,570	-	-	2,397	-
LA - Ventura (Burbank Jct to Moorpark) (2)	3,620	2,223	-	-	-	1,397
LA - Lancaster	2,230	2,230	-	-	-	-
Fullerton - San Diego County Line	4,850	744	3,566	460	80	-
Olive Subdivision	628	-	398	196	34	-
Riverside Layover Facility (3)	109	48	20	30	10	-
River Corridor (4)	3,483	1,654	690	387	502	251
Extraordinary Maintenance (5) (Derailments, Storm Damage)	999	575	243	11	107	64
<b>Non-Operating Lines</b>	<b>590</b>	<b>413</b>	<b>-</b>	<b>-</b>	<b>177</b>	<b>-</b>
Sierra Madre - Claremont (Pasadena Sub)	413	413	-	-	-	-
Baldwin Park Branch (San Bernardino Co.)	177	-	-	-	177	-
<b>Total</b>	<b>22,496</b>	<b>11,477</b>	<b>4,917</b>	<b>1,083</b>	<b>3,307</b>	<b>1,712</b>

**Total Expenditure Forecast**

Line Segment/Territory	FY 13-14 Budget	LACMTA	OCTA	RCTC	SANBAG	VCTC
<b>Operating Lines</b>	<b>34,460</b>	<b>19,279</b>	<b>7,529</b>	<b>1,083</b>	<b>4,327</b>	<b>2,242</b>
LA - San Bernardino	7,618	4,024	-	-	3,594	-
LA - Ventura (Burbank Jct to Moorpark)	4,958	3,031	-	-	-	1,927
LA - Lancaster	7,811	7,811	-	-	-	-
Fullerton - San Diego County Line	7,301	744	6,018	460	80	-
Olive Subdivision	788	-	559	196	34	-
Riverside Layover Facility	109	49	20	30	10	0
River Corridor	4,875	3,047	690	387	502	251
Extraordinary Maintenance (Derailments, Storm Damage)	999	575	243	11	107	64
<b>Non-Operating Lines</b>	<b>1,903</b>	<b>1,705</b>	<b>-</b>	<b>-</b>	<b>197</b>	<b>-</b>
Sierra Madre - Claremont (Pasadena Sub)	1,705	1,705	-	-	-	-
Baldwin Park Branch (San Bernardino Co.)	197	-	-	-	197	-
<b>Total</b>	<b>36,363</b>	<b>20,985</b>	<b>7,529</b>	<b>1,083</b>	<b>4,524</b>	<b>2,242</b>

- (1) MoW net subsidy split by route miles (59.82% LACMTA and 40.18% SANBAG).
- (2) MoW net subsidy split by train miles (62.08% LACMTA and 37.92% VCTC).
- (3) Net subsidy split by train miles of trains using the Riverside Layover, excluding San Diego County (46.98% LACMTA, 17.93% OCTA, 25.72% RCTC, and 9.36% SANBAG).
- (4) Split is assumed All Share (47.5% LACMTA, 19.8% OCTA, 14.4% SANBAG, 7.2% VCTC, and 11.1% RCTC) of cost in excess of revenues.
- (5) Split is assumed All Share for derailments (\$20,000) and percent of route miles owned (57.55% LACMTA, 24.27% OCTA, 1.07% RCTC, 10.69% SANBAG, and 6.41% VCTC) for storm damage, gate knockdowns, and vandalism (\$480,000).

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY**  
**FISCAL YEAR 2013-14 PROPOSED BUDGET**  
**Maintenance of Way Expense Detail By Line Segment/Territory**  
**(\$000s)**

Line Segment/Territory	FY 10-11 Expenditure Actual	FY 11-12 Expenditure Actual	FY 12-13 Expenditure Budget	FY 13-14 Expenditure Budget	Variance FY14 Budget vs. FY13 Budget	
					(Over)/Under	%
<b>Operating Lines</b>	<b>29,567</b>	<b>23,529</b>	<b>26,187</b>	<b>34,460</b>	<b>(9,050)</b>	<b>(35.6%)</b>
<b>LA - San Bernardino</b>	<b>6,258</b>	<b>5,033</b>	<b>5,638</b>	<b>7,618</b>	<b>(2,466)</b>	<b>(47.9%)</b>
Track	1,366	857	918	1,318	(280)	(27.0%)
Signal & Communications	1,805	1,949	2,116	2,568	(260)	(11.3%)
Structures	225	187	200	195	(40)	(25.6%)
Procurement	1,024	321	384	269	(33)	(14.0%)
Other	1,112	937	1,227	1,404	(588)	(72.0%)
Agency Costs	725	782	793	1,864	(1,266)	(211.5%)
<b>LA - Ventura (Burbank Jct to Moorpark)</b>	<b>4,050</b>	<b>3,120</b>	<b>3,727</b>	<b>4,958</b>	<b>(1,434)</b>	<b>(40.7%)</b>
Track	859	732	774	946	23	2.4%
Signal & Communications	996	1,012	1,187	1,359	(107)	(8.6%)
Structures	126	73	140	129	(17)	(15.0%)
Procurement	734	110	157	175	(5)	(2.8%)
Other	817	598	895	1,003	(414)	(70.4%)
Agency Costs	518	595	573	1,345	(913)	(211.5%)
<b>LA - Lancaster</b>	<b>6,852</b>	<b>4,934</b>	<b>5,755</b>	<b>7,811</b>	<b>(2,616)</b>	<b>(50.4%)</b>
Track	1,531	1,162	1,155	1,198	68	5.4%
Signal & Communications	1,664	1,465	1,417	1,887	(281)	(17.5%)
Structures	229	192	329	288	(88)	(44.0%)
Procurement	1,277	142	204	306	(3)	(0.9%)
Other	1,290	983	1,628	1,734	(684)	(65.2%)
Agency Costs	862	989	1,021	2,398	(1,628)	(211.5%)
<b>Fullerton - San Diego County Line</b>	<b>5,455</b>	<b>4,780</b>	<b>5,273</b>	<b>7,301</b>	<b>(1,911)</b>	<b>(35.5%)</b>
Track	952	1,051	1,059	1,476	(212)	(16.8%)
Signal & Communications	1,764	1,823	1,911	2,275	45	1.9%
Structures	219	214	205	194	(39)	(24.8%)
Procurement	931	161	169	227	9	3.9%
Other	932	779	1,135	1,265	(449)	(55.0%)
Agency Costs	656	751	794	1,865	(1,266)	(211.5%)
<b>Olive Subdivision</b>	<b>504</b>	<b>423</b>	<b>547</b>	<b>788</b>	<b>(213)</b>	<b>(37.1%)</b>
Track	153	83	74	59	38	39.2%
Signal & Communications	112	222	291	444	(98)	(28.5%)
Structures	12	7	19	20	(8)	(73.2%)
Procurement	47	6	17	19	(2)	(10.5%)
Other	112	31	88	109	(49)	(80.7%)
Agency Costs	68	74	59	138	(94)	(213.2%)
<b>Riverside Layover Facility</b>	<b>71</b>	<b>75</b>	<b>65</b>	<b>109</b>	<b>(37)</b>	<b>(50.8%)</b>
Track	12	35	16	11	11	51.0%
Signal & Communications	9	7	6	10	0	4.7%
Structures	0	-	2	3	0	12.1%
Procurement	18	1	1	4	1	15.3%
Other	16	15	22	40	(22)	(122.6%)
Agency Costs	16	17	17	41	(28)	(211.5%)
<b>River Corridor</b>	<b>4,845</b>	<b>3,861</b>	<b>4,092</b>	<b>4,875</b>	<b>(373)</b>	<b>(8.3%)</b>
Track	958	856	790	862	97	10.1%
Signal & Communications	2,318	1,992	2,095	2,265	414	15.4%
Structures	77	43	69	54	20	27.2%
Procurement	539	177	226	111	2	2.0%
Other	610	455	533	691	(301)	(77.0%)
Agency Costs	344	339	380	892	(606)	(211.5%)
<b>Extraordinary Maintenance</b>	<b>1,532</b>	<b>1,304</b>	<b>1,090</b>	<b>999</b>	<b>1</b>	<b>0.1%</b>
(Derailments, Storm Damage, Gate Knockdowns, Vandalism)						

**Maintenance of Way Expense Detail By Line Segment/Territory**  
**(\$000s)**

Line Segment/Territory	FY 10-11 Expenditure Actual	FY 11-12 Expenditure Actual	FY 12-13 Expenditure Budget	FY 13-14 Expenditure Budget	Variance	
					FY14 Budget vs. FY13 Budget (Over)/Under	%
<b>Non-Operating Lines</b>	<b>1,119</b>	<b>926</b>	<b>1,500</b>	<b>1,903</b>	<b>(777)</b>	<b>(69.0%)</b>
<b>Sierra Madre - Claremont (Pasa. Sub.)</b>	<b>983</b>	<b>815</b>	<b>1,344</b>	<b>1,705</b>	<b>(732)</b>	<b>(75.3%)</b>
Track	60	94	269	186	61	24.8%
Signal & Communications	305	309	373	435	(165)	(61.3%)
Structures	32	25	109	123	(84)	(215.3%)
Procurement	221	22	46	58	2	2.7%
Other	205	180	347	432	(227)	(110.3%)
Agency Costs	160	184	200	470	(319)	(211.5%)
<b>Baldwin Park Branch (San Bernardino Co.)</b>	<b>137</b>	<b>111</b>	<b>155</b>	<b>197</b>	<b>(44)</b>	<b>(28.8%)</b>
Track	22	24	35	24	14	36.8%
Signal & Communications	39	38	36	53	4	7.5%
Structures	0	2	10	10	(5)	(98.4%)
Procurement	31	3	6	9	(1)	(17.6%)
Other	27	21	42	41	(15)	(56.5%)
Agency Costs	18	23	26	60	(41)	(213.6%)
<b>Total Maintenance-of-Way</b>	<b>30,687</b>	<b>24,456</b>	<b>27,686</b>	<b>36,363</b>	<b>(9,827)</b>	<b>(37.0%)</b>
Track	5,911	4,894	5,092	6,081	(179)	(3.0%)
Signal & Communications	9,013	8,817	9,433	11,296	(449)	(4.1%)
Structures	921	743	1,082	1,016	(260)	(34.4%)
Procurement	4,822	944	1,211	1,178	(30)	(2.6%)
Other	5,120	3,999	5,916	6,719	(2,748)	(69.2%)
Extraordinary Maintenance	1,532	1,304	1,090	999	1	0.1%
Agency Costs	3,367	3,754	3,861	9,074	(6,161)	(211.5%)

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY  
FISCAL YEAR 2013-14 PROPOSED BUDGET  
Annual Operating Budget Distribution by Cost Component**

No Ridership Growth/No Fare Policy Changes (\$000s)

	FY 12-13 Budget	FY 13-14 Increase	New Items: PTC, EMF, TAP Tickets	Proposed FY 13-14 Budget	FY13-14 Budget vs. FY12-13 Budget Increase	%
<b>EXPENSES</b>	196,093	3,584	10,871	210,548	14,455	7.4%
<b>REVENUES</b>	105,422	-	-	103,458	(1,964)	(1.9%)
<b>NET LOCAL SUBSIDY</b>	90,671	3,584	10,871	107,090	16,420	18.1%

**OPERATIONS**

<b>Revenues</b>						
Farebox Revenue	88,297			86,222	(2,075)	(2.4%)
Dispatching	2,763			2,699	(64)	(2.3%)
Other Revenues	670			670	-	0.0%
MOW Revenues	13,692			13,867	175	1.3%
Member Agency Revenues	74,678			88,423	13,745	18.4%
<b>Total Revenues</b>	<b>180,100</b>	<b>-</b>	<b>-</b>	<b>191,881</b>	<b>11,781</b>	<b>6.5%</b>
<b>Operations &amp; Services</b>						
Train Operations	37,195	1,585	1,200	39,980	2,785	7.5%
Equipment Maintenance	23,078	1,588		24,666	1,588	6.9%
Fuel	28,265	(2,474)		25,791	(2,474)	(8.8%)
Non-Scheduled Rolling Stock Repairs	100	(50)		50	(50)	(50.0%)
Operating Facilities Maintenance	1,064	(51)	50	1,063	(1)	(0.1%)
Other Operating Train Services	713	(72)		641	(72)	(10.1%)
Security - Sheriff	5,248	(782)		4,466	(782)	(14.9%)
Security - Guards	1,095	415	360	1,870	775	70.7%
Supplemental Additional Security	621	26		647	26	4.2%
Public Safety Program	196	74		270	74	37.9%
Passenger Relations	1,445	175		1,620	175	12.1%
Holiday Trains	350	(81)		269	(81)	(23.0%)
TVM Maintenance/Revenue Collection	4,198	(118)	867	4,947	749	17.8%
Marketing	1,297	(342)		954	(342)	(26.4%)
Media & External Communications	538	82		620	82	15.3%
Utilities/Leases	3,553	(876)		2,677	(876)	(24.7%)
Transfers to Other Operators	7,315	(46)		7,269	(46)	(0.6%)
Amtrak Transfers	1,367	-		1,367	-	0.0%
Station Maintenance	940	367		1,307	367	39.1%
Rail Agreements	4,726	166		4,892	166	3.5%
<b>Subtotal Operations &amp; Services</b>	<b>123,302</b>	<b>(413)</b>	<b>2,476</b>	<b>125,366</b>	<b>2,063</b>	<b>1.7%</b>
<b>Maintenance-of-Way</b>						
MoW - Line Segments	26,596	3,664	5,104	35,364	8,767	33.0%
MoW - Extraordinary Maintenance	1,090	(91)		999	(91)	(8.3%)
<b>Subtotal Maintenance-of-Way</b>	<b>27,686</b>	<b>3,573</b>	<b>5,104</b>	<b>36,363</b>	<b>8,677</b>	<b>31.3%</b>
<b>Administration &amp; Services</b>						
Salaries & Fringe Benefits	10,686	(151)	-	10,535	(151)	(1.4%)
Non-Labor Expenses	1,648	497	3,291	5,436	3,788	229.8%
Indirect Administrative Expenses	11,753	628		12,380	628	5.3%
Professional Services	1,917	(616)	-	1,301	(616)	(32.1%)
<b>Subtotal Administration &amp; Services</b>	<b>26,004</b>	<b>357</b>	<b>3,291</b>	<b>29,653</b>	<b>3,648</b>	<b>14.0%</b>
Contingency (Non-Train Ops)	500	-		500	-	0.0%
<b>Total Expenses Including MoW</b>	<b>177,493</b>	<b>3,517</b>	<b>10,871</b>	<b>191,881</b>	<b>14,388</b>	<b>8.1%</b>

**RISK MANAGEMENT**

<b>Revenues</b>						
Member Agency Revenues	18,600			18,667	67	0.4%
PL/PD Revenues					-	0.0%
<b>Total Revenues</b>	<b>18,600</b>	<b>-</b>	<b>-</b>	<b>18,667</b>	<b>67</b>	<b>0.4%</b>
<b>Insurance</b>						
Liability/Property/Auto	16,020	(65)		15,955	(65)	(0.4%)
Claims	1,000	-		1,000	-	0.0%
Claims Administration	1,580	132		1,712	132	8.4%
<b>Subtotal Insurance</b>	<b>18,600</b>	<b>67</b>	<b>-</b>	<b>18,667</b>	<b>67</b>	<b>0.4%</b>
<b>Total Expenses</b>	<b>18,600</b>	<b>67</b>	<b>-</b>	<b>18,667</b>	<b>67</b>	<b>0.4%</b>

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY  
FISCAL YEAR 2013-14 PROPOSED BUDGET  
OPERATING SUBSIDY ALLOCATION BY COUNTY  
(\$000s)**

**No Ridership Growth/No Fare Policy Changes**

	<b>Total FY 13-14</b>	<b>LACMTA Share</b>	<b>OCTA Share</b>	<b>RCTC Share</b>	<b>SANBAG Share</b>	<b>VCTC Share</b>
<b>Expenses</b>						
Train Operations & Services	125,378	66,008	28,820	9,554	15,487	5,510
Maintenance-of-Way	36,363	20,985	7,529	1,083	4,524	2,242
Administration & Services	30,153	15,362	5,584	3,002	3,244	2,962
Insurance	18,667	10,035	4,080	1,274	2,632	645
<b>Total Expenses Incl. MOW</b>	<b>210,561</b>	<b>112,390</b>	<b>46,012</b>	<b>14,913</b>	<b>25,886</b>	<b>11,359</b>
<b>Revenues</b>						
Gross Farebox	87,928	46,068	20,734	6,186	12,247	2,693
Dispatching	2,699	1,412	904	-	56	326
Other Operating	670	377	140	44	88	21
Maintenance-of-Way	13,867	9,508	2,612	0	1,217	530
<b>Total Revenues</b>	<b>105,164</b>	<b>57,364</b>	<b>24,390</b>	<b>6,231</b>	<b>13,609</b>	<b>3,570</b>
<b>Total County Allocation</b>	<b>105,397</b>	<b>55,026</b>	<b>21,622</b>	<b>8,682</b>	<b>12,277</b>	<b>7,789</b>
<b>FY 2012-13 Budget</b>	<b>90,670</b>	<b>46,066</b>	<b>19,933</b>	<b>7,642</b>	<b>10,186</b>	<b>6,844</b>
<b>Increase/(Decrease)</b>	<b>14,727</b>	<b>8,961</b>	<b>1,689</b>	<b>1,041</b>	<b>2,092</b>	<b>945</b>
<b>Percentage Change</b>	<b>16.2%</b>	<b>19.5%</b>	<b>8.5%</b>	<b>13.6%</b>	<b>20.5%</b>	<b>13.8%</b>

<b>Proposed Fare Increase Options *</b>	<b>Total FY 13-14</b>	<b>LACMTA Share</b>	<b>OCTA Share</b>	<b>RCTC Share</b>	<b>SANBAG Share</b>	<b>VCTC Share</b>
3.5 % Fare Increase	3,216	1,685	758	226	448	98
5.0% Fare Increase	4,243	2,223	1,001	299	591	130
7.0% Fare Increase	5,608	2,938	1,322	395	781	172

<b>Member Subsidy w/ Fare Increase</b>	<b>Total FY 13-14</b>	<b>LACMTA Share</b>	<b>OCTA Share</b>	<b>RCTC Share</b>	<b>SANBAG Share</b>	<b>VCTC Share</b>
<b>FY 2012-13 Budget</b>	<b>90,670</b>	<b>46,066</b>	<b>19,933</b>	<b>7,642</b>	<b>10,186</b>	<b>6,844</b>
<b>Subsidy w/ 3.5 % Fare Increase</b>	<b>102,206</b>	<b>53,354</b>	<b>20,870</b>	<b>8,458</b>	<b>11,833</b>	<b>7,691</b>
<b>Increase/(Decrease)</b>	<b>11,535</b>	<b>7,288</b>	<b>936</b>	<b>816</b>	<b>1,647</b>	<b>848</b>
<b>Percentage Change</b>	<b>12.7%</b>	<b>15.8%</b>	<b>4.7%</b>	<b>10.7%</b>	<b>16.2%</b>	<b>12.4%</b>
<b>Subsidy w/ 5.0% Fare Increase</b>	<b>101,186</b>	<b>52,820</b>	<b>20,629</b>	<b>8,386</b>	<b>11,691</b>	<b>7,660</b>
<b>Increase/(Decrease)</b>	<b>10,516</b>	<b>6,754</b>	<b>696</b>	<b>744</b>	<b>1,505</b>	<b>816</b>
<b>Percentage Change</b>	<b>11.6%</b>	<b>14.7%</b>	<b>3.5%</b>	<b>9.7%</b>	<b>14.8%</b>	<b>11.9%</b>
<b>Subsidy w/ 7.0% Fare Increase</b>	<b>99,831</b>	<b>52,110</b>	<b>20,310</b>	<b>8,291</b>	<b>11,502</b>	<b>7,618</b>
<b>Increase/(Decrease)</b>	<b>9,161</b>	<b>6,044</b>	<b>376</b>	<b>649</b>	<b>1,316</b>	<b>775</b>
<b>Percentage Change</b>	<b>10.1%</b>	<b>13.1%</b>	<b>1.9%</b>	<b>8.5%</b>	<b>12.9%</b>	<b>11.3%</b>

\* Includes fare increase and 2% ridership growth.

# Attachment B

## FY2013-14 Rehabilitation Projects

FY 2013-14 NEW AUTHORITY REHABILITATION PROJECTS  
 PROJECTS by SUBDIVISION ( \$ Thousands )

Subdivision	Project Category	Project Description	TOTAL BUDGET	LACMTA	OCTA	RCTC	SANBAG	VCTC	LEASE
Ventura LA	Comm	Renew or replace obsolete Comm equipment (hardware or software). Repair deficient comm. paths from VenSub to TCOSF or MOC.	\$400.0	\$400.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Ventura LA	Signage	Rehab CMS and PA Systems	\$140.8	\$140.8	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Ventura LA	Signal	Rehab crossing equipment, crossing gates, predictors batteries and other equipment.	\$531.0	\$531.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Ventura LA	Structures	ROW ditching and grading.	\$59.6	\$59.6	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Ventura LA	Track	Rehab Transition Rails & Insulated Joints. Replace rail on curve.	\$118.8	\$118.8	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Ventura VC	Comm	Renew or replace obsolete Comm equipment (hardware or software). Repair deficient comm. paths from VenSub to TCOSF or MOC.	\$480.0	\$0.0	\$0.0	\$0.0	\$0.0	\$480.0	\$0.0
Ventura VC	Facilities	Replace light fixtures at Moorpark layover	\$100.0	\$0.0	\$0.0	\$0.0	\$0.0	\$100.0	\$0.0
VENTURA VC	Signage	Rehab CMS and PA Systems	\$367.9	\$0.0	\$0.0	\$0.0	\$0.0	\$367.9	\$0.0
VENTURA VC	Signal	Rehab cables, switch machines, control electronics, gates, predictors, batteries and other crossing equipment. Install detector near tunnel 26.	\$1,004.0	\$0.0	\$0.0	\$0.0	\$0.0	\$1,004.0	\$0.0
Ventura VC	Structures	Hydraulic study and design for replacement of two bridges at MP 438.62 and 438.89.	\$120.0	\$0.0	\$0.0	\$0.0	\$0.0	\$120.0	\$0.0
Ventura VC	Track	Rehab crossing @ Sequoia Ave, MP 436.1 (Ven County).	\$300.0	\$0.0	\$0.0	\$0.0	\$0.0	\$300.0	\$0.0
Valley	Comm	Renew or replace obsolete Comm equipment (hardware or software). Repair deficient comm. paths from Valley Sub to TCOSF or MOC.	\$700.0	\$700.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Valley	Safety	Improve Downtown Burbank pedestrian crossing. Fencing at 2 locations.	\$350.0	\$350.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Valley	Signage	Rehab CMS and PA Systems	\$678.2	\$678.2	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Valley	Signal	Rehab crossing equipment, crossing gates, predictors and other equipment.	\$297.0	\$297.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Valley	Structures	Vacuum tunnels, ROW grading, Hydro design. Culvert/bridge design.	\$500.0	\$500.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Valley	Track	Replace rail on curves.	\$1,225.0	\$1,225.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
San Gabriel	Comm	Renew or replace obsolete Comm equipment (hardware or software). Repair deficient comm. paths from SG Sub to TCOSF or MOC.	\$500.0	\$300.0	\$0.0	\$0.0	\$200.0	\$0.0	\$0.0
San Gabriel	Safety	Fencing at Fontana-Beech MP 47.6	\$25.0	\$15.0	\$0.0	\$0.0	\$10.0	\$0.0	\$0.0
San Gabriel	Signage	Rehab CMS and PA Systems	\$728.6	\$437.2	\$0.0	\$0.0	\$291.4	\$0.0	\$0.0
San Gabriel	Signal	Rehab selected crossing gates, gate savers, predictors and other crossing equipment. Upgrade signal tech.	\$687.5	\$532.5	\$0.0	\$0.0	\$355.0	\$0.0	\$0.0
San Gabriel	Structures	ROW grading/ditching.	\$40.0	\$24.0	\$0.0	\$0.0	\$16.0	\$0.0	\$0.0
San Gabriel	Track	Rehab Transition Rails & Insulated Joints. Rehab rail on curves.	\$1,300.0	\$780.0	\$0.0	\$0.0	\$520.0	\$0.0	\$0.0
PASADENA	Track	Rehab crossings, and replace timber crossties.	\$1,125.0	\$1,125.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Orange	Comm	Renew or replace obsolete Comm equipment (hardware or software). Repair deficient comm. paths from OC Subs to TCOSF or MOC.	\$500.0	\$0.0	\$500.0	\$0.0	\$0.0	\$0.0	\$0.0
Orange	Safety	Fencing at San Clemente State Park	\$25.0	\$0.0	\$25.0	\$0.0	\$0.0	\$0.0	\$0.0

Subdivision	Project Category	Project Description	TOTAL BUDGET	LACMTA	OCTA	RCTC	SANBAG	VCTC	LEASE
Orange	Signal	Rehab 2 electrologic locations. Replace batteries/cables. Replace corroded signal and ring equipment along the beach.	\$375.0	\$0.0	\$375.0	\$0.0	\$0.0	\$0.0	\$0.0
Orange	Structures	Rehab analysis/design for Trabuco Creek Bridge (MP 173.6).	\$75.0	\$0.0	\$75.0	\$0.0	\$0.0	\$0.0	\$0.0
Orange	Track	Rehab wood ties and rail on curves.	\$3,553.4	\$0.0	\$3,553.4	\$0.0	\$0.0	\$0.0	\$0.0
Orange/Olive	Signage	Rehab CMS and PA Systems	\$500.0	\$0.0	\$500.0	\$0.0	\$0.0	\$0.0	\$0.0
Orange/Olive	Signal	Rehab crossing gates, predictors, batteries, other crossing equip.	\$375.0	\$0.0	\$375.0	\$0.0	\$0.0	\$0.0	\$0.0
Orange/Olive	Structures	ROW grading, hydrology design.	\$80.0	\$0.0	\$80.0	\$0.0	\$0.0	\$0.0	\$0.0
Orange/Olive	Track	Rehab Transition Rails & Insulated Joints	\$100.0	\$0.0	\$100.0	\$0.0	\$0.0	\$0.0	\$0.0
Olive	Track	Rehab wood crossties	\$307.9	\$0.0	\$307.9	\$0.0	\$0.0	\$0.0	\$0.0
91-LA	Signage	Rehab CMS and PA Systems	\$396.7	\$396.7	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
zRiver	Comm	Renew or replace obsolete Comm equipment (hardware or software). Repair deficient comm. paths from River Sub to TCOSF or MOC.	\$400.0	\$190.0	\$79.2	\$44.4	\$57.6	\$28.8	\$0.0
zRiver	Safety	Expand fencing near 9th Street	\$25.0	\$11.9	\$5.0	\$2.8	\$3.6	\$1.8	\$0.0
zRiver	Signal	Rehab CP First St, and upgrade electrocode, rehab batteries, cables, gates & selected switches.	\$430.0	\$204.3	\$85.1	\$47.7	\$61.9	\$31.0	\$0.0
zRiver	Structures	ROW grading - River sub.	\$100.0	\$47.5	\$19.8	\$11.1	\$14.4	\$7.2	\$0.0
zRiver	Track	Rehab Transition Rails & Insulated Joints.	\$100.0	\$47.5	\$19.8	\$11.1	\$14.4	\$7.2	\$0.0
zSystemwide	Comm/IT	Renew power support systems at MOC. Refresh train traffic control data center systems to comply with ITC and Federal reqmts incl. I-ETMS Rung 2, and 3.	\$1,800.0	\$855.0	\$356.4	\$199.8	\$259.2	\$129.6	\$0.0
zSystemwide	Facilities	Rehab drop table and wheel true machine at CMF. Repair fuel tanker truck, improve EMF fuel system & Mow building.	\$1,717.0	\$815.6	\$340.0	\$190.6	\$247.2	\$123.6	\$0.0
zSystemwide	IT	IT projects: Electronic ticket sales, data warehouse, TAM system, analyze ticket sales upgrades, FIS Ph2, improve customer information system.	\$2,650.0	\$1,258.8	\$524.7	\$294.2	\$381.6	\$190.8	\$0.0
zSystemwide	Mechanical	Rail Car Rehab - HVAC Overhaul and Door operator overhaul (12 cars)	\$353.2	\$167.8	\$69.9	\$39.2	\$50.9	\$25.4	\$0.0
zSystemwide	Mechanical	Traction Motor Overhaul (8 Locomotives/Year)	\$368.0	\$174.8	\$72.9	\$40.8	\$53.0	\$26.5	\$0.0
zSystemwide	Mechanical	Tier-4 Locomotives - Member Agency Share	\$5,000.0	\$2,375.0	\$990.0	\$555.0	\$720.0	\$360.0	\$0.0
zSystemwide	Signal	Replace dwarf signal heads with LED and PTC compliant signal heads. Improve signal and crossing security.	\$375.0	\$178.1	\$74.3	\$41.6	\$54.0	\$27.0	\$0.0
zSystemwide	Track	Rehab CMF west access, tail track and crossing, track measurement & testing, systemwide rail grinding.	\$1,677.0	\$796.6	\$332.0	\$186.1	\$241.5	\$120.7	\$0.0
zSystemwide	Vehicles	Rubber Tire Vehicles - Federal	\$499.8	\$197.9	\$113.9	\$63.8	\$82.8	\$41.4	\$0.0
zSystemwide	Vehicles	Rubber Tire Vehicles - Non Federal	\$75.2	\$75.2	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
	Grand Total	FY 2013-14 REHABILITATION PROJECT BUDGET	\$33,836.6	\$16,006.5	\$8,974.3	\$1,728.3	\$3,634.5	\$3,493.0	\$0.0
		OCTA Rotem Settlements (Year 2)	\$0.0	\$4,500.0	-\$6,500.0	\$0.0	\$2,000.0	\$0.0	\$0.0
		FY 2013-14 TOTAL REHABILITATION BUDGET	\$33,836.6	\$20,506.5	\$2,474.3	\$1,728.3	\$5,634.5	\$3,493.0	\$0.0

- 3) LACMTA funding from local Prop C and Measure R.
- 2) OCTA funding from FTA section 5337. Local match from Toll Revenue Credits.
- 3) RCTC funding from RCTC 5309 grant CA-05-0268.
- 4) SANBAG funding from FTA sections 5309 and 5337. Local match from Toll Revenue Credits. Subject to approval by SANBAG Board.
- 5) VCTC funding from FTA sections 5337 and 5307. Local match from Toll Revenue Credits.

# Attachment C

## FY2012-13 PTC Costs

Attachments include requests from the Planning and Finance Committee at its special meeting held on April 19, 2013.

**PTC EXPENSES**

PTC expenses were phased into FY13-14 based on when the resources are needed. The annual value is shown as reference to reflect the full cost to the Operating Budget. Costs were further split between train operations and MOW. Expenses related to the ROW were charged to MOW. Non-ROW expenses related to rolling stock and the back office were charged to train operations.

Train operations expenses are allocated on current train miles. MOW expenses are allocated on MOW track miles.

	Annual \$		Phased \$	
	Trn Ops	MOW	Trn Ops	MOW
PTC Licenses	956,437	406,264	983,309	335,048
Vendor Maintenance & Support	1,200,000	750,000	1,825,000	625,000
Telecommunications (1)	739,756	521,200	1,121,489	391,733
Warranties	45,864	93,689	104,665	70,267
Other/Miscellaneous		1,387,500	1,387,500	1,387,500
MECC		1,865,848	1,366,028	1,366,028
VTMI		321,129	321,129	321,129
S&C Labor Shift to Op Budget	191,165	154,160	345,325	154,160
New Staff Positions (Op Budget)	817,083	575,010	940,440	451,857
<b>Total PTC</b>	<b>3,950,306</b>	<b>6,074,799</b>	<b>8,394,885</b>	<b>5,102,722</b>

(1) Value is a net increase over the current \$757K in existing data line expenses & \$170K in antenna site leases

**PTC EXPENSE ALLOCATION TO MEMBER AGENCIES**

PTC expenditures are included within the Maintenance of Way and Non-Labor budget line items.

Maintenance of Way expenses are allocated to member agencies based on MOW Track Miles and the territory in which contractors are working.

Non-Labor expenses are allocated to member agencies based on train miles.

	Total	LACMTA	OCTA	RCTC	SANBAG	VCTC
Maintenance of Way	5,103	3,114	924	186	551	328
Non-Labor	3,291	1,816	675	256	410	133
<b>Total PTC</b>	<b>8,394</b>	<b>4,931</b>	<b>1,599</b>	<b>442</b>	<b>961</b>	<b>462</b>

PTC EXPENSES  
CC2875 - PTC, C&S Systems

Annual \$	Phased \$	# Mos	Proj	Task	Exp	CC	Budget Line Item
89,760	67,320	9	200000	0.58	50322	2875	MOW Direct Costs
1,592	1,194	9	200000	0.58	50322	2875	MOW Direct Costs
48,504	37,128	9	100000	0.58	50322	2875	Operating Non-Labor
76,953	57,715	9	100000	0.58	50322	2875	Operating Non-Labor
13,600	10,200	9	100000	0.58	50322	2875	Operating Non-Labor
107,712	80,784	9	200000	0.58	50322	2875	MOW Direct Costs
34,272	25,704	9	200000	0.58	50322	2875	MOW Direct Costs
15,000	7,500	6	200000	0.58	50322	2875	MOW Direct Costs
388,393	287,545						
750,000	750,000	12	100000	0.58	52311	2875	Operating Non-Labor
750,000	625,000	10	200000	2.52,05	52311	2875	MOW - Miscellaneous
150,000	150,000	12	100000	0.58	52311	2875	Operating Non-Labor
50,000	50,000	12	100000	0.58	52311	2875	Operating Non-Labor
200,000	200,000	12	100000	0.58	52311	2875	Operating Non-Labor
50,000	50,000	12	100000	0.58	52311	2875	Operating Non-Labor
1,950,000	1,825,000						
26,268	19,701	9	200000	0.58	50322	2875	MOW Direct Costs
42,973	32,230	9	200000	0.58	50322	2875	MOW Direct Costs
2,456	1,842	9	200000	0.58	50322	2875	MOW Direct Costs
9,000	6,750	9	200000	0.58	50322	2875	MOW Direct Costs
43,904	32,928	9	100000	0.58	50322	2875	Operating Non-Labor
1,960	1,470	9	100000	0.58	50322	2875	Operating Non-Labor
9,856	7,392	9	200000	0.58	50322	2875	MOW Direct Costs
3,136	2,352	9	200000	0.58	50322	2875	MOW Direct Costs
139,553	104,665						
35,000	35,000	12	200000	0.58	50901	2875	MOW Direct Costs
60,000	60,000	12	200000	0.58	51291	2875	MOW Direct Costs
75,000	75,000	12	200000	0.58	51291	2875	MOW Direct Costs
175,000	175,000	12	200000	0.58	51291	2875	MOW Direct Costs
50,000	50,000	12	200000	0.58	51291	2875	MOW Direct Costs
100,000	100,000	12	200000	0.58	50452	2875	MOW Direct Costs
100,000	100,000	12	200000	0.58	50452	2875	MOW Direct Costs
25,000	25,000	12	200000	0.10	50905	2875	MOW Direct Costs
7,500	7,500	12	200000	0.10	50918	2875	MOW Direct Costs
10,000	10,000	12	200000	0.10	50421	2875	MOW Direct Costs
200,000	200,000	12	200000	0.58	50322	2875	MOW Direct Costs
100,000	100,000	12	200000	0.58	50311	2875	MOW Direct Costs
250,000	250,000	12	200000	2.52,05	50311	2875	MOW - Miscellaneous
100,000	100,000	12	200000	0.58	50311	2875	MOW - Miscellaneous
1,287,500	1,287,500						
3,765,446	3,504,710						

**PTC EXPENSES  
CC4230 -IT**

Annual \$	Phased \$	# Mos	Proj	Task	Exp	CC	Budget Line Item
<b>Annual PTC Support Software Maintenance and Support (MCC, Red Hat, HP, Oracle, Wabtec)</b>							
23,120	17,340	9	200000	0.58	50322	4230	MOW Direct Costs
356,892	267,669	9	100000	0.58	50322	4230	Operating Non-Labor
178,446	133,835	9	100000	0.58	50322	4230	Operating Non-Labor
75,042	37,521	6	100000	0.58	50322	4230	Operating Non-Labor
200,000	100,000	6	100000	0.58	50322	4230	Operating Non-Labor
6,000	3,000	6	100000	0.58	50322	4230	Operating Non-Labor
136,400	136,400	12	200000	0.58	50322	4230	MOW Direct Costs
<b>975,900</b>	<b>695,764.50</b>						
<b>Telecommunications Monthly Recurring Expense (AT&amp;T, Verizon, Sprint and American Tower)</b>							
1,098,672	1,098,672	12	100000	0.58	50503	4230	Operating Non-Labor
208,050	208,050	12	100000	0.58	50503	4230	Operating Non-Labor
60,000	55,000	11	100000	0.58	50501	4230	Operating Non-Labor
60,000	55,000	11	100000	0.58	50501	4230	Operating Non-Labor
60,000	60,000	12	100000	0.58	50501	4230	Operating Non-Labor
10,000	10,000	12	100000	0.58	50501	4230	Operating Non-Labor
421,200	315,900	9	200000	0.58	50501	4230	MOW Direct Costs
20,000	16,667	10	200000	0.58	50501	4230	MOW Direct Costs
250,000	229,167	11	200000	0.58	50501	4230	MOW Direct Costs
<b>2,187,922</b>	<b>2,048,455</b>						
<b>Other/Miscellaneous</b>							
100,000	100,000	12	200000	0.58	50424	4230	MOW Direct Costs
<b>100,000</b>	<b>100,000</b>						
<b>3,263,822</b>	<b>2,844,220</b>						

- (1) Value includes \$757K in expenses which were already being incurred prior to PTC. These expenses are not included in the total PTC value on the summary page.
- (2) Value includes \$170K in expenses which were already being incurred prior to PTC. These expenses are not included in the total PTC value on the summary page.
- (3) The Telecommunications total shown on the Summary page is \$927K less than the values shown on this page since the costs are already incurred prior to PTC.

**PTC EXPENSES  
CC2840 - S&C Maintenance & Rehab**

MECC Contract Changes	Annual \$	Phased \$
7 New MECC Positions		
PTC MOC/TCOSF Lead PTC Systems Technician (2)	503,207	334,819
Comm and and Signals Shift Support - Graveyard (1)	281,917	245,621
PTC - Comm and Signal Inspector (1)	234,176	155,702
Wayside and Mt. Top Communications CIS System Tech (3)	646,548	429,886
<b>Total New Positions</b>	<b>1,665,848</b>	<b>1,166,028</b>
PTC Training	200,000	200,000
<b>Total CC2840</b>	<b>1,865,848</b>	<b>1,366,028</b>

PTC EXPENSES  
CC2820 - Track

VTMI Contract Changes	\$ Amount	
PTC Quality Control Crew/System Safety & Security Crew (2 Positions)	321,129	Focused primary on PTC mandated wayside signage and critical features maintenance. Includes enhanced patrol, quick response and diligence to PTC related repairs and changes, R/W security and law enforcement issues.

PTC EXPENSES  
SIGNAL & COMMUNICATIONS STAFF SHIFT TO OPERATING BUDGET

With the implementation of PTC, S&C labor shifts from Capital projects to Operations/MOW.

	Cost Center Labor & Fringe Benefit Variance Compared to FY12-13 Budget							Total
	Train Ops	MOW	New Capital	Rehab	Capital Equip	Third Party		
S&C Engineer Maint & Rehab	20,299	53,027	(74,023)	69,526	-	24,852	93,681	
PTC, C&S Systems	170,866	101,133	(266,491)	34,338	-	-	39,846	
	191,165	154,160	(340,514)	103,865	-	24,852	133,527	
<b>Total Operating Budget Increase</b>	<b>345,325</b>							

FISCAL YEAR 2013-14 BUDGET  
PROPOSED NEW PTC RELATED POSITIONS

Full Year Labor Costs	Train Ops	MOW	New Capital	Rehab	Third Party	Total
1 District Supervisor, Communications Network	6,750	67,504	13,501	47,253	-	135,008
2 District Supervisor, Communications Network	81,005	-	13,501	27,002	13,501	135,008
3 Business Analyst Signal and Communications	11,505	46,020	23,010	23,010	11,505	115,051
4 Manager, Signal Rehabilitation & Maintenance	6,750	67,504	20,251	27,002	13,501	135,008
5 Senior Network Control Systems Engineer CAD PTC	-	50,038	31,274	31,274	12,510	125,096
6 Network Control Architect CAD PTC	75,058	12,510	18,764	18,764	-	125,096
7 Business Assistant / Department Asst	8,386	41,932	12,580	12,580	8,386	83,864
8 Senior Engineer, Signal Systems	-	54,003	33,752	33,752	13,501	135,008
9 Project Engineer, Signal Systems	-	54,003	33,752	33,752	13,501	135,008
10 Signal/Comm PTC Records Engineer	5,144	51,444	20,578	20,578	5,144	102,888
11 Senior Engineer, Communications Systems	-	54,003	33,752	33,752	13,501	135,008
12 Project Engineer, Communications Systems	-	50,038	31,274	31,274	12,510	125,096
13 PTC Mechanical Compliance Officer	77,737	-	12,956	25,912	12,956	129,562
14 PTC Mechanical Compliance Officer	77,737	-	12,956	25,912	12,956	129,562
15 Equipment PTC On Board Technical Specialist	77,737	-	12,956	25,912	12,956	129,562
16 Equipment PTC On Board Technical Specialist	77,737	-	12,956	25,912	12,956	129,562
17 Equipment PTC On Board Technical Specialist	77,737	-	12,956	25,912	12,956	129,562
18 Equipment PTC On Board Technical Specialist	75,058	12,510	18,764	18,764	-	125,096
19 Senior Network Engineer	81,005	13,501	20,251	20,251	-	135,008
20 PTC Database Administrator/Applications DBA	81,005	13,501	20,251	20,251	-	135,008
<b>Total Labor</b>	<b>817,093</b>	<b>575,010</b>	<b>402,741</b>	<b>534,481</b>	<b>195,296</b>	<b>2,524,610</b>
Operating Budget	817,093	575,010				

Phased Labor Costs	Train Ops	MOW	New Capital	Rehab	Third Party	Total	Months in Budget
1 District Supervisor, Communications Network	6,219	62,194	12,439	43,536	-	124,388	11
2 District Supervisor, Communications Network	54,278	-	9,046	18,093	9,046	90,464	8
3 Business Analyst Signal and Communications	9,636	38,546	19,273	19,273	9,636	96,364	10
4 Manager, Signal Rehabilitation & Maintenance	3,392	33,924	10,177	13,570	6,785	67,848	6
5 Senior Network Control Systems Engineer CAD PTC	-	46,102	28,814	28,814	11,526	115,256	11
6 Network Control Architect CAD PTC	62,867	10,478	15,717	15,717	-	104,778	10
7 Business Assistant / Department Asst	8,429	42,146	12,644	12,644	8,429	84,291	12
8 Senior Engineer, Signal Systems	-	45,232	28,270	28,270	11,308	113,080	10
9 Project Engineer, Signal Systems	-	36,185	22,616	22,616	9,046	90,464	8
10 Signal/Comm PTC Records Engineer	4,740	47,397	18,959	18,959	4,740	94,794	11
11 Senior Engineer, Communications Systems	-	40,709	25,443	25,443	10,177	101,772	9
12 Project Engineer, Communications Systems	-	29,338	18,336	18,336	7,334	73,345	7
13 PTC Mechanical Compliance Officer	71,622	-	11,937	23,874	11,937	119,370	11
14 PTC Mechanical Compliance Officer	19,533	-	3,256	6,511	3,256	32,555	3
15 Equipment PTC On Board Technical Specialist	39,067	-	6,511	13,022	6,511	65,111	6
16 Equipment PTC On Board Technical Specialist	32,555	-	5,426	10,852	5,426	54,259	5
17 Equipment PTC On Board Technical Specialist	32,555	-	5,426	10,852	5,426	54,259	5
18 Equipment PTC On Board Technical Specialist	26,044	-	4,341	8,681	4,341	43,407	4
19 Senior Network Engineer	56,580	9,430	14,145	14,145	-	94,300	9
20 PTC Database Administrator/Applications DBA	61,063	10,177	15,266	15,266	-	101,772	9
<b>Total Labor</b>	<b>489,582</b>	<b>451,857</b>	<b>288,040</b>	<b>368,472</b>	<b>124,924</b>	<b>1,721,876</b>	
Operating Budget	489,582	451,857					



- 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: 32

**Date:** July 10, 2013

**Subject:** Measure I Population Estimates for Measure I Allocations

**Recommendation:** Adopt the 2013 Population Estimates for use in the allocation of Measure I Local Street Program Funds.

**Background:** Population estimates for the cities and unincorporated territory within each Measure I Subarea are used in the allocation of Measure I Local Street Program funds, commonly referred to as local pass-through funds. The Valley distribution formula for local pass-through funds is based strictly upon population, while the Mountain/Desert formula contains both population and point of generation components. The formulas are updated annually using the State Department of Finance population estimates for January 1 of each year. The San Bernardino County Demographic Research Unit disaggregates the unincorporated population by Measure I Subarea based on the building permit activity and controlled by the Department of Finance unincorporated total.

The January 1 population estimates (see Attachment #1) are recommended for approval and use in allocation of Measure I Local Street Program funds. Both the 2013 population estimates and the 2012 population estimate are attached to this agenda item for comparison purposes. As there were only minor fluctuations in the population statistics, there should be no significant shift in Measure I fund allocations related to population. The distribution of Measure I funds will be adjusted retroactively to January 1, 2013, to reflect each jurisdiction's relative proportion of population within the Measure I Subarea.

*Approved*  
*Board of Directors*

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

Moved:                      Second:

In Favor:      Opposed:      Abstained:

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

COG	CTC	CTA	X	SAFE	CMA
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Check all that apply.

BRD1307a-ep

Attachment 1: <http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307a1-ep.pdf>

***Financial Impact:*** This item has no direct impact on the SANBAG budget. The adopted population estimates are incorporated into the allocation formula for distribution to local jurisdictions.

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013.

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

MEASURE I 2013 POPULATION SUMMARY  
 PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2013	(2) ADJUSTMENT	2013 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
<b>WEST VALLEY</b>					
CHINO	79,873		79,873	5.30%	3.847%
CHINO HILLS	76,033		76,033	5.04%	3.662%
FONTANA	200,974		200,974	13.33%	9.680%
MONTCLAIR	37,311		37,311	2.48%	1.797%
ONTARIO	166,866		166,866	11.07%	8.037%
RANCHO CUCAMONGA	171,058		171,058	11.35%	8.239%
UPLAND	74,907		74,907	4.97%	3.608%
UNINCORPORATED	43,409		43,409	2.88%	2.091%
<b>TOTAL WEST VALLEY</b>			<b>850,431</b>	<b>56.42%</b>	<b>40.959%</b>
<b>EAST VALLEY</b>					
COLTON	52,956		52,956	3.51%	2.551%
GRAND TERRACE	12,270		12,270	0.81%	0.591%
HIGHLAND	53,926		53,926	3.58%	2.597%
LOMA LINDA	23,476		23,476	1.56%	1.131%
REDLANDS	69,813		69,813	4.63%	3.362%
RIALTO	101,275		101,275	6.72%	4.878%
SAN BERNARDINO	212,639		212,639	14.11%	10.241%
YUCAIPA	52,549		52,549	3.49%	2.531%
UNINCORPORATED	77,982		77,982	5.17%	3.756%
<b>TOTAL EAST VALLEY</b>			<b>656,886</b>	<b>43.58%</b>	<b>31.638%</b>
<b>TOTAL VALLEY</b>			<b>1,507,317</b>	<b>100.00%</b>	<b>72.597%</b>
<b>MOUNTAINS</b>					
BIG BEAR LAKE	5,111		5,111	10.22%	0.246%
UNINCORPORATED	44,909	(3)	44,909	89.78%	2.163%
<b>TOTAL MOUNTAINS</b>			<b>50,020</b>	<b>100.00%</b>	<b>2.409%</b>
<b>NORTH DESERT</b>					
BARSTOW	23,168		23,168	41.10%	1.116%
UNINCORPORATED	33,197		33,197	58.90%	1.599%
<b>TOTAL NORTH DESERT</b>			<b>56,365</b>	<b>100.00%</b>	<b>2.715%</b>

BRD1307al-ep

**MEASURE I 2013 POPULATION SUMMARY  
PREPARED BY SAN BERNARDINO COUNTY PLANNING**

<b>PLANNING REGION</b>	<b>(1) DOF/CO 2013</b>	<b>(2) ADJUSTMENT</b>	<b>2013 TOTAL</b>	<b>PERCENT OF SUBAREA</b>	<b>PERCENT OF COUNTY TOTAL</b>
<b>COLORADO RIVER</b>					
NEEDLES	4,912		4,912	69.37%	0.237%
UNINCORPORATED	2,169		2,169	30.63%	0.104%
<b>TOTAL COLORADO RIVER</b>			<b>7,081</b>	<b>100.00%</b>	<b>0.341%</b>
<b>MORONGO BASIN</b>					
TWENTYNINE PALMS	26,084	(4)	26,084	36.26%	1.256%
YUCCA VALLEY	21,030		21,030	29.23%	1.013%
UNINCORPORATED	24,828		24,828	34.51%	1.196%
<b>TOTAL MORONGO BASIN</b>			<b>71,942</b>	<b>100.00%</b>	<b>3.465%</b>
<b>VICTOR VALLEY</b>					
ADELANTO	31,289	(5)	31,289	8.16%	1.507%
APPLE VALLEY	70,436	(5)	70,436	18.36%	3.392%
HESPERIA	91,400	(5)	91,400	23.83%	4.402%
VICTORVILLE	120,368	(5)	120,368	31.38%	5.797%
UNINCORPORATED (3)	70,056	(5)	70,056	18.27%	3.374%
<b>TOTAL VICTOR VALLEY</b>			<b>383,549</b>	<b>100.00%</b>	<b>18.473%</b>
<b>TOTAL DESERT</b>			<b>518,937</b>		
<b>TOTAL MOUNTAIN/DESERT</b>			<b>568,957</b>		<b>27.403%</b>
<b>SUMMARY:</b>					
<b>TOTAL INCORPORATED</b>	<b>1,779,724</b>		<b>1,779,724</b>		<b>85.717%</b>
<b>TOTAL UNINCORPORATED</b>	<b>296,550</b>		<b>296,550</b>		<b>14.283%</b>
<b>TOTAL COUNTY</b>	<b>2,076,274</b>		<b>2,076,274</b>		<b>100.000%</b>

(1) - CITY FIGURES FROM DOF JANUARY 1, 2013 ESTIMATES; UNINCORPORATED FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTAL.

(2) - THIS COLUMN CONTAINS ADJUSTMENTS NECESSARY TO MODIFY CITY TOTALS AS SPECIFIED IN MEASURE I.

(3) - THE WRIGHTWOOD COMMUNITY AND AREAS NORTH OF LONE PINE CANYON ROAD WERE EXCLUDED FROM THE MOUNTAIN AREA AND INCLUDED IN THE VICTOR VALLEY AS SPECIFIED IN MEASURE I.

(4) - THE POPULATED PORTIONS OF THE TWENTYNINE PALMS MARINE BASE HAVE BEEN ANNEXED BY THE CITY OF TWENTYNINE PALMS.

(5) - WITH THE CLOSING OF GEORGE AIR FORCE BASE, THERE IS NO LONGER AN ALLOCATION OF POPULATION TO THE CITIES IN THE VICTOR VALLEY.

MEASURE I 2012 POPULATION SUMMARY  
 PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2012	(2) ADJUSTMENT	2012 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
<b>WEST VALLEY</b>					
CHINO	79,171		79,171	5.28%	3.836%
CHINO HILLS	75,655		75,655	5.05%	3.666%
FONTANA	199,898		199,898	13.34%	9.685%
MONTCLAIR	37,163		37,163	2.48%	1.801%
ONTARIO	166,134		166,134	11.09%	8.049%
RANCHO CUCAMONGA	169,498		169,498	11.31%	8.212%
UPLAND	74,568		74,568	4.98%	3.613%
UNINCORPORATED	43,216		43,216	2.88%	2.094%
<b>TOTAL WEST VALLEY</b>			<b>845,303</b>	<b>56.40%</b>	<b>40.956%</b>
<b>EAST VALLEY</b>					
COLTON	52,690		52,690	3.52%	2.563%
GRAND TERRACE	12,157		12,157	0.81%	0.589%
HIGHLAND	53,664		53,664	3.58%	2.600%
LOMA LINDA	23,389		23,389	1.56%	1.133%
REDLANDS	69,498		69,498	4.64%	3.367%
RIALTO	100,606		100,606	6.71%	4.875%
SAN BERNARDINO	211,674		211,674	14.12%	10.256%
YUCAIPA	52,100		52,100	3.48%	2.524%
UNINCORPORATED	77,636		77,636	5.18%	3.762%
<b>TOTAL EAST VALLEY</b>			<b>653,414</b>	<b>43.60%</b>	<b>31.659%</b>
<b>TOTAL VALLEY</b>			<b>1,498,717</b>	<b>100.00%</b>	<b>72.615%</b>
<b>MOUNTAINS</b>					
BIG BEAR LAKE	5,088		5,088	10.22%	0.247%
UNINCORPORATED	44,709	(3)	44,709	89.78%	2.166%
<b>TOTAL MOUNTAINS</b>			<b>49,797</b>	<b>100.00%</b>	<b>2.413%</b>
<b>NORTH DESERT</b>					
BARSTOW	23,019		23,019	41.05%	1.115%
UNINCORPORATED	33,050		33,050	58.95%	1.601%
<b>TOTAL NORTH DESERT</b>			<b>56,069</b>	<b>100.00%</b>	<b>2.717%</b>

MEASURE I 2012 POPULATION SUMMARY  
 PREPARED BY SAN BERNARDINO COUNTY PLANNING

PLANNING REGION	(1) DOF/CO 2012	(2) ADJUSTMENT	2012 TOTAL	PERCENT OF SUBAREA	PERCENT OF COUNTY TOTAL
<b>COLORADO RIVER</b>					
NEEDLES	4,894		4,894	69.38%	0.237%
UNINCORPORATED	2,160		2,160	30.62%	0.105%
<b>TOTAL COLORADO RIVER</b>			<b>7,054</b>	<b>100.00%</b>	<b>0.342%</b>
<b>MORONGO BASIN</b>					
TWENTYNINE PALMS	25,713	(4)	25,713	36.04%	1.246%
YUCCA VALLEY	20,918		20,918	29.32%	1.013%
UNINCORPORATED	24,717		24,717	34.64%	1.198%
<b>TOTAL MORONGO BASIN</b>			<b>71,346</b>	<b>100.00%</b>	<b>3.457%</b>
<b>VICTOR VALLEY</b>					
ADELANTO	31,066	(5)	31,066	8.16%	1.505%
APPLE VALLEY	70,033	(5)	70,033	18.38%	3.393%
HESPERIA	91,033	(5)	91,033	23.90%	4.411%
VICTORVILLE	119,059	(5)	119,059	31.25%	5.769%
UNINCORPORATED (3)	69,745	(5)	69,745	18.31%	3.379%
<b>TOTAL VICTOR VALLEY</b>			<b>380,936</b>	<b>100.00%</b>	<b>18.457%</b>
<b>TOTAL DESERT</b>			<b>515,405</b>		
<b>TOTAL MOUNTAIN/DESERT</b>			<b>565,202</b>		<b>27.385%</b>
<b>SUMMARY:</b>					
<b>TOTAL INCORPORATED</b>	<b>1,768,686</b>		<b>1,768,686</b>		<b>85.696%</b>
<b>TOTAL UNINCORPORATED</b>	<b>295,233</b>		<b>295,233</b>		<b>14.304%</b>
<b>TOTAL COUNTY</b>	<b>2,063,919</b>		<b>2,063,919</b>		<b>100.000%</b>

- (1) - CITY FIGURES FROM DOF JANUARY 1, 2012 ESTIMATES; UNINCORPORATED FIGURES FROM PLANNING DEPARTMENT ESTIMATES CONTROLLED TO DOF UNINCORPORATED TOTAL.
- (2) - THIS COLUMN CONTAINS ADJUSTMENTS NECESSARY TO MODIFY CITY TOTALS AS SPECIFIED IN MEASURE I.
- (3) - THE WRIGHTWOOD COMMUNITY AND AREAS NORTH OF LONE PINE CANYON ROAD WERE EXCLUDED FROM THE MOUNTAIN AREA AND INCLUDED IN THE VICTOR VALLEY AS SPECIFIED IN MEASURE I.
- (4) - THE POPULATED PORTIONS OF THE TWENTYNINE PALMS MARINE BASE HAVE BEEN ANNEXED BY THE CITY OF TWENTYNINE PALMS.
- (5) - WITH THE CLOSING OF GEORGE AIR FORCE BASE, THERE IS NO LONGER AN ALLOCATION OF POPULATION TO THE CITIES IN THE VICTOR 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: 33

**Date:** July 10, 2013

**Subject:** Major Local Highway Program Allocation, Funding Agreement and Budget Amendment for the Town of Yucca Valley

- Recommendation:**
1. Approve allocation of \$471,000 in Measure I Morongo Basin Subarea - Major Local Highway Program funds to the Town of Yucca Valley for the State Route 62/Dumosa Avenue Traffic Signal Project.
  2. Approve a budget amendment to increase Task No. 0516, Measure I Mt/Desert Apportionment and Allocation, from \$9,842,859 to \$10,313,859 to be funded with \$471,000 of Measure I Morongo Basin Subarea - Major Local Highway Program funds.
  3. Approve Funding Agreement C13161 in the amount of \$471,000 with the Town of Yucca Valley for the State Route 62/Dumosa Avenue Traffic Signal Project, with \$471,000 funded by Measure I Morongo Basin Subarea - Major Local Highway Program funds.

**Background:** In April 2013, representatives of all agencies in the Morongo Basin subarea met and nominated projects to be eligible for regional funds. The Town of Yucca Valley (Town) nominated the State Route 62/Dumosa Avenue Traffic Signal Project. The Town has approved a 75 unit senior housing development at this intersection. The purpose of the project is to provide safe and efficient mobility of visitors and goods at this intersection on this heavily traveled transportation corridor. The project benefits include increased pedestrian safety, increased

*Approved*  
 Board of Directors

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

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

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

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

COG	CTC	CTA	X	SAFE	CMA
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Check all that apply.

BRD1307b-ep

Attachment: <http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13161.doc>

pedestrian and vehicular visibility, installation of ADA compliant curb ramps, signalization, elimination of a two-way center left turn lane and construction of medians.

The Town has contributed approximately \$30,000 to the project for conceptual design and had committed an additional \$150,000 in "Low-Mod Funds" that the Department of Finance does not acknowledge as an enforceable obligation. In April 2013 the Town requested that Major Local Highway Program (MLHP) funds be made available for all phases of the Project, and the project was approved by the subarea representatives as eligible for an allocation of MLHP funds.

***Financial Impact:*** This item is not consistent with the proposed Fiscal Year 2013/2014 budget. A budget amendment is required to increase Task No. 0516 by \$471,000 to be funded by Measure I Morongo Basin Subarea – Major Local Highway Program funds.

***Reviewed By:*** This item was presented and unanimously recommended for approval by the Mountain Desert Policy Committee on June 21, 2013. SANBAG General Counsel and Contract Administrator have reviewed this item and the contract.

***Responsible Staff:*** Andrea Zureick, Director Fund Administration & Programming



## CONTRACT SUMMARY SHEET

Contract No. C 13161 Amendment No. \_\_\_\_\_

By and Between

San Bernaridno County Transportation Authority and Town of Yucca Valley

Contract Description The State Route 62/Dumosa Avenue Traffic Signal Project

**Board of Director's Meeting Date:** 7/3/13  
**Overview of BOD Action:** (1) Approve MLHP Allocation of \$471,000; (2) Approve budget amendment to increase Task 0516; (3) Approve Funding Agreement C13161

Is this a Sole-Source procurement?  Yes  No

CONTRACT OVERVIEW			
Original Contract Amount	\$	471,000	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$		Contingency Amendment
<b>TOTAL CONTRACT VALUE</b>	<b>\$</b>		<b>TOTAL CONTINGENCY VALUE</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			<b>\$ 471,000</b>

Contract Start Date 7/3/13	Current Contract Expiration Date 7/3/18	Revised Contract Expiration Date
Has the contract term been amended? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please explain.		

FINANCIAL INFORMATION	
<input type="checkbox"/> Budget authority for this contract currently exists in Task No. <u>0516</u> .	
<input checked="" type="checkbox"/> A Budget Amendment is required.	
How are we funding current FY? N/A. For 2013/2014, funded by MI Morongo Basin MLHP	
<input type="checkbox"/> Federal Funds	<input 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 <b>Overall Funding</b> for the duration of the Contract: To be funded by MI Morongo Basin Subarea Major Local Highway Program 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 _____ %	

Ellen Poltema	Ellen Poltema	5/31/13
Project Manager (Print Name)	Signature	Date
Andrea Zureick	Andrea Zureick	6/3/13
Task Manager (Print Name)	Signature	Date
Andrea Zureick	Andrea Zureick	6/3/13
Dir. of Fund Admin. & Programming (Print Name)	Signature	Date
Jeffery Hill	[Signature]	6/4/13
Contract Administrator (Print Name)	Signature	Date
Chief Financial Officer (Print Name)	Signature	Date

C13161

Contract Summary Sheet 11/6/12

**PROJECT FUNDING AGREEMENT C13161**

**BETWEEN**

**SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

**AND**

**TOWN OF YUCCA VALLEY**

**FOR**

**THE STATE ROUTE 62/DUMOSA AVENUE TRAFFIC SIGNAL PROJECT,  
TOWN OF YUCCA VALLEY**

THIS Project Funding Agreement (“Agreement”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_ by and between the San Bernardino County Transportation Authority (hereinafter referred to as “AUTHORITY”) and the TOWN OF YUCCA VALLEY (hereinafter referred to as “TOWN”). AUTHORITY and TOWN shall be individually or collectively, as applicable, known as “Party” or “Parties.”

**RECITALS**

- A. The Measure I 2010-2040 Expenditure Plan and the Morongo Subarea transportation planning partners have identified projects eligible for partial funding from Measure I 2010-2040 Rural Mountain/Desert Subarea Major Local Highway Program (“MLHP”) funds;
- B. The Design, Right of Way, and Construction Phases of the State Route 62/Dumosa Avenue Traffic Signal Project in the TOWN (“PROJECT”) is one of the projects identified as eligible for such funding and is described more fully in Attachment A;
- C. AUTHORITY has determined that the PROJECT is eligible to receive the Rural Mountains/Desert Subarea MLHP funds;
- D. On \_\_\_\_\_, AUTHORITY’s Board of Directors approved allocation of \_\_\_\_\_ in Rural Mountains/Desert Subarea MLHP funds to TOWN for the PROJECT;
- E. This Agreement is to be carried out in accordance with the policies in the Measure I 2010-2040 Strategic Plan;

F. Parties desire to proceed with the PROJECT in a timely manner;

G. This Agreement is intended to delineate the duties and funding responsibilities of the Parties for the PROJECT; and

H. AUTHORITY and TOWN are entering into this Agreement with the understanding that AUTHORITY will reimburse TOWN for eligible PROJECT expenditures with MLHP funds.

NOW, THEREFORE, AUTHORITY and TOWN agree to the following:

### SECTION I

#### AUTHORITY AGREES:

1. To reimburse TOWN for the actual cost of the PROJECT up to a maximum of \$471,000 in MLHP Funds. An estimate of costs for the PROJECT is provided in Attachment B. AUTHORITY shall have no further responsibilities to provide any funding for PROJECT exceeding this amount.
2. To reimburse TOWN within 30 days after TOWN submits an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by TOWN up to a maximum of \$471,000, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to AUTHORITY as frequently as monthly.
3. When conducting an audit of the costs claimed under the provisions of this Agreement, to rely to the maximum extent possible on any prior audit of TOWN performed pursuant to the provisions of State and Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to AUTHORITY when planning and conducting additional audits.
4. AUTHORITY shall assign a project liaison for the purpose of attending Project Development Team (PDT) meetings.

## SECTION II

### TOWN AGREES:

1. To be the lead agency for this PROJECT and to diligently undertake and complete in a timely manner the Scope of Work for the PROJECT as shown in Attachment A.
2. To be responsible for expending that portion of the eligible PROJECT expenses that are incurred by TOWN, subject to reimbursement by AUTHORITY hereunder, for an amount not to exceed \$471,000 in MLHP Funds, and are reimbursable by AUTHORITY in accordance with Section I, Paragraph 2. Expenses relative to time spent on the PROJECT by TOWN are considered eligible PROJECT expenses and may be charged to the PROJECT funds subject to AUTHORITY's guidelines.
3. To abide by all AUTHORITY, TOWN, County, State, and Federal laws, regulations, policies and procedures pertaining to the PROJECT.
4. To prepare and submit to AUTHORITY an original and two copies of signed invoices for reimbursement of eligible PROJECT expenses. Invoices may be submitted to AUTHORITY as frequently as monthly.
5. To maintain all source documents, books and records connected with its performance under this Agreement for a minimum of five (5) years from the date of the Final Report of Expenditures submittal to AUTHORITY or until audit resolution is achieved, whichever is later, and to make all such supporting information available for inspection and audit by representatives of AUTHORITY during normal business hours at TOWN's TOWN Hall. Copies will be made and furnished by TOWN upon written request by AUTHORITY or CALTRANS.
6. To establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) to support TOWN's requests for reimbursement, payment vouchers, or invoices which segregate and accumulate costs of PROJECT work elements and produce monthly reports which clearly identify reimbursable costs, matching fund costs, indirect cost allocation, and other allowable expenditures by TOWN.
7. To prepare a Final Report of Expenditures, including a final invoice reporting the actual eligible PROJECT costs expended for those activities described in the work activities, and to submit that Final Report of Expenditures and final invoice no later than 120 days following the completion of those expenditures. An original and two copies of the Final Report of Expenditures shall be submitted to AUTHORITY and must state that these PROJECT funds were

used in conformance with this Agreement and for those PROJECT-specific work activities described.

8. To cooperate in having a PROJECT-specific audit completed by AUTHORITY, at AUTHORITY's option and expense, upon completion of the PROJECT. The audit must state that all funds expended on the PROJECT were used in conformance with this Agreement.
9. To repay to AUTHORITY any reimbursement for Measure I costs that are determined by subsequent audit to be unallowable within one hundred twenty (120) days of TOWN receiving notice of audit findings, which time shall include an opportunity for TOWN to respond to and/or resolve the findings. Should the findings not be otherwise resolved and TOWN fail to reimburse moneys due AUTHORITY within one hundred twenty (120) days of audit findings, or within such other period as may be agreed between both Parties, the AUTHORITY reserves the right to withhold future payments due TOWN from any source under AUTHORITY's control.
10. To include AUTHORITY in Project Development Team (PDT) meetings if and when such meetings are held and in related communications on PROJECT progress, to provide at least quarterly schedule updates to AUTHORITY, and to consult with AUTHORITY on critical issues relative to the PROJECT.
11. As an eligible PROJECT expense, to post signs at the boundaries of the PROJECT noting that PROJECT is funded with Measure I funds. Signs shall bear the logos of AUTHORITY and TOWN.

### SECTION III

#### IT IS MUTUALLY AGREED:

1. To abide by all applicable Federal, State and Local laws and regulations pertaining to the PROJECT, including policies in the applicable program in the Measure I 2010-2040 Strategic Plan, as amended, as of the Effective Date of this Agreement.
2. The final PROJECT cost may ultimately exceed current estimates of PROJECT cost. Any additional eligible costs resulting from unforeseen conditions over the estimated total of the PROJECT cost, shall be borne by TOWN unless prior authorization has been approved by the AUTHORITY Board of Directors pursuant to Section III, Paragraph 3 of this Agreement;
3. In the event TOWN determines PROJECT work may exceed the not to exceed amount identified in Section I, Paragraph 1, TOWN shall inform AUTHORITY of this determination and thereafter the Parties shall work together in an attempt to agree upon an amendment to the PROJECT amounts

identified in this Agreement. In no event, however, shall AUTHORITY be responsible for PROJECT costs in excess of the PROJECT amounts identified herein absent a written amendment to this Agreement that is approved by the Parties.

4. Eligible PROJECT reimbursements shall include only those costs incurred by TOWN for PROJECT-specific work activities that are described in this Agreement and shall not include escalation or interest.
5. Neither AUTHORITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by TOWN under or in connection with any work, authority or jurisdiction delegated to TOWN under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, TOWN shall fully defend, indemnify and save harmless AUTHORITY, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by TOWN under or in connection with any work, authority or jurisdiction delegated to TOWN under this Agreement. TOWN's indemnification obligation applies to AUTHORITY's "active" as well as "passive" negligence but does not apply to AUTHORITY's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
6. Neither TOWN nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by AUTHORITY under or in connection with any work, authority or jurisdiction delegated to AUTHORITY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, AUTHORITY shall fully defend, indemnify and save harmless TOWN, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by AUTHORITY under or in connection with any work, authority or jurisdiction delegated to AUTHORITY under this Agreement. AUTHORITY's indemnification obligation applies to TOWN's "active" as well as "passive" negligence but does not apply to TOWN's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.
7. This Agreement will be considered terminated upon reimbursement of eligible costs by AUTHORITY or July 1, 2017, whichever is sooner, provided that the provisions of Paragraphs 6, 7, 8, 9 and 10 of Section II, and Paragraphs 5 and 6 of Section III, shall survive the termination of this Agreement. The Agreement may also be terminated by AUTHORITY, in its sole discretion, in the event the PROJECT work described in Attachment A has not been initiated or let by TOWN within twelve (12) months of the Effective Date of this Agreement.

8. AUTHORITY may terminate this Agreement if TOWN fails to perform according to the terms of this Agreement and if this failure jeopardizes the delivery of the PROJECT according to the terms herein.
9. The Recitals to this Agreement are true and correct and are incorporated into this Agreement.
10. Attachment A, State Route 62/Dumosa Ave. Traffic Signal Project Description of Project and Milestones, and Attachment B, State Route 62/Dumosa Ave. Traffic Signal Project Funding Summary, are attached to and incorporated into this Agreement.
11. This Agreement is effective and shall be dated on the date executed by AUTHORITY.

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

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Janice Rutherford, Chairperson

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

APPROVED AS TO FORM AND  
PROCEDURE:

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

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

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

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

**TOWN OF YUCCA VALLEY**

By: \_\_\_\_\_  
Merl Abel  
Mayor

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

APPROVED AS TO FORM AND  
PROCEDURE:

By: \_\_\_\_\_  
Lona N. Laymon, Esquire  
TOWN Counsel

## ATTACHMENT A

### STATE ROUTE 62/DUMOSA AVENUE TRAFFIC SIGNAL PROJECT, TOWN OF YUCCA VALLEY

<b>Project Title</b>	
SR62/Dumosa Ave Traffic Signal	
<b>Location, Project Limits, Description, Scope of Work, Legislative Description</b>	
Construction of a traffic signal at the intersection of SR62 and Dumosa Avenue including ADA compliant ramps, raised median construction on Dumosa Ave south of SR62 and modifications to the existing turn pockets for east and west bound traffic on SR62.	
<b>Purpose and Need</b>	
The existing commercial shopping centers, Town Hall Complex and proposed 75 unit Senior Housing Development generates a highly traveled intersection by both pedestrians and vehicles. The purpose of the project is to provide safe and efficient interstate and interregional mobility of visitors and goods and an improved and safe transportation corridor through the Town of Yucca Valley for both visitors and local residents who use the route to access not only our public & commercial facilities, but also Joshua Tree National Park and the California Welcome Center as well as military vehicles accessing the Twentynine Palms Marine Corps Air Ground Combat Center.	
<b>Project Benefits</b>	
Project benefits include increased pedestrian safety, increased pedestrian and vehicular visibility resulting in a potential reduction of vehicular conflicts, installation of ADA compliant curb ramps, signalization, elimination of two way center left turn lane and construction of medians resulting in a reduction of vehicular turning movements and expanding existing turn lanes resulting in potential reduction in vehicular conflicts.	
<b>Project Milestone</b>	<b>Proposed</b>
Project Study Report Approved	
Begin Environmental (PA&ED) Phase	06/01/13
Circulate Draft Environmental Document	<b>Document Type</b> N/A
Draft Project Report	08/01/13
End Environmental Phase (PA&ED Milestone)	08/01/13
Begin Design (PS&E) Phase	07/01/13
End Design Phase (Ready to List for Advertisement Milestone)	09/01/13
Begin Right of Way Phase	
End Right of Way Phase (Right of Way Certification Milestone)	
Begin Construction Phase (Contract Award Milestone)	03/01/14
End Construction Phase (Construction Contract Acceptance Milestone)	07/01/14
Begin Closeout Phase	07/01/14
End Closeout Phase (Closeout Report)	08/01/14

**Description of Project and Milestones**  
**ATTACHMENT B**

**STATE ROUTE 62/DUMOSA AVENUE TRAFFIC SIGNAL PROJECT,  
TOWN OF YUCCA VALLEY**

**Funding Summary**

<b>Component</b>	<b>Total Cost</b>	<b>AUTHORITY SHARE* - MLHP Funds</b>	<b>TOWN Local Measure I Funds</b>
All Phases	\$521,000	\$471,000	\$50,000
<b>Total</b>	<b>\$521,000</b>	<b>\$471,000</b>	<b>\$50,000</b>

\*AUTHORITY's Share can be from sources under control of AUTHORITY including but not limited to Measure I Major/Local Highways program, and State Transportation Improvement Program (STIP), or Surface Transportation Program (STP) without necessitating an amendment of this agreement.



- 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: 34

**Date:** July 10, 2013

**Subject:** Interstate 10 Cedar Avenue Interchange Memorandum of Understanding

- Recommendation:**
1. Approve Memorandum of Understanding No. C13086 with the County of San Bernardino for the development of the Interstate 10 Cedar Avenue Interchange project.
  2. Waive the five-year contract term limitation set forth in Policy I1000.

**Background:** The I-10 Cedar Avenue Interchange is the highest priority in the Measure I 2010-2040 Freeway Interchange Program. Cedar Avenue is a north-south arterial in the unincorporated community of Bloomington and forms a tight diamond interchange with I-10. This location has been experiencing high levels of traffic congestion resulting in low "levels of service". This prompted the County of San Bernardino to proceed with obtaining environmental clearance for reconstruction of the I-10 Cedar Avenue Interchange (Project) which is expected in June 2013.

The purpose of this Memorandum of Understanding No. C13086 (MOU) is to document the terms and conditions of cooperation between San Bernardino Associated Governments (SANBAG) and the County of San Bernardino required to complete the Project with respect to cost, funding shares, schedule, and scope. The MOU does not commit SANBAG or the County of San Bernardino to

*Approved*  
*Board of Directors*

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

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

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

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

COG	CTC	CTA	X	SAFE	CMA
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Check all that apply.

BRD1307a-cs

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13086.docx>

perform work or provide funding for the Project but provides the overall framework necessary to complete all phases of the Project. Cooperative Agreements will be developed for each phase of the Project that will identify the specific roles and funding responsibilities.

In January 2013, the SANBAG Board approved an exception to SANBAG Policy 40001/VS-30: Cost Buy-down for Projects with a Development Share Contribution and allowed the use of \$4.2 million Surface Transportation Program funds allocated to the County of San Bernardino for use at their discretion to be regarded as an internal loan of development share funds for the I-10 Cedar Interchange project. The County plans to allocate these funds toward design and right-of-way in order to support the advancement of these phases.

It is anticipated that SANBAG will be the lead agency for the remaining phases of work, although whether the Resolutions of Necessity for right-of-way acquisition, if needed, will be heard by the County of San Bernardino or at the California Transportation Commission is yet to be determined. Upon approval of the MOU, staff will commence work on the cooperative agreement for the design and right-of-way phases.

The County of San Bernardino Board of Supervisors approved the MOU on June 4, 2013.

The termination date of the MOU is the earlier of the Project notice of completion recordation date or June 30, 2021. It is expected that it will take longer than five years to complete all phases of the Project, therefore staff requests waiver of the five-year contract term limitation set forth in Policy 11000.

***Financial Impact:*** This item has no financial impact on the approved Fiscal Year 2013/2014 budget as it does not commit any funds.

***Reviewed By:*** This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on June 13, 2013. SANBAG General Counsel and Contract Administrator have approved this item and the Memorandum of Understanding.

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

## CONTRACT SUMMARY SHEET

Contract No. C 13086 Amendment No. \_\_\_\_\_

By and Between

SANBAG (as Authority) and County of San Bernardino

Contract Description Interstate 10 at Cedar Avenue Memorandum of Understanding

**Board of Director's Meeting Date:** July 3, 2013  
**Overview of BOD Action:** 1. Approve Memorandum of Understanding C13086 with the County of San Bernardino for the development of the interstate 10 at Cedar Avenue Interchange Project.

Is this a Sole-Source procurement?  Yes  No

### CONTRACT OVERVIEW

Original Contract Amount	\$ 0	Original Contingency Amount	\$ 0
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$
Current Amendment Amount	\$	Contingency Amendment	\$
<b>TOTAL CONTRACT VALUE</b>	<b>\$ 0</b>	<b>TOTAL CONTINGENCY VALUE</b>	<b>\$ 0</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			<b>\$ 0</b>

Contract Start Date 7/3/2013	Current Contract Expiration Date 6/30/2021	Revised Contract Expiration Date
---------------------------------	---	----------------------------------

Has the contract term been amended?  No  Yes - please explain.

### FINANCIAL INFORMATION

Budget authority for this contract currently exists in Task No. \_\_\_\_\_.

A Budget Amendment is required. How are we funding current FY?

Budget authority will be handled in phase specific cooperative agreements

Federal Funds  State Funds  Local Funds  TDA Funds  Measure I Funds

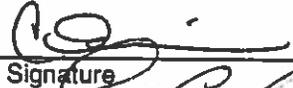
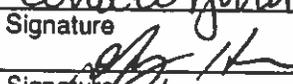
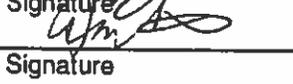
Provide Brief Overview of the Overall Funding for the duration of the Contract:

Payable  Receivable NOTE: This is a MOU and does not commit any funds.

### CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:  Retention? If yes, indicate % \_\_\_\_\_.

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

Carrie Schindler		5/31/13
Project Manager (Print Name)	Signature	Date
Barry Cahoe		6/3/13
Task Manager (Print Name)	Signature	Date
Andrea Zureick		6/3/13
Dir. of Fund Admin. & Programming (Print Name)	Signature	Date
Jeffery Hill		6/4/13
Contracts Manager (Print Name)	Signature	Date
W. STANLEYSKI		6/5/13
Chief Financial Officer Signature (Print Name)	Signature	Date

**SANBAG**

**CONTRACT C13086**

**MEMORANDUM OF UNDERSTANDING**

**BETWEEN THE**

**SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

**AND THE COUNTY OF SAN BERNARDINO**

**FOR THE DEVELOPMENT OF**

**THE INTERSTATE 10/CEDAR AVENUE INTERCHANGE PROJECT**

**I. PARTIES AND TERM**

- A. This Memorandum of Understanding ("MOU") is entered by and between the SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY ("AUTHORITY" or "SANBAG") and the COUNTY OF SAN BERNARDINO ("PROJECT SPONSOR") (and together the "PARTIES") on the Effective Date defined later herein.
- B. The Term of this MOU will commence on the Effective Date and, unless terminated early as provided in Section V, Paragraph C, terminate upon the date a notice of completion is recorded for the Interstate 10 at Cedar Avenue Interchange (PROJECT) or June 30, 2021, whichever is earlier.

**II. RECITALS**

- A. WHEREAS, the PROJECT is included in the approved SANBAG 10-Year Delivery Plan and SANBAG Development Mitigation Nexus Study and is eligible to receive funds from the Measure I 2010-2040 Valley Freeway Interchange Program.
- B. WHEREAS, the PARTIES desire to proceed with development of the PROJECT.
- C. WHEREAS, the PARTIES are entering into this PROJECT MOU for the purpose of documenting the terms and conditions of cooperation between the PARTIES required to complete the PROJECT with respect to cost, funding, schedule, and scope, as detailed in Exhibit A, attached hereto and incorporated herein by this reference.
- D. WHEREAS, a conceptual layout of the PROJECT is shown in Exhibit B, attached hereto and incorporated herein by this reference.
- E. WHEREAS, the PARTIES acknowledge the intent to move forward with the PROJECT, the Public and Local Agency funding shares required to complete the PROJECT, and the reasonable expectation of funding availability.

- F. WHEREAS, the Public Share is defined as the share of project cost calculated as the total cost of the project minus the development share (or Local Agency share) and the Local Agency share is the percentage share of the project cost assigned as the development contribution percentage as listed in the SANBAG Development Mitigation Nexus Study.
- G. WHEREAS, the PARTIES understand that the purpose of the MOU is to outline the steps and funds necessary to complete the PROJECT, but the MOU does not commit the PARTIES to perform work or provide funding for the PROJECT, and imposes no enforceable obligations upon the PARTIES and does not grant any rights.
- H. WHEREAS, the PARTIES desire to memorialize in this MOU the framework and funding necessary for completion of the PROJECT to assist the PARTIES in their decision-making and budgeting for this PROJECT.
- I. WHEREAS, the PARTIES understand that a Cooperative Agreement will be developed for each phase of the PROJECT that will identify the specific roles and responsibilities of AUTHORITY and PROJECT SPONSOR including specific funding commitments.

### **III. AUTHORITY'S RESPONSIBILITIES**

- A. AUTHORITY will be responsible for the Public Share of PROJECT costs in accordance with Measure I 2010-2040 Valley Freeway Interchange Program Strategic Plan Policy 40005 and subsequent Cooperative Agreements.
- B. AUTHORITY will consider the development of a Loan Agreement(s) for the Local Share of PROJECT costs, if requested by the PROJECT SPONSOR, in accordance with Measure I 2010-2040 Valley Freeway Interchange Program Strategic Plan Policy.
- C. AUTHORITY will assign a qualified member of its staff to coordinate with the PROJECT SPONSOR, as determined reasonably necessary by AUTHORITY to facilitate the delivery of the PROJECT.
- D. PROJECT SPONSOR and AUTHORITY shall consult on a funding strategy for PROJECT completion at least six months prior to completion of the design phase.

### **IV. PROJECT SPONSOR'S RESPONSIBILITIES**

- A. PROJECT SPONSOR will be responsible for the Local Share of the PROJECT costs in accordance with Measure I 2010-2040 Valley Freeway Interchange Program Strategic Plan Policy and subsequent agreements, including Loan Agreements.
- B. PROJECT SPONSOR will assign a qualified member of its staff to coordinate with AUTHORITY, as determined reasonably necessary by PROJECT SPONSOR to facilitate the delivery of the PROJECT.
- C. PROJECT SPONSOR and AUTHORITY shall consult on a funding strategy for PROJECT completion at least six months prior to completion of the design phase.

V. MISCELLANEOUS

- A. The PARTIES acknowledge that should federal funds be used in the environmental or design phases of work, Federal Highway Administration (FHWA) requires that the PROJECT must move to a capital phase (right-of-way or construction) within ten years or the federal funds may be required to be repaid to FHWA. Responsibilities related to the federal funding will be outlined in the funding cooperative agreement(s).
- B. Recitals. The Recitals stated above are integral parts of this MOU and are hereby incorporated into the terms of this MOU.
- C. Termination. Both AUTHORITY and PROJECT SPONSOR shall have the right at any time, to terminate this MOU, with or without cause, by giving thirty (30) calendar days written notice to the other party, specifying the date of termination. Termination of the MOU will not terminate the PARTIES' continuing obligations under any Cooperative Agreements generally referenced in Section II, Paragraph I. Termination of the MOU by request of the PROJECT SPONSOR will be understood by the AUTHORITY that PROJECT SPONSOR wishes to discontinue work on the PROJECT, unless otherwise stated in an active Cooperative Agreement or in a subsequent MOU or agreement.
- D. Notification. Each Party will designate a person to be responsible for day-to-day communications regarding work under the PROJECT. For PROJECT SPONSOR, that person will be Eric Jacobsen, Supervising Transportation Analyst for COUNTY OF SAN BERNARDINO. For AUTHORITY, that person shall be Paula Beauchamp, Project Delivery Manager. All notices and communications regarding this MOU, interpretation of the terms of this MOU, or changes thereto will be provided as follows:

COUNTY OF SAN BERNARDINO Department of Public Works 825 East 3 <sup>rd</sup> Street San Bernardino, CA 92415 ATTN: Eric Jacobsen	SANBAG San Bernardino Associated Governments 1170 W. 3rd Street San Bernardino, CA 92410-1715 ATTN: Executive Director CC: Andrea Zureick
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- E. Amendment. In the event that the PARTIES determine that the provisions of this MOU should be altered, the PARTIES may execute an amendment to add, delete, or amend any provision of this MOU. All such amendments must be in the form of a written instrument signed by the authorized representatives of the PARTIES.

-----Signatures on the Following Page-----

In witness whereof the PARTIES have executed this MOU on the dates written below and this MOU is effective upon execution of this MOU by both SANBAG and PROJECT SPONSOR ("Effective Date").

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

**COUNTY OF SAN BERNARDINO**

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

By: \_\_\_\_\_  
Janice Rutherford  
Chair, Board of Supervisors

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

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

**APPROVED AS TO FORM:**

**APPROVED AS TO FORM:**

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

By: \_\_\_\_\_  
Scott Runyan  
Deputy County Counsel

**CONCURRENCE:**

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

**Exhibit A**

**Project Scope:**

The project will widen the Interstate 10/Cedar Avenue overcrossing, improve interchange ramps, add an auxiliary lane at the eastbound entrance and exit ramps, and widen Cedar Avenue between Slover Avenue and Valley Boulevard, as referenced in the Project Report dated November 2, 2001 and Environmental Document being circulated for approval in June 2013. The County of San Bernardino has been lead on the Project Approval and Environmental phase. It is anticipated that the AUTHORITY will be lead on the remaining phases of work, although whether the Resolutions of Necessity for Right of Way Acquisition will be heard by the County of San Bernardino or at the California Transportation Commission is to be determined.

**Project Cost Estimate and Funding Shares:**

Public Share: 70.0%

Nexus Development Impact Fee Share (DIF, "Development Share" or "Local Share"): 30.0%

Local Jurisdictional Split of the DIF Share: County 74% / Fontana 12% / Rialto 14%

Phase	Estimated Cost**	Public Share	Development Share
Project Approval and Environmental	\$1,200,000	\$275,100	\$924,900
Design	\$4,000,000	\$2,800,000	\$1,200,000
Right-of-Way (including Utilities*)	\$12,200,000	\$8,540,000	\$3,660,000
Construction (Including Construction Management)	\$43,000,000	\$30,100,000	\$12,900,000
Total	\$60,400,000	\$41,715,100	\$18,684,900

\* Utilities are estimated at \$2,027.00.

\*\*Estimated Costs are based on Project Study report and do not include landscaping or SANBAG oversight.

**Project Milestones:**

Milestone	Actual (Forecast)
Start of Project	(1/16/2001)
Environmental Approval	(6/2013)
Design Approved/ROW Certified	(6/2016)
Construction Notice to Proceed	(12/2016)
Completed for Beneficial Use	(12/2018)

Exhibit B

# Conceptual Layout





- 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: 35

**Date:** July 10, 2013

**Subject:** Allocation of Transportation Development Act Funds for Fiscal Year 2013/2014

**Recommendation:** Adopt Resolution No. 13-083 authorizing the allocation of Local Transportation Funds and State Transit Assistance Funds for Fiscal Year 2013/2014.

**Background:** Section 99214 of the California Public Utilities Code designates the San Bernardino County Transportation Commission as the Regional Transportation Planning Agency (RTPA) for the purpose of administering the Transportation Development Act (TDA) funds. This responsibility includes the adoption of the Local Transportation Fund (LTF) apportionments, approval of all LTF and State Transit Assistance Fund (STA) claims, and issuance of LTF and STA allocation and disbursement instructions.

In March 2013, the Board approved the Fiscal Year 2013/2014 LTF apportionment. The apportionment was subsequently incorporated into the Fiscal Year 2013/2014 Budget. Throughout the course of the year, staff receives claims from eligible TDA claimants and verifies the claims against planning documents. The planning documents that are used as the basis for approving the statutory claims of TDA funding includes the transit operator Short Range Transit Plans and the SANBAG 10-Year Delivery Plan.

*Approved  
 Board of Directors*

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

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

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

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

COG	CTC	X	CTA	SAFE	CMA
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Check all that apply.

BRD1307a-pc

RES13083: <http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/RES13083.doc>

Following approval of a transit claim, staff issues allocation instructions to the County Auditor/Controller's office authorizing the use of the funds by the claimant. This is a staff task that is on-going throughout the year. For staff to fulfill this responsibility, Section 6659 and Section 6753 of Title 21 of the California Code of Regulations require that the governing body adopt a resolution authorizing the issuance of LTF and STA allocation instructions, respectively.

The attached Resolution No. 13-083 fulfills the requirements of Title 21 of the California Code of Regulations Section 6659 and Section 6753.

***Financial Impact:***

This item has no impact on the current year budget. Adoption of the resolution by the Board will authorize the issuance of LTF and STA allocation instructions for the Commission's TDA administration functions, transportation planning and programming functions, and commuter rail operating and capital assistance as approved in the Fiscal Year 2013/2014 Budget.

***Reviewed By:***

This item was reviewed and unanimously recommended for approval by the General Policy Committee on June 12, 2013. SANBAG General Counsel has reviewed this item and the Resolution, as to form.

***Responsible Staff:***

Andrea Zureick, Director of Fund Administration and Programming

**RESOLUTION NO. 13-083**

**RESOLUTION OF THE  
SAN BERNARDINO COUNTY TRANSPORTATION COMMISSION  
AUTHORIZING THE ALLOCATION OF  
LOCAL TRANSPORTATION FUNDS AND  
STATE TRANSIT ASSISTANCE FUNDS  
FOR FISCAL YEAR 2013/2014**

WHEREAS, the San Bernardino County Transportation Commission (SANBAG) is the designated transportation planning agency for the administration of the Transportation Development Act funds within San Bernardino County; and

WHEREAS, the Southern California Association of Governments Executive Committee has adopted a Regional Transportation Plan directed toward the achievement of a coordinated and balanced transportation system; and

WHEREAS, the SANBAG Board of Directors adopts Short Range Transit Plans for each of the San Bernardino County transit operators; and

WHEREAS, the SANBAG Board of Directors has adopted the SANBAG 10-Year Delivery Plan documenting anticipated capital expenditures for SANBAG's rail program; and

WHEREAS, the Short Range Transit Plans and the SANBAG 10-Year Delivery Plan include planned expenditures of transportation funds, including Local Transportation Funds and State Transit Assistance Funds; and

WHEREAS, claims may be submitted under the Transportation Development Act for allocations from the Local Transportation Fund and State Transit Assistance Funds consistent with the adopted plans, apportionments, and allocations; and

WHEREAS, SANBAG has incorporated the amount to be allocated to each of the transit operators and SANBAG into its Fiscal Year 2013/2014 Budget;

NOW THEREFORE BE IT RESOLVED that the San Bernardino County Transportation Commission hereby approves the allocation of Local Transportation Funds and State Transit Assistance Funds for Fiscal Year 2013/2014 subject to those claims conforming to adopted apportionments and all other requirements of the Transportation Development Act, including but not limited to the following determinations:

1. The claimant's proposed expenditures are in conformity with the Regional Transportation Plan, the claimant's Short Range Transit Plan, and SANBAG's 10-Year Delivery Plan, as applicable, and as amended through subsequent Board action.
2. The level of passenger fares and charges is sufficient to enable the operator or transit service claimant to meet the applicable fare revenue to operating expense (operating ratio) requirements as required by the Transportation Development Act.
3. The claimant is making full use of federal funds available pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users and Moving Ahead for Progress in the 21st Century.

4. The sum of the claimant's allocations from the State Transit Assistance Fund and Local Transportation Fund does not exceed the amount the claimant is eligible to receive during the fiscal year.
5. Priority consideration has been given to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or area-wide public transportation needs.
6. The claimant has made reasonable effort to implement the productivity improvements recommended pursuant to Public Utilities Code Section 99244, including the specific reference to the improvements recommended and the efforts made by the claimant to implement them.
7. The claimant submits a certification issued by the Department of California Highway Patrol within the last 13 months verifying that the claimant is in compliance with Section 1808.1 of the Vehicle Code (Drivers Pull Notice Program), as required by Public Utilities Code Section 99251.
8. The claimant is in compliance with the qualifying criteria pursuant to Public Utilities Code Section 99314.6 (use of State Transit Assistance Fund for operating purposes).
9. The transportation services contracted for under Public Utilities Code Section 99400(c) are responding to a transportation need not otherwise being met within the community or jurisdiction of the claimant and that, where appropriate, the services are coordinated with the existing transportation service.

BE IT FURTHER RESOLVED that such approval does not include allocations for local street and roads unless the provisions of Sections 99401.5 and 99401.6 of the Public Utilities Code have been met; and

BE IT FURTHER RESOLVED that the Executive Director or his designee is authorized to transmit allocation instructions to the San Bernardino County Auditor/Controller, having first determined that the required allocation meets all requirements of this Resolution and the Transportation Development Act.

Approved by the San Bernardino County Transportation Commission at its regular meeting thereof held this 3<sup>rd</sup> day of July 2013.\*

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	<p><i>Approved</i>  <i>San Bernardino County Transportation Commission</i></p> <p><i>Date:</i> _____</p> <p><i>Moved:</i> _____ <i>Second:</i> _____</p> <p><i>In Favor:</i> _____ <i>Opposed:</i> _____ <i>Abstained:</i> _____</p> <p><i>Witnessed:</i> _____</p>
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**DISCUSSION  
ITEMS**



- 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: 37

**Date:** July 10, 2013

**Subject:** Results of Caucus Meetings to Select Members of the General Policy Committee

**Recommendation:**\* Note the results of the caucus meetings to select members of the General Policy Committee.

**Background:** The membership of the General Policy Committee is required to have geographic equity among the city members of the three subareas in SANBAG – East Valley, West Valley and Mountain/Desert.

The membership of the General Policy Committee consists of three city members and one County Supervisor from each subarea. The Board Officers are automatically members of the General Policy Committee and the city members count towards their subareas allotment of members. The Chairs of the Metro Valley Study Session, Mountain/Desert Committee and Commuter Rail and Transit Committee are also automatically members of the General Policy Committee and the city members count towards their subareas allotment of members.

Below is a table showing the General Policy Committee members that are known and the vacancies that need to be filled for 2013/2014 and the membership of the committee in 2012/2013 for comparison.

*Approved  
 Board of Directors*

*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.  
 BRD1307a-dab

<i>2012/2013</i>	<i>2013/2014</i>
<b><i>Board Officers</i></b>	
Janice Rutherford, Supervisor (President)	Bill Jahn, Big Bear Lake (President)
Mike Leonard, Hesperia (Vice President)	L. Dennis Michael, Rancho Cucamonga (Vice President)
Larry McCallon, Highland (Past President)	Janice Rutherford, Supervisor (Past President)
<b><i>East Valley</i></b>	
Larry McCallon, Highland (Past President)	Open
Pat Morris, San Bernardino (Chair of Commuter Rail and Transit Cmtee.)	Pat Morris, San Bernardino (Chair of Commuter Rail and Transit Cmtee.)
Richard Riddell, Yucaipa (Chair of Metro Valley Study Session)	Richard Riddell, Yucaipa (Chair of Metro Valley Study Session)
James Ramos, Supervisor	James Ramos, Supervisor
<b><i>West Valley</i></b>	
L. Dennis Michael, Rancho Cucamonga	L. Dennis Michael, Rancho Cucamonga (Vice President)
Ed Graham, Chino Hills	Open
Dennis Yates, Chino	Open
Gary Ovitt, Supervisor	Gary Ovitt, Supervisor
<b><i>Mountain/Desert</i></b>	
Mike Leonard, Hesperia (Vice President)	Bill Jahn, Big Bear Lake (President)
Julie McIntyre, Barstow (Chair of Mountain/Desert Cmtee.)	Ed Paget, Needles (Chair of Mountain/Desert Cmtee.)
Jim Harris, Twentynine Palms	Open
Robert Lovingood, Supervisor	Robert Lovingood, Supervisor

The Board of Supervisors have selected their members and a caucus of the cities is being held immediately before the start of the Board meeting to select the city representatives to the General Policy Committee vacancies. The results of that caucus will be reported at the Board meeting.

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

***Reviewed By:*** This item has not received prior policy committee or technical advisory committee review.

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



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

*Minute Action*

AGENDA ITEM: 38

**Date:** July 10, 2013

**Subject:** Public Hearing to Consider Resolution No. 13-087 to Modify the Program Report to Expand the Boundaries of the SANBAG HERO Program

- Recommendation:\***
1. Hold a public hearing to modify the boundaries of the SANBAG Home Energy Renovation Opportunity (HERO) Program to add the cities of Needles, Upland, Redlands and the Town of Apple Valley.
  2. Adopt Resolution No. 13-087 that confirms the modification of the SANBAG HERO Program Report to expand the program area within which contractual assessments may be offered.

**Background:** On March 6, 2013, the SANBAG Board of Directors held a public hearing and then adopted Resolution 13-044 creating the HERO Program that 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.

On October 3, 2012, the Board of Directors approved the Memorandum of Understanding (MOU) that was to be approved by the County and the cities if they wished to be included in the HERO Program. By the time of the public hearing on March 6, 2013, 20 of SANBAG's 25 member agencies had approved the MOU. Since that time four more agencies have approved the MOU, Apple Valley, Needles, Redlands and Upland. In order for these four agencies to

*Approved  
Board of Directors*

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

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

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

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

COG	X	CTC		CTA		SAFE		CMA	
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Check all that apply.

BRD1307c-dab

<http://portal.sanbag.ca.gov/mgmt/committee/directors/brd2013/brd1307/AgendaItems/BRD1307c1-dab.pdf>

be included in the HERO Program, the Program Report must be modified to add them and that requires a public hearing.

On June 5, 2013, the Board of Directors adopted Resolution No. 13-086 declaring its intent to modify the Program Report and setting a public hearing for July 10, 2013 at 10:30 a.m. to consider such modification. After conducting the public hearing, it is recommended that the Board of Directors approve Resolution No. 13-087 modifying the HERO Program Report so as to expand the program area within which contractual assessments may be offered to include Apple Valley, Needles, Redlands, and Upland.

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

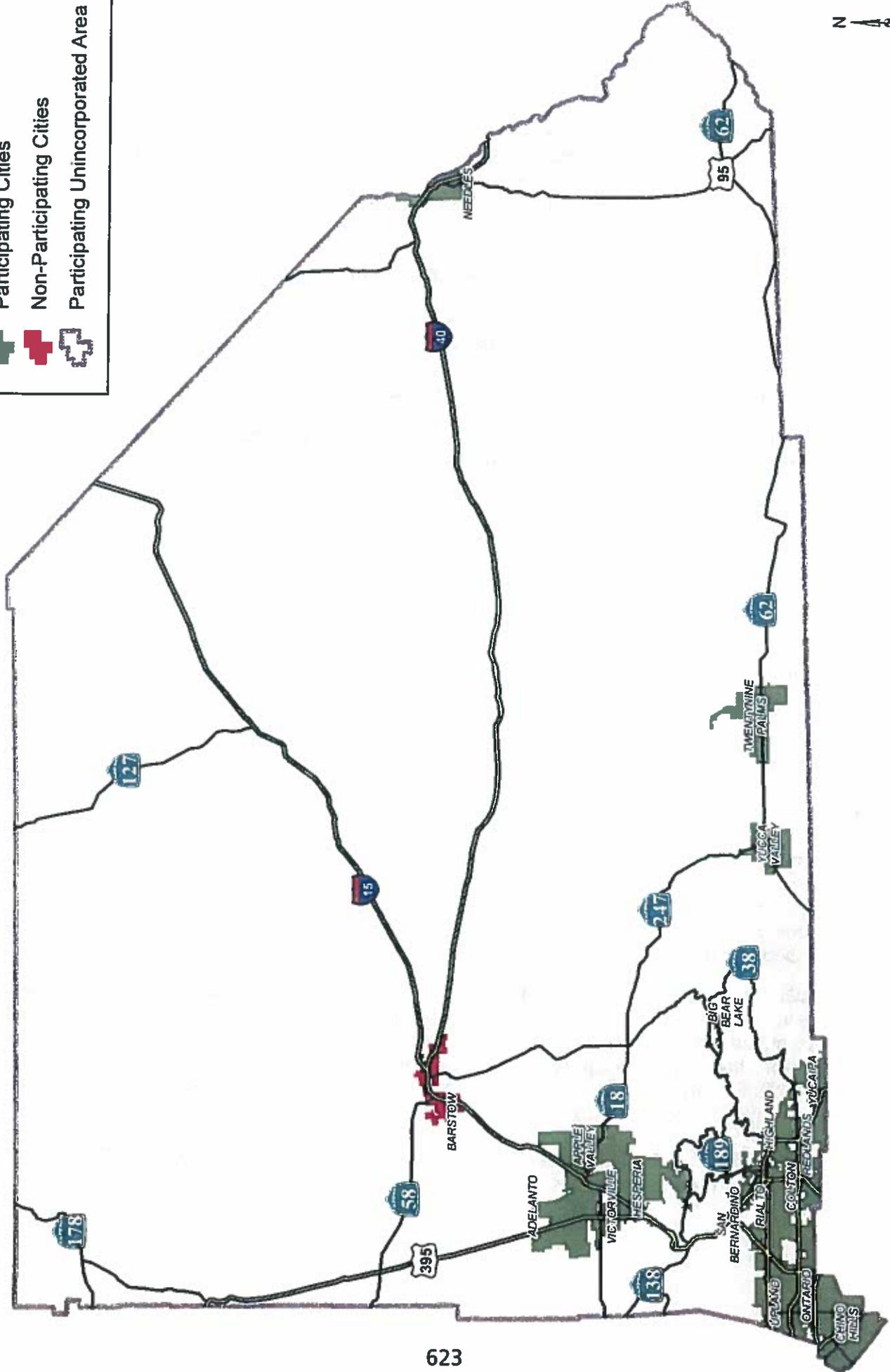
***Reviewed By:*** This item has not received prior policy committee or technical advisory committee review.

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

# Map of SANBAG HERO Program Area

## Legend

- Participating Cities
- Non-Participating Cities
- Participating Unincorporated Area



**RESOLUTION NO. 13-087**

**RESOLUTION OF THE SAN BERNARDINO ASSOCIATED GOVERNMENTS MODIFYING THE SANBAG HERO PROGRAM REPORT SO AS TO EXPAND THE PROGRAM AREA WITHIN WHICH CONTRACTUAL ASSESSMENTS MAY BE OFFERED**

**WHEREAS**, the Board of Directors of the San Bernardino Associated Governments ("SANBAG") undertook proceedings pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code ("Chapter 29"), 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 (each, a "PACE Memorandum of Understanding") by and between SANBAG and those parties (each, a "Participating Party") to the Joint Powers Agreement identified in Exhibit A of Resolution No. 13-038 (the "Resolution of Intention") entered into as of the effective date of the Resolution of Intention, to establish and did establish, by the adoption of Resolution No. 13-044 (the "Resolution Establishing the HERO Program"), 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**, by the adoption of the Resolution Establishing the HERO Program, the Board of Directors approved a report (the "Program Report") addressing all of the matters set forth in Section 5898.22 of Chapter 29, including establishment of the boundaries of the territory of the Participating Parties within which voluntary contractual assessments may be offered (the "Program Area") to provide for financing of the installation of Authorized Improvements on properties within the Program Area;

**WHEREAS**, subsequent to the adoption of the Resolution of Intention, the legislative bodies of the City of Needles, the City of Upland, the City of Redlands and the Town of Apple Valley did each approve a PACE Memorandum of Understanding in order to enable the Program Report and the Program Area to be modified so as to provide for voluntary contractual assessments to be offered pursuant to the HERO Program within such jurisdictions to finance the installation of Authorized Improvements on properties within such jurisdictions; and

**WHEREAS**, on June 5, 2013, the Board of Directors adopted Resolution No. 13-086 declaring its intention to initiate proceedings pursuant to Chapter 29 to modify the Program Report to include the jurisdictions of the City of Needles, the City of Upland, the City of Redlands and the Town of Apple Valley in the Program Area and setting a public hearing thereon at 10:30 a.m. on July 10, 2013 in the SANBAG offices located at the first floor lobby of 1170 W. 3<sup>rd</sup>. Avenue, San Bernardino, California..

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

Section 1. The Board of Directors hereby approves modifying the Program Report so as to expand the Program Area within which contractual assessments may be offered pursuant to the HERO Program to include the jurisdictions of the City of Needles, the City of Upland, the City of Redlands and the Town of Apple Valley.

Section 2. Effective Date of Resolution. This resolution shall take effect immediately upon its adoption.

---

*Approved  
Board of Directors*

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

*Moved:*                      *Second:*

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

*Witnessed:*

---



- 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: 39

**Date:** July 10, 2013

**Subject:** I-10 and I-15 Corridor Improvement Projects – Update

- Recommendation:\***
1. Receive an update on the I-10 and I-15 Corridor Improvement Projects Equity Study.
  2. Receive information included in the draft I-10 Corridor Project Alternatives Considered but Eliminated from Further Discussion report.

**Background:** **Recommendation 1:** An Equity Study is being prepared as part of the on-going studies for the I-10 and I-15 Corridor Improvement projects. The Equity Study will evaluate the impact of an express lane on low income populations that utilize these corridors. The scope of the study includes literature review on the subject; development of maps of the key stakeholder populations; conducting local policy maker and stakeholder interviews; conducting focus groups along each corridor; conducting expert interviews, peer review of the draft report; and submittal of the final Equity Study report.

Nancy Pfeffer, President of NPA, will provide an update on the equity study. The update will include demographic maps; equity questions that she is addressing; preliminary findings from her literature search; input she has received from interviews; and the remaining effort and timeline.

**Recommendation 2:** At the December 2012 Board Workshop on Express Lanes, Board members requested that other two lane additions in each direction alternatives be considered for the I-10 Corridor to gain an understanding of the

\*

	<p><i>Approved</i> Board of Directors</p> <p>Date: _____</p> <p>Moved: _____ Second: _____</p> <p>In Favor: _____ Opposed: _____ Abstained: _____</p> <p>Witnessed: _____</p>
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COG		CTC		CTA	X	SAFE		CMA	
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Check all that apply.  
 BRD1307b-gc  
 Attachment: BRD1307b1-gc

pros and cons. From this understanding determine if the alternatives are feasible and prudent, and if they should be included as an alternative that is assessed through the environmental process. The evaluation of the two lane alternatives was completed pursuant to the typical environmental document screening process. Alternatives were evaluated against the Purpose and Need for the project. The two lane additions in each direction that were considered are:

- Alternative 3: Two Express Lanes in each direction
- Alternative 4: One High Occupancy Vehicle (HOV) lane and one General Purpose (GP) lane in each direction
- Alternative 5: Two HOV lanes in each direction
- Alternative 6: Two GP lanes in each direction

The evaluation of the two lane alternatives is documented in the attached draft report titled, I-10 Corridor Project Alternatives Considered but Withdrawn from Further Discussion. The evaluation concluded that none of the proposed alternatives will provide sufficient capacity to meet forecast traffic demand and avoid congestion; the additional capacity provided by all the two lane alternatives will result in some improvements of level of service compared to the “no build” alternative; Alternative 3 is the only alternative that provides lanes that are not over capacity and will operate uncongested during the peak periods in all segments of the corridor. Table 1 shown below, summarizes the results of the evaluation.

**Table 1 - Comparison of Two Lane Alternatives with Purpose and Need Elements**

Criteria	Alternative 3 Express Lanes	Alternative 4 1 HOV Lane & 1 GP Lane	Alternative 5 2 HOV Lanes	Alternative 6 2 GP Lanes
Improves traffic levels of service	◇	○	○	○
Improves travel times within corridor	◇	○	○	○
Provides facility that is compatible with transit and other modal options	◇	○	○	□
Consistent with SCAG Regional Transportation Plan	◇	○	○	□
Provides cost effective project solution	◇	□	□	□
Minimizes environmental impacts and ROW acquisition	○	○	○	○
Totals	◇◇◇◇◇ ○	○○○○○ □	○○○○○ □	○○○ □□□
<b>LEGEND</b>				
◇ best meets criteria				
○ meets criteria				
□ does not meet criteria				

In conclusion, based on the Purpose and Need of the project Alternatives 4, 5, and 6 are inferior two lane alternatives. In addition, funding is not available for these alternatives. As a result, these alternatives are not recommended for further study in the environmental document. Alternative 3, while not eliminating all the congestion, is the most effective two lane alternative and should be fully analyzed in the environmental document.

***Financial Impact:*** This item has no impact to the current SANBAG Fiscal Year 2013/2014 budget.

***Reviewed By:*** This item has not received prior Policy Committee review.

***Responsible Staff:*** Garry Cohoe, Director of Project Delivery

# **DRAFT**

## **I-10 Corridor Project**

### **Alternatives Considered but Eliminated from Further Discussion**

**Revised 24 June 2013**

#### **PURPOSE**

At the December 5, 2012 Board Workshop on Express Lanes, the San Bernardino Associated Governments (SANBAG) Board Members requested that additional alternatives to one High Occupancy Vehicle (HOV) Lane and two Express Lanes be considered for the I-10 Corridor to determine their feasibility for study in the environmental document for the project. The Southern California Association of Governments (SCAG) does not allow the addition of General Purpose (GP) lanes on freeways that do not have high occupancy lanes. Therefore, an HOV lane is the only one lane alternative that can be studied. We therefore focused on two lane alternatives, as described below. The evaluation of the two lane alternatives was completed pursuant to the typical environmental document screening process, which helps focus the detailed environmental studies to proceed based upon a reasonable range of project alternatives. Alternatives were evaluated against the Purpose and Need for the project.

Section 15126.6 of the California Environmental Quality Act (CEQA) Guidelines states:

An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Under the National Environmental Policy Act (NEPA), "reasonable" is generally understood to mean those technically and economically feasible project alternatives that would satisfy the primary objectives of the project defined in the Purpose and Need statement.

## INTRODUCTION

Measure I 2010-2040, the ½ cent sales tax in San Bernardino County devoted to transportation projects, was passed by the voters in 2004 and included in Schedule D-1 a project to widen I-10 from I-15 to Riverside County with a funding amount of \$610 million.

The Project Study Report/Project Develop Support (PSR/PDS) document completed in 2006 for the I-10 Corridor Project included two alternatives, both of which add a single HOV lane in each direction from Haven Avenue in Ontario east to Ford Street in the City of Redlands. The existing HOV lane on I-10 starts at Haven Avenue and continues west in to Los Angeles County. The major difference between the two alternatives included in the PSR was the extent of nonstandard cross sectional features. Going forward, the nonstandard alternative will be evaluated as a design variation.

The Project Approval/Environmental Document (PA/ED) under preparation includes Alternative 2 that adds a single HOV lane in each direction from Haven Avenue to Ford Street. Because the existing HOV lane west of Haven Avenue does not meet federal HOV lane operating criteria (operating at speeds of at least 45 mph, as explained below under the heading Background Information) and the proposed HOV lane is anticipated to operate over capacity in some locations as soon as it is opened, additional alternatives that add two lanes each direction to I-10 are also being considered. Because it is the only alternative that adds a single lane in each direction, Alternative 2 is retained for evaluation in the environmental document. Alternatives adding three or more lanes in each direction (other than localized auxiliary lanes) are not considered viable due to the extensive right-of-way acquisition that would be necessary to accommodate such widening.

Four alternatives that add two lanes to I-10 in each direction have been considered. All four of these alternatives would add one lane in each direction from the Los Angeles County line to Haven Avenue, add two lanes each direction from Haven Avenue to SR-210, and add one lane each direction from SR-210 to Ford Street. The types of lanes to be added vary and include GP, HOV, and Express Lanes. Each of these alternatives is more fully described below. None of the proposed alternatives would provide sufficient additional capacity to completely eliminate peak period congestion on I-10.

## **PROJECT FUNDING**

The I-10 Corridor Project is expected to be funded from a combination of Measure I, State and Federal funds. County voters approved Measure I, supporting a half-cent sales tax in the incorporated and unincorporated areas of the County for the 20-year period between April 1, 1990, and March 31, 2010. Early in the second decade of Measure I, it became apparent that continuation of the half-cent sales tax would be critical to maintaining funding for transportation projects in San Bernardino County.

The voters of San Bernardino County approved San Bernardino County Transportation Authority Ordinance 04-01 on November 2, 2004, extending the half-cent sales tax for 30 years, to March 31, 2040. The Ordinance is referred to in the Strategic Plan as Measure I 2010-2040 to distinguish it from the 20-year half-cent sales tax measure that took effect in April 1990.

On April 1, 2009, the SANBAG Board approved the Measure I 2010-2040 Strategic Plan, which was developed to define the policy framework for delivery of the projects and programs referenced in the Measure. The Strategic Plan is the official guide and reference for the allocation and administration of the combination of Measure I funds, State and federal transportation revenues, and private fair-share contributions to regional transportation facilities from new development.

One of the key requirements of the Strategic Plan is the preparation of a 10-Year Delivery Plan. The purpose of the 10-Year Delivery Plan is to provide a transparent list of projects that will be developed during the next 10 years and to define the scope, schedule, and budget for these projects, given current information and assumptions.

The SANBAG 10-Year Delivery Plan dated January 2012 carries two alternatives for the I-10 corridor. The first alternative includes the addition of a single HOV lane in each direction on I-10, from Haven Avenue to SR 210. The second alternative includes the addition on I-10 from the Los Angeles County line to Ford Street of either one or two Express Lanes in each direction, depending upon location. The SANBAG 10-Year Delivery Plan was a planning document to assess general financial needs of the 10-year period and was not intended to constrain the identification of alternatives in the PA/ED phase of project development.

Under the Express Lanes Alternative, toll revenue provides the additional funding source necessary to construct the improvements. Table 8 of the 10-Year Delivery Plan indicates that there is insufficient Measure I, State and Federal funding available to add two lanes each way along the I-10 Corridor without the additional toll revenue funding source indicated in the table.

## **BACKGROUND INFORMATION**

There are several issues that affect the viability of alternatives. They are summarized as follows.

### **A. HOV Degradation**

Caltrans has determined that the existing HOV lane west of Haven Avenue is degraded. A degraded HOV facility is one that does not provide a speed of 45 miles-per-hour 90% of the time during peak hours. Under federal law (the Moving Ahead for Progress in the 21<sup>st</sup> Century Act or MAP-21 Section 1514) Caltrans must develop a plan to address the degradation and restore operations in the HOV lane to provide acceptable traffic operations. Currently, Caltrans is reviewing the impact of converting degraded HOV lanes to 3 persons per vehicle to meet the federal 45 miles-per-hour standard.

### **B. Future Flexibility**

MAP-21 (Section 1512) also provides a prohibition against federal participation in a project that would convert toll-free general purpose lanes to tolled lanes. The Project Funding section above indicates that federal funding would be one of the funding sources for the I-10 improvements. Consequently, the I-10 Corridor Project could not convert existing toll-free general purpose lanes to tolled lanes. Nor could the I-10 Corridor Project construct new lanes as toll-free general purpose lanes and subsequently convert them to tolled lanes. The I-10 Corridor Project could construct new HOV lanes and subsequently convert those lanes and existing HOV lanes to tolled lanes.

### **C. Consistency with Regional Plans**

SCAG prepared the Regional Transportation Plan (RTP) in April 2012. The RTP includes the following improvement in both the financially constrained RTP and the Federal Transportation Improvement Program (FTIP): "I-10 HOV LANE ADDITION – FROM HAVEN (ONTARIO TO FORD ST (REDLANDS))-WIDENING FROM 8-10 LANES, AUX LANES WIDENING UNDERCROSSINGS AND OVERCROSSINGS AND RECONSTRUCTION OF RAMPS WHERE NEEDED".

The RTP also includes, in the Highways and Arterials Appendix, an Express/High-Occupancy Toll (HOT) Lane Network. The network includes I-10 in San Bernardino County from the LA County line to Ford Street. The RTP explains the need for express lanes: "Despite concerted effort to reduce traffic congestion through years of infrastructure investment, the region's system demands continue to exceed available capacity during peak periods. Consistent with the regional emphasis on the mobility pyramid ... recent planning efforts have focused on enhanced system management

including integration of pricing to better utilize existing capacity and to offer users greater travel time reliability and more travel choices. Express Lanes that are appropriately priced to reflect demand can outperform non-priced lanes in terms of throughput, especially during congested periods.”

#### D. TSM/TDM

Although a Transportation System Management (TSM)/Transportation Demand Management (TDM) Alternative alone would not satisfy the purpose and need of the project, each of the project alternatives will include TSM/TDM components. These components may include elements that enhance transit access under some or all alternatives.

## PURPOSE AND NEED

### Purpose of the Project

Improve traffic operations on the I-10 freeway in order to reduce congestion, increase throughput and enhance trip reliability for the planning design year of 2045.

*The objectives of the project are to:*

- Improve traffic levels of service;
- Improve travel times within the corridor;
- Provide a facility that is compatible with transit and other modal options;
- Provide consistency with the SCAG Regional Transportation Plan;
- Provide a cost effective project solution; and
- Minimize environmental impacts and right of way acquisition.

### Need for the Project

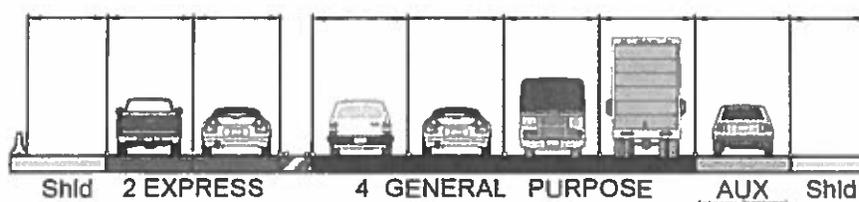
*Deficiencies of I-10 within the project limits are summarized below:*

- The majority of the I-10 mainline GP lanes peak-period traffic demand currently exceeds capacity;
- All of the I-10 mainline GP lanes are projected to exceed capacity in future years; and
- The I-10 existing mainline HOV lanes operation is degraded during peak-periods

## ALTERNATIVES DISCUSSION – Additional 2 Lanes

### Alternative 3: Two Express Lanes in Each Direction

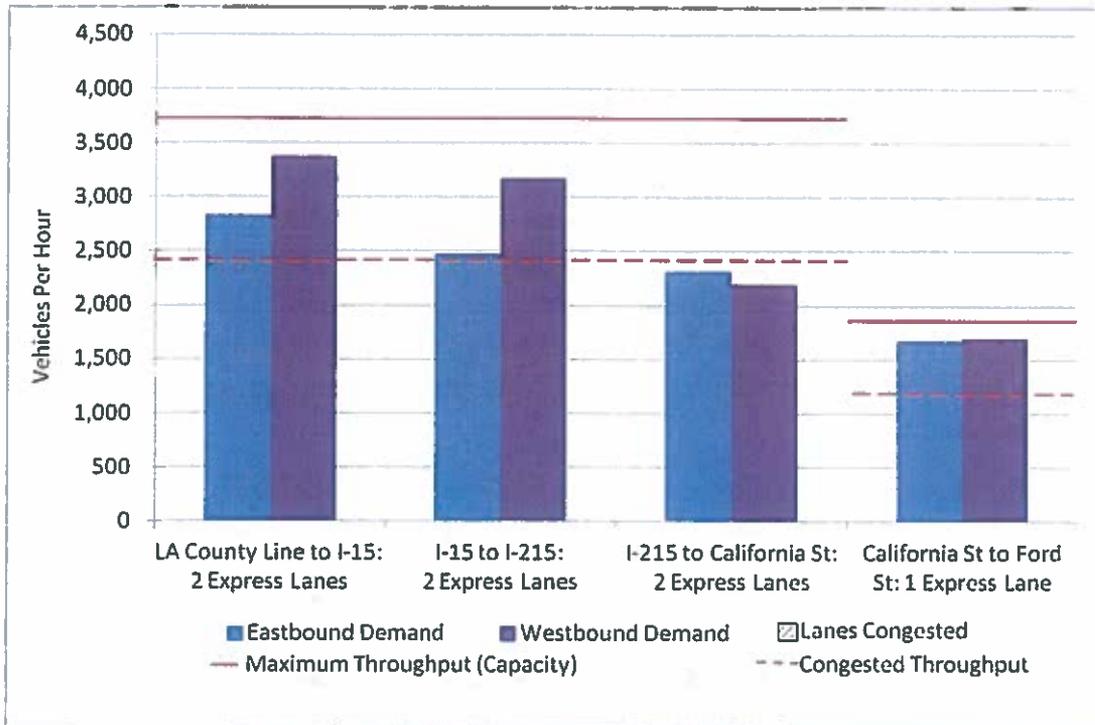
Alternative 3 would provide two Express Lanes in each direction of I-10. Beginning at the Los Angeles County line, an Express Lane would be added in each direction, extending from Haven Avenue. For this segment of the I-10, the existing HOV lane and the new lane would be combined to provide two Express Lanes in each direction. Continuing east from Haven Avenue, two Express Lanes would be built in each direction to SR-210. From SR-210 to Ford Street, a single Express Lane would be built in each direction.



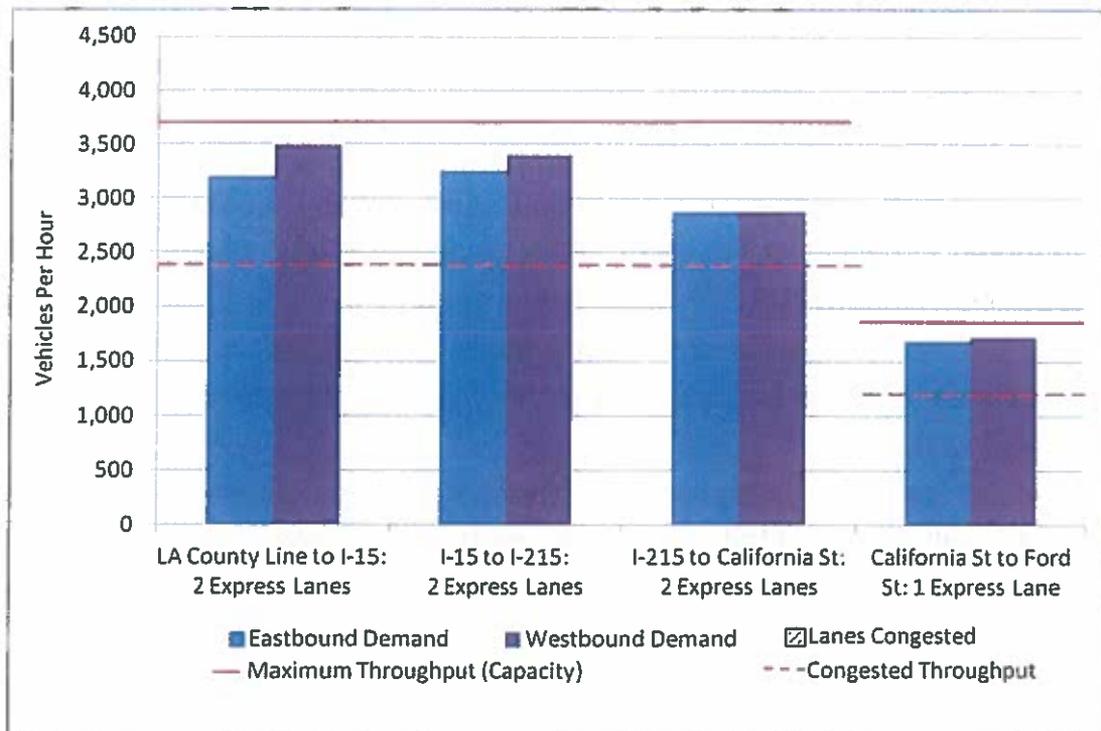
**ALTERNATIVE 3**  
Add 2 Express Lanes

### ***Benefits of Constructing Two Express Lanes***

- The change in management of the HOV lane west of Haven Avenue to the Los Angeles County line to a tolled Express Lane and the addition of a second tolled Express Lane in each direction would provide reduced toll to HOVs meeting the minimum occupancy requirement. The Express Lanes would address the current degraded condition of the HOV lanes (congested and not meeting the federal operating standard for HOV lanes) in this area.
- The Express Lanes, which would charge reduced toll to HOVs meeting the occupancy requirement, would meet the objective of providing a comprehensive HOV lane system.
- The Express Lanes meet the RTP plan to develop an Express Lane network on freeways throughout the Los Angeles metropolitan area.
- The Express Lanes would be managed by varying the toll amount so that the Express Lanes would not exceed their capacity or become congested. Figures 1 and 2 show that the forecast volumes in the Express Lanes do not exceed their capacity. This is because the Express Lanes would be managed so that volume does not exceed capacity, congestion is avoided, and high speed traffic operations are maintained. As Express Lane volumes approach capacity, tolls



**Figure 1. Maximum 2025 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 3: Express Lanes**



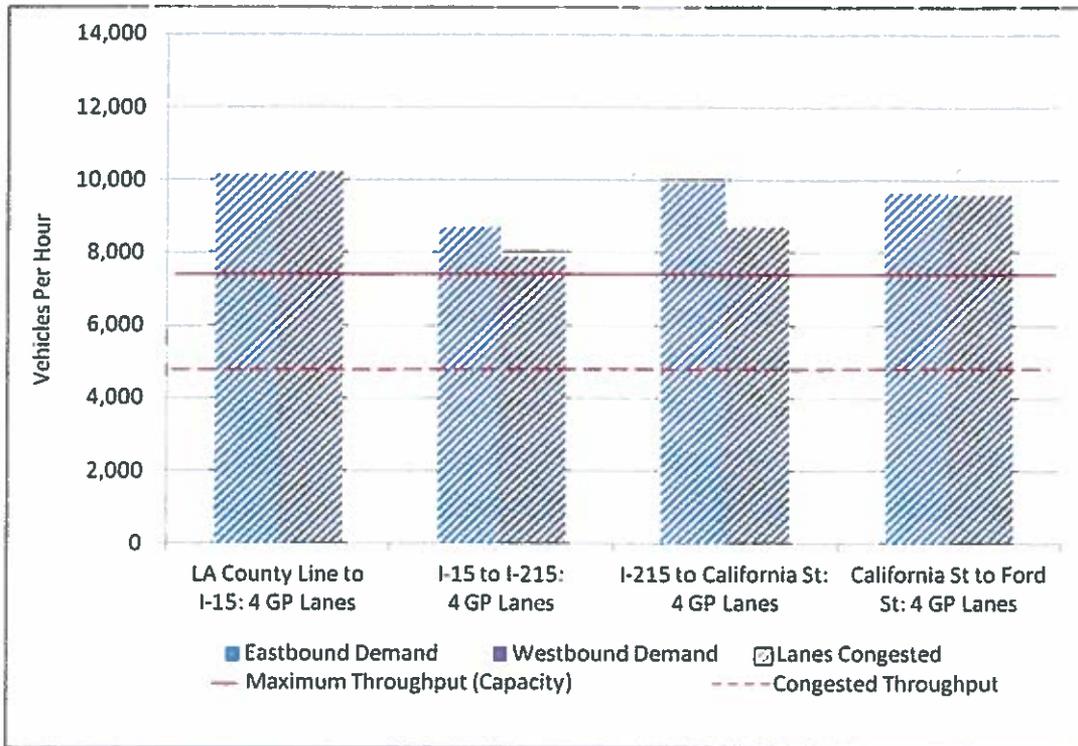
**Figure 2. Maximum 2045 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 3: Express Lanes**

would be raised so that the volume in the Express Lanes would not exceed 1,750 vehicles per hour per lane. At these volumes high speed uncongested traffic operations would be maintained.

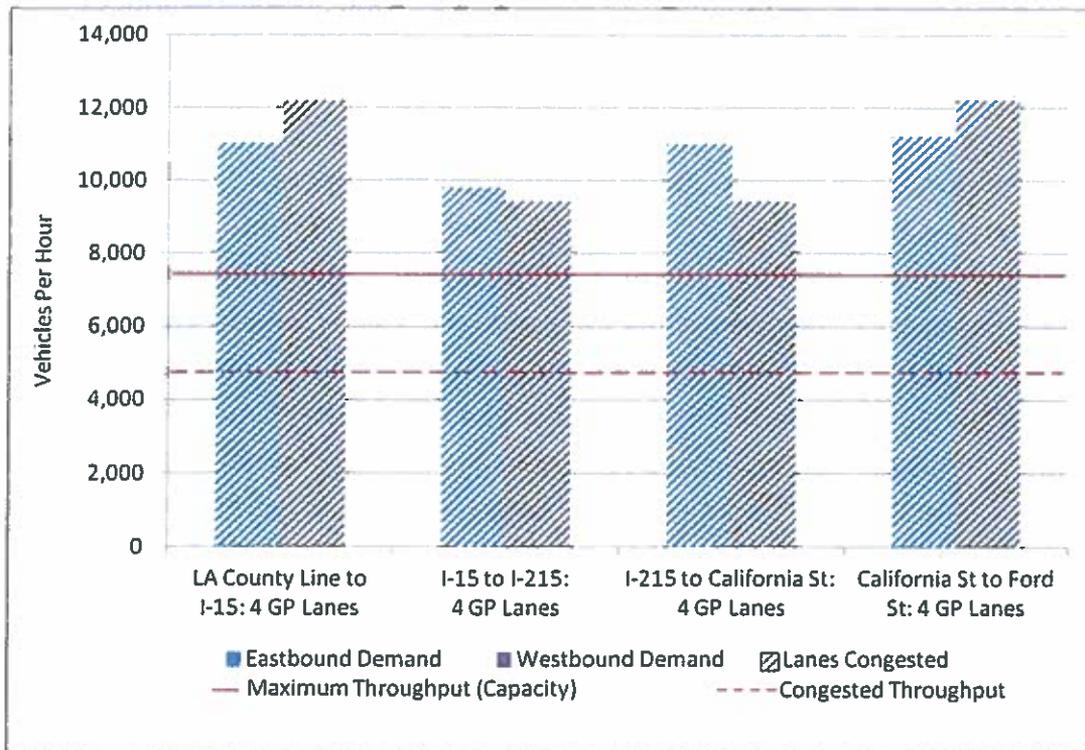
- The Express Lanes would be managed by varying the toll amount so that the Express Lanes would provide a reliable travel time along the I-10 corridor.
- The Express Lanes would provide a choice to corridor motorists not meeting the Express Lane occupancy requirement for free use of the Express Lanes to obtain a reliable travel time in exchange for a toll.
- The Express Lanes would raise revenue to partially offset project cost and potentially fund additional transportation improvements in the corridor.
- Because the Express Lanes would be managed to minimize congestion in the Express Lanes, they would not suffer throughput reduction typical of congested general purpose lanes. Express Lanes can provide greater throughput than general purpose lanes during congested periods.
- Because the Express Lanes would provide more traffic throughput per lane than the congested general purpose lanes, traffic volumes would be attracted from the general purpose lanes to the Express Lanes, thereby reducing traffic volume and congestion in the general purpose lanes.
- Figures 3 and 4 show that the forecast GP lane traffic demand will be over capacity in some portion of each segment in both 2025 and 2045 under Alternative 3. The volume shown for each segment is the highest volume in that segment forecast for either the AM or PM peak hour. The figures also show with a solid red line the capacity of the four general purpose lanes in each direction, which is 1,850 vehicles per lane per hour or 7,400 per hour. For those segments where demand is forecast to exceed capacity, severe congestion is anticipated. Since severely congested lanes provide less traffic flow than free flowing lanes, a throughput of 1,200 vehicles per hour per lane is used for severely congested conditions and shown in Figure 3 and 4 with a dashed red line. For lanes where demand is not forecast to exceed capacity, throughput is the same as demand. The congestion in the general purpose lanes provides motorists with the incentive to use the tolled Express Lanes.

### ***Concerns of Constructing Two Express Lanes***

- Access to the Express Lanes would be limited to approximately 10 locations along the 33 mile corridor.
- Access to the Express Lanes would require payment of a toll for corridor motorists not meeting the occupancy requirements.



**Figure 3. Maximum 2025 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 3: General Purpose Lanes**



**Figure 4. Maximum 2045 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 3: General Purpose Lanes**

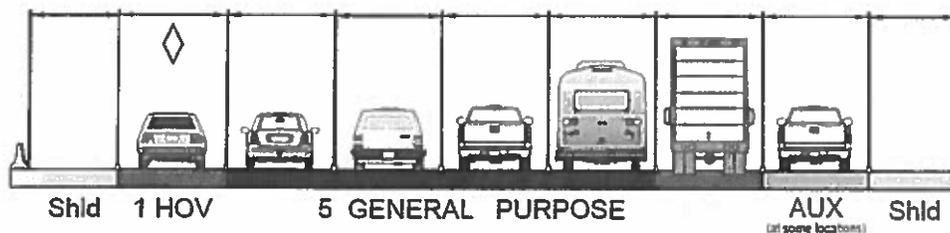
### ***Rationale for retaining Alternative 3 for further consideration***

Alternative 3 is considered an effective option that adds 2 lanes to I-10 because it:

- Provides motorists with a choice to travel congestion free;
- Provides motorists with a choice for a reliable travel time;
- Increases throughput by maintaining higher per lane traffic flow in the Express Lanes than would be provided in the congested HOV or general purpose lanes expected under other alternatives;
- Improves traffic flow in the GP lanes by drawing traffic into the Express Lanes because of their higher per lane traffic flow;
- Provides an offset to project cost through the revenue generation of the Express Lanes; and
- Is consistent with the SCAG Regional Transportation Plan including its Express Lane Network plans.

### **Alternative 4: One HOV Lane and One GP Lane in Each Direction**

Alternative 4 would provide one HOV lane and one GP lane in each direction of I-10. The existing HOV lane would be extended east from Haven Avenue to Ford Street. The additional GP lane would be added from the Los Angeles County line to SR-210.



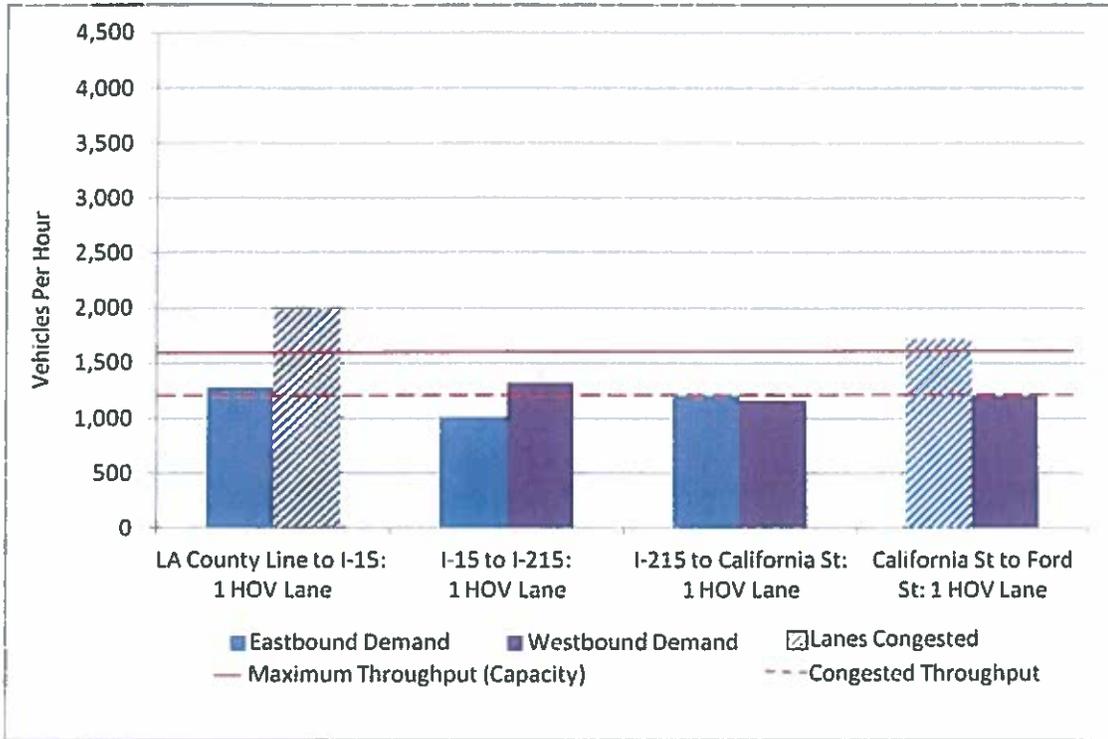
**ALTERNATIVE 4**  
Add 1 HOV Lane and 1 GP Lane

### ***Benefits of Constructing One HOV Lane and One GP Lane***

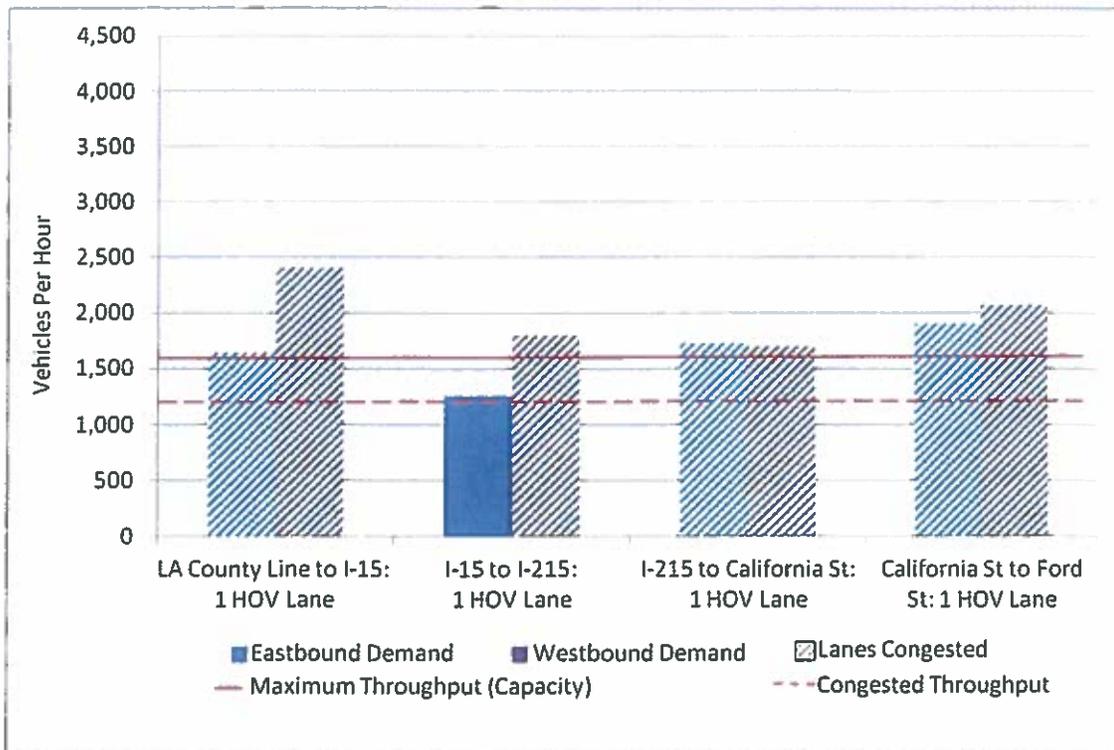
- The existing HOV lane west of Haven Avenue would be extended east to Ford Street. This would provide a continuous HOV facility along a more extensive portion of the I-10 corridor in the urbanized area.
- The easterly extension of the HOV lane would meet the objective of providing a comprehensive HOV lane system.
- An additional GP lane would provide more capacity for all corridor motorists.

### ***Concerns of Constructing One HOV Lane and One GP Lane***

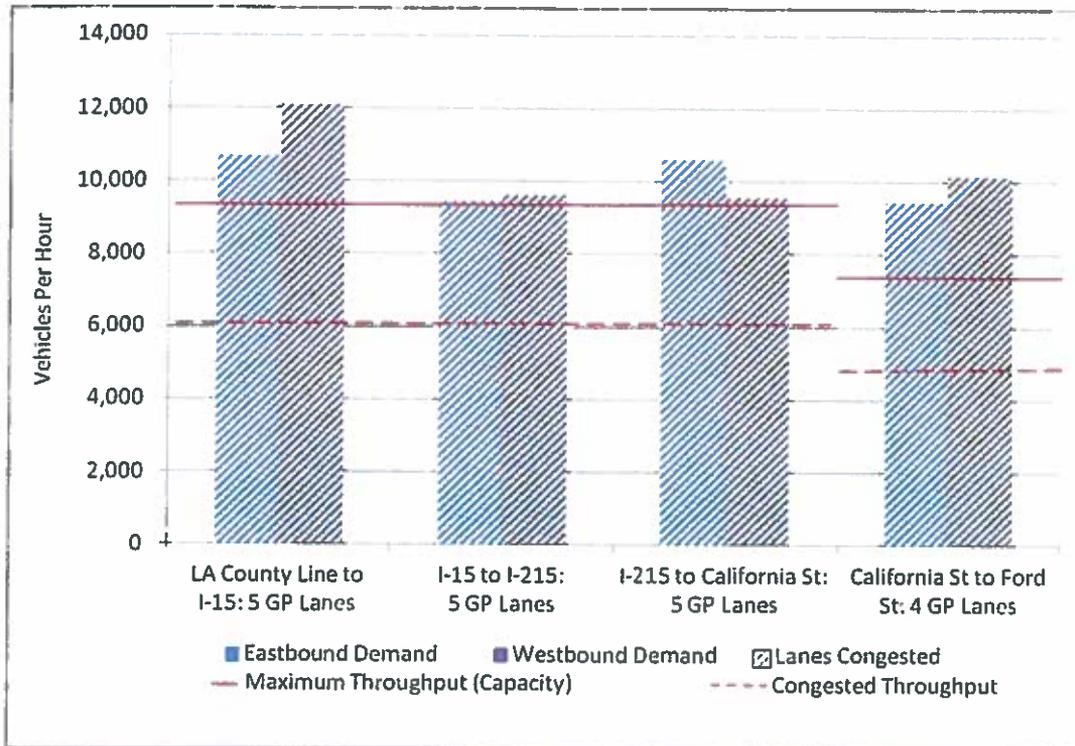
- The HOV lane west of Haven Avenue is currently degraded (congested and not meeting the federal operating standard for HOV lanes), and will further deteriorate over time.
- The congestion, existing and anticipated, in the single HOV lane would limit the ability to improve HOV trip reliability without conversion to HOV3+. Addressing the degraded HOV condition would require consideration of increasing the occupancy requirement to 3 persons per vehicle, which would result in substantial unused capacity in the HOV lane and therefore more congestion in the GP lanes.
- Portions of the new HOV lane east of Haven Avenue to Ford Street will be over capacity when it is planned to be opened to traffic in 2025, as shown in Figure 5. By 2045, the single HOV lane will be over capacity for most of the corridor, as shown in Figure 6. Figures 5 and 6 show the forecast HOV lane demand in the most heavily trafficked portion of each of the four segments of I-10 within the project limits. The volume shown for each segment is the highest volume in that segment forecast for either the AM or PM peak hour. The figures also show with a solid red line the capacity of a single HOV lane, which is 1,600 vehicles per hour and which is limited to that value by the inability to pass without merging into the general purpose lanes. For those segments where HOV demand is forecast to exceed capacity, severe congestion is anticipated. Since severely congested lanes provide less traffic flow than free flowing lanes, a throughput of 1,200 vehicles per hour per lane is used for severely congested conditions and shown in Figures 5 and 6 with a dashed red line. For lanes where HOV demand is not forecast to exceed capacity, throughput is the same as demand.
- Figures 7 and 8 show the forecast GP lane demand in the most heavily trafficked portion of each of the four segments of I-10 within the project limits. The figures also show with a solid red line the capacity of the general purpose lanes in each segment, which is 1,850 vehicles per lane per hour (or 9,250 per hour in the 5 general purpose lanes west of California Street and 7,400 in the 4 general purpose lanes east of California Street). For those segments where demand is forecast to exceed capacity, severe congestion is anticipated. Since severely congested lanes provide less traffic flow than free flowing lanes, a throughput of 1,200 vehicles per hour per lane is used for severely congested conditions and shown in Figures 7 and 8 with a dashed red line.



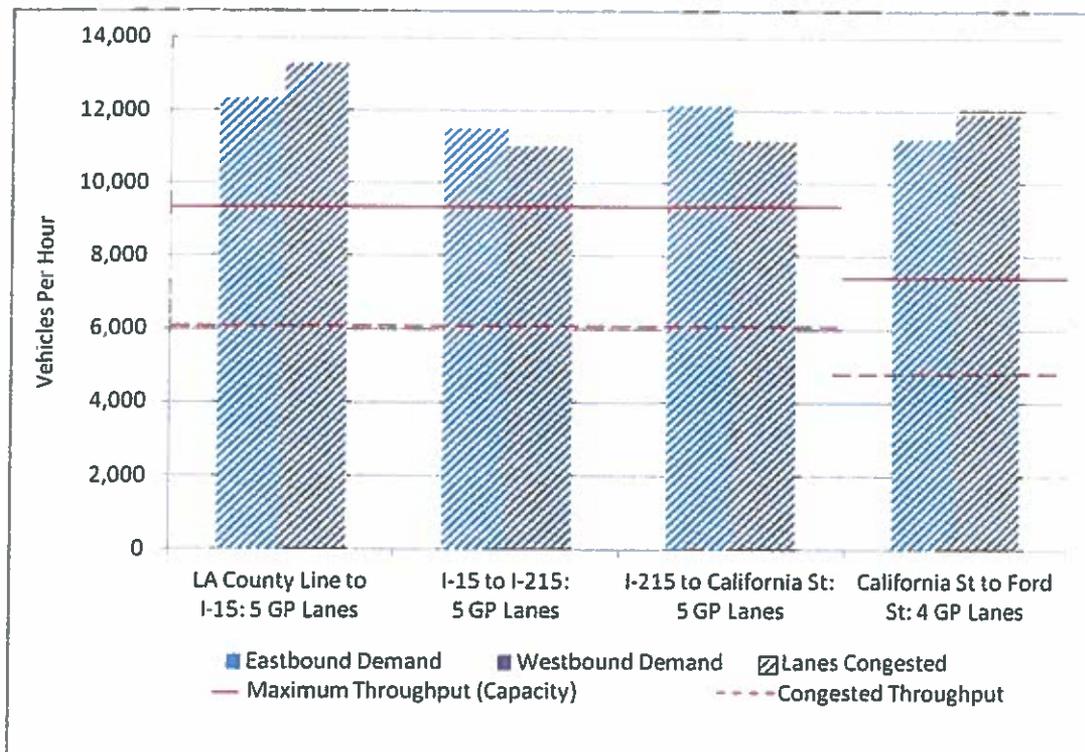
**Figure 5. Maximum 2025 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 4: HOV Lanes**



**Figure 6. Maximum 2045 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 4: HOV Lanes**



**Figure 7. Maximum 2025 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 4: General Purpose Lanes**



**Figure 8. Maximum 2045 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 4: General Purpose Lanes**

- Single managed lanes do not provide the ability to pass. Even assuming continuous access to the HOV lane, during congested periods congestion in the GP lanes would make passing a slow HOV lane motorist by using the #1 GP lane problematic.
- Since MAP-21 prohibits the conversion of a free GP lane to a tolled Express Lane (see Background Information section above), construction of Alternative 4 would preclude future management of more than the single HOV lane and implementation of the Express Lanes Network identified in the SCAG RTP. Management of the single HOV lane could be changed to a single Express Lane but a single Express Lane has severely restricted benefits because of the inability to pass in the lane.

***Rationale for removing Alternative 4 from further consideration***

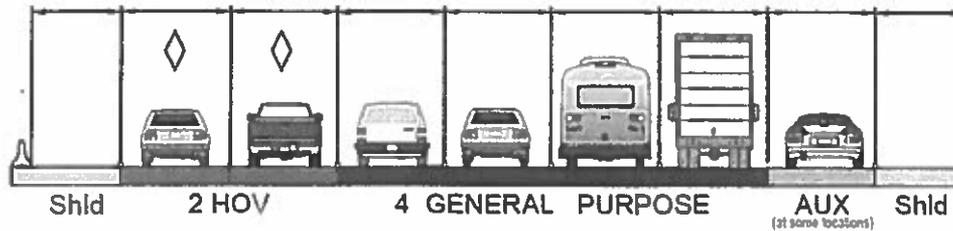
Alternative 4 is not considered an effective option in fulfilling the project purpose. Alternative 4:

- Provides limited congestion reduction;
- Precludes future management of the proposed GP lane since MAP-21 prohibits the conversion of free GP lanes to a tolled Express Lane;
- Passing in HOV lane is problematic and cannot be done without merging into the general purpose lane;
- Provides minimal enhancement of operations and improvement in trip reliability as measured by changes in corridor travel time; and
- Does not maximize throughput.

Based upon the preliminary cost estimate for this alternative, less than 50 percent of the cost could be funded with available funding sources identified within the SANBAG 10-year delivery plan and the SANBAG Measure I Strategic plan. Therefore, the high unfunded cost of Alternative 4 also contributes to the determination that the alternative is not an effective option.

**Alternative 5: Two High Occupancy Vehicle Lanes in Each Direction**

Alternative 5 would provide two High Occupancy Vehicle lanes in each direction of I-10. The existing High Occupancy Vehicle lane would be extended east from Haven Avenue to Ford Street. The second High Occupancy Vehicle lane would be added from the Los Angeles County line to SR-210.



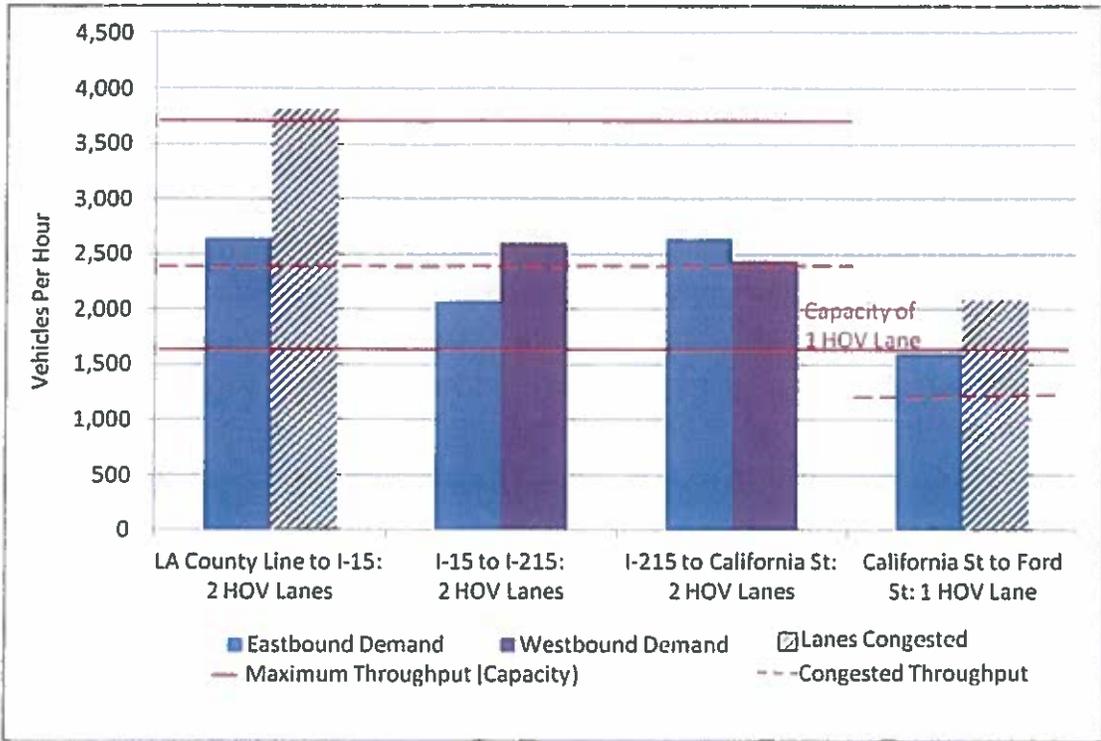
**ALTERNATIVE 5**  
Add 2 HOV Lanes

***Benefits of Constructing Two High Occupancy Vehicle Lanes***

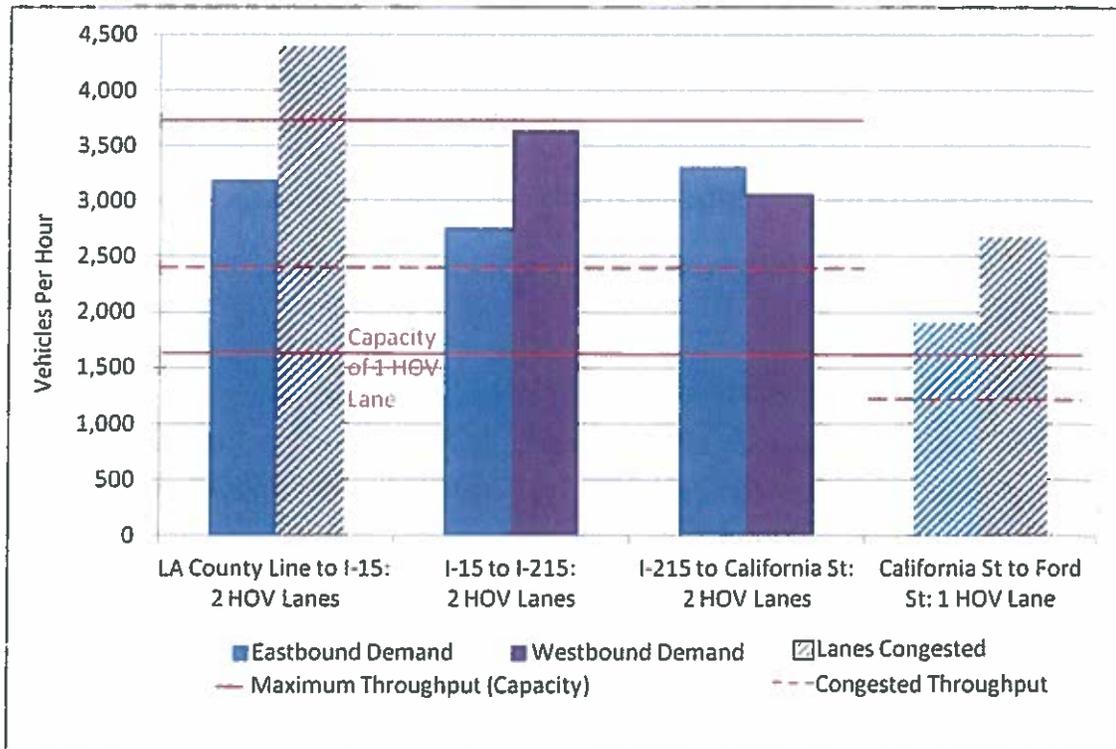
- Dual HOV lanes would more fully meet the demand for HOV capacity than a single HOV lane. The forecast demand for dual HOV lanes in the I-10 corridor west of SR-210 shown in Figure 9 indicates that there is sufficient demand to overfill a single HOV lane (with a capacity of 1,600 vehicles per lane per hour shown in the figure by the lower solid red line). Figure 9 shows that HOV demand is forecasted to be at or exceed the capacity of a single HOV lane in 2025; Figure 10 shows that HOV demand exceeds the capacity of a single HOV lane in 2045 in all segments.
- Provision of additional HOV capacity encourages carpooling.
- Provision of additional HOV lane capacity would more fully meet the air quality objective of providing a comprehensive HOV lane system than a single HOV lane.
- HOV trip reliability would be enhanced only in some segments where forecast HOV lane demand is not anticipated to exceed HOV lane capacity. Figures 9 and 10 show that HOV lane trip time would not be reliable westbound from I-15 to the LA County line and in both directions between California Street and Ford Street.
- Flexibility would be provided to convert the dual HOV lanes to Express Lanes in the future when HOV demand exceeds capacity or when GP demand exceeds capacity and substantial HOV capacity is available.

***Concerns of Constructing Two High Occupancy Vehicle Lanes***

- Management flexibility is unavailable to improve lane utilization where substantial HOV capacity is unused or where HOV demand exceeds capacity.



**Figure 9. Maximum 2025 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 5: HOV Lanes**



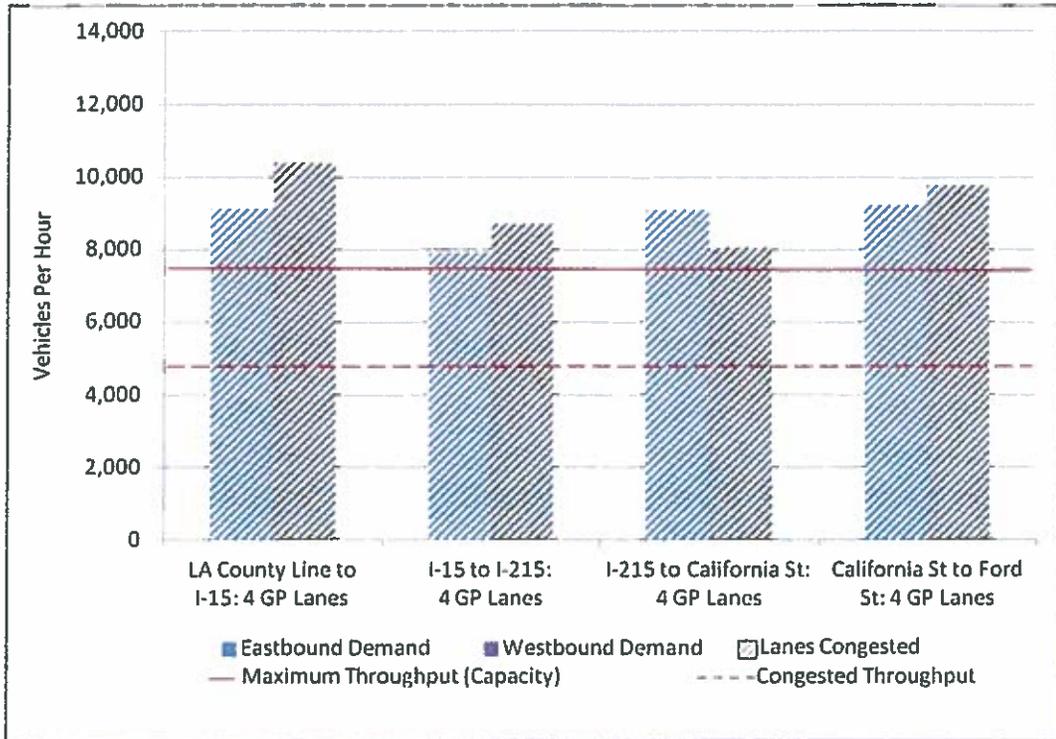
**Figure 10. Maximum 2045 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 5: HOV Lanes**

- While capacity of a single HOV lane is generally insufficient to meet demand (as shown in Figure 9), dual HOV lanes provide excess HOV capacity through 2045 in some locations as shown in Figure 10.
- In the area west of I-15, dual westbound HOV lanes are anticipated to be degraded (based on demand exceeding capacity) upon opening in 2025. A degraded condition is also anticipated westbound from Ford Street to California Street. Figure 9 shows that westbound HOV demand in these segments exceeds capacity, which will result in congestion, low operating speeds, and the reduced throughput shown in Figure 9 with the dashed red line. Addressing degradation would require consideration of increasing the occupancy requirement to 3 persons per vehicle, which will result in substantial unused capacity in the HOV lane.
- Figures 11 and 12 show the forecast GP lane demand in the most heavily trafficked portion of each of the four segments of I-10 within the project limits. The volume shown for each segment is the highest volume in that segment forecast for either the AM or PM peak hour. The figures also show with a solid red line the capacity of the general purpose lanes in each segment, which is 1,850 vehicles per lane per hour or 7,400 in the 4 general purpose lanes. When demand is forecast to exceed capacity, severe congestion is anticipated. Since severely congested lanes provide less traffic flow than free flowing lanes, a throughput of 1,200 vehicles per hour per lane is used for severely congested conditions and shown in Figures 11 and 12 with a dashed red line.

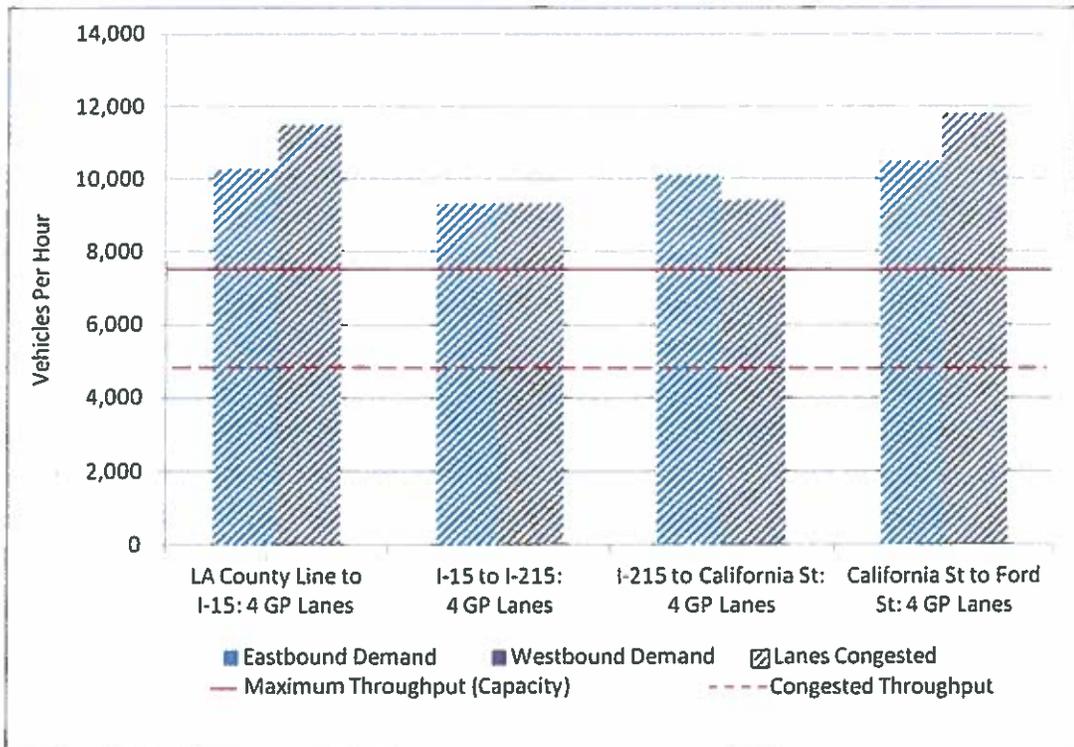
***Rationale for removing Alternative 5 from further consideration***

Alternative 5 is not considered an effective option in fulfilling the project purpose. Alternative 5:

- Provides limited congestion reduction;
- Provides minimal or no enhancement of operations and improvement in trip reliability as measured by the ability to traverse the corridor without encountering areas of substantial congestion; and
- Does not maximize throughput.



**Figure 11. Maximum 2025 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 5: General Purpose Lanes**

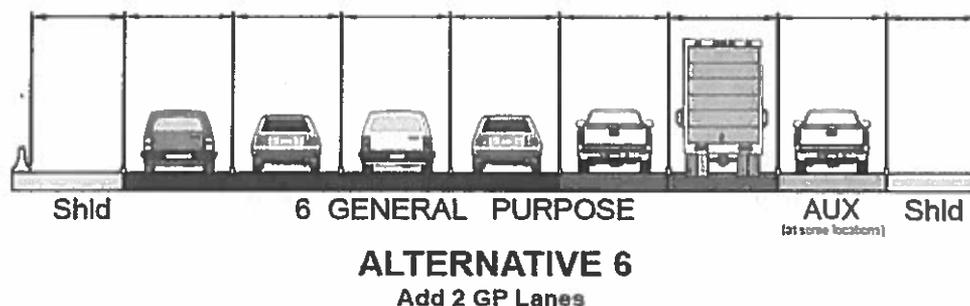


**Figure 12. Maximum 2045 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 5: General Purpose Lanes**

Based upon the preliminary cost estimate for this alternative, less than 50 percent of the cost could be funded with available funding sources identified within the SANBAG 10-year delivery plan and the SANBAG Measure I Strategic plan. Therefore, the high unfunded cost of Alternative 5 also contributes to the determination that the alternative is not an effective option.

### **Alternative 6: Two General Purpose Lanes in Each Direction**

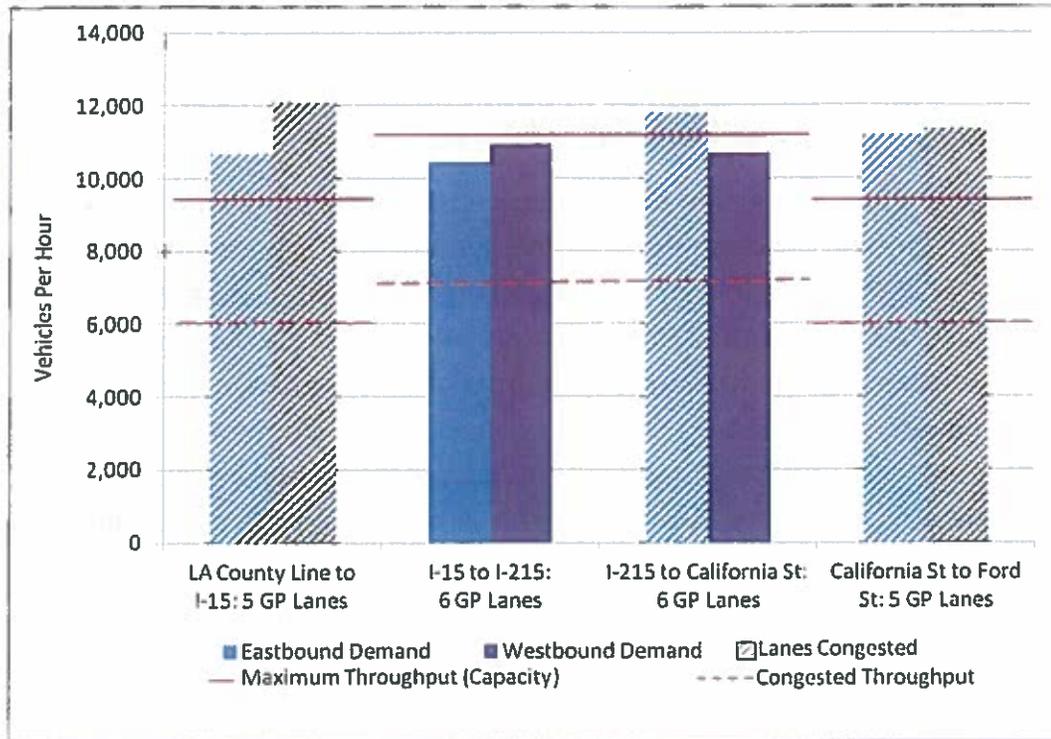
Alternative 6 would provide one additional General Purpose lane in each direction of I-10 from the Los Angeles County Line to Haven Avenue, two additional General Purpose lanes in each direction from Haven Avenue to SR-210, and one additional GP lane in each direction from SR-210 to Ford Street.



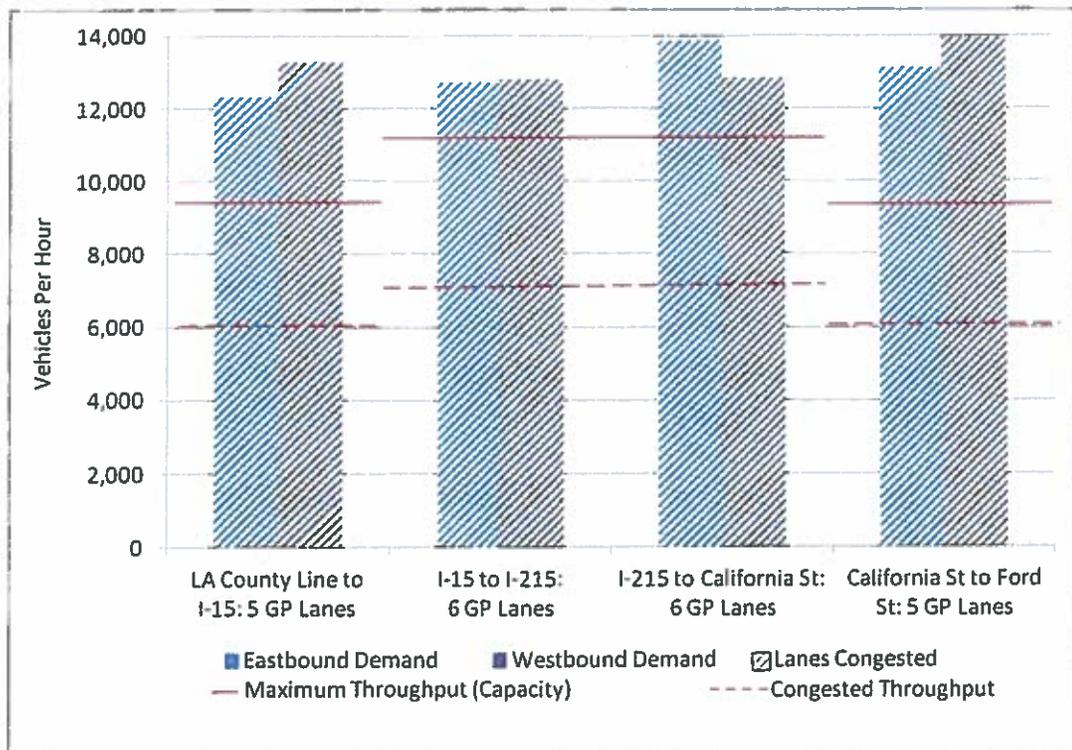
Traffic volumes were not forecast for Alternative 6. However, west of Haven Avenue to the LA County line Alternative 6 would have 1 HOV lane and 5 GP lanes. This is the same as Alternative 4. East of Haven Avenue both Alternatives 4 and 6 have the same total number of lanes, with one of the lanes being an HOV lane under Alternative 4 and all of the lanes being GP lanes under Alternative 6. Since the only difference between Alternatives 4 and 6 is the lane type of one lane east of Haven Avenue, the Alternative 4 forecasts are used to estimate the Alternative 6 GP lane forecasts. West of I-15 the forecasts are assumed to be the same. East of I-15 the Alternative 6 GP lane forecasts are assumed to be the sum of the Alternative 4 GP and HOV lane forecasts. Figures 13 and 14 show the estimated maximum GP lane traffic demand forecasts in 2025 and 2045, respectively. These forecasts are conservative in that the addition of 2 GP lanes in each direction in Alternative 6 would likely have a higher total demand than that of Alternative 4 with its addition of 1 HOV and 1 GP.

### ***Benefits of Constructing Two General Purpose Lanes***

- The construction of the two lanes would increase the capacity of the I-10 within the project limits. Increased capacity would allow more traffic to use the I-10



**Figure 13. Maximum 2025 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 6: General Purpose Lanes**



**Figure 14. Maximum 2045 Forecast Segment Traffic Demand and Estimated Throughput, Alternative 6: General Purpose Lanes**

freeway. At opening year of this project alternative, congestion and traffic delay would be reduced along the I-10.

### ***Concerns of Constructing Two General Purpose Lanes***

- Although this alternative would reduce traffic delay and congestion at opening year, Figure 13 shows that traffic demand during the peak hour is anticipated to exceed GP lane capacity in portions of three segments when opened in 2025. By 2045 all segments would have portions over capacity. Figures 13 and 14 show the forecast GP lane demand in the most heavily trafficked portion of each of the four segments of I-10 within the project limits. The forecast shown for each segment is the highest volume in that segment forecast for either the AM or PM peak hour. The figures also show with a solid red line the capacity of the general purpose lanes in each segment, which is 1,850 vehicles per lane per hour (or 9,250 per hour in the 5 general purpose lanes west of I-15 and east of California Street and 11,100 in the 6 general purpose lanes between I-15 and California Street). For those segments where demand is forecast to exceed capacity, severe congestion is anticipated. Since severely congested lanes provide less traffic flow than free flowing lanes, a throughput of 1,200 vehicles per hour per lane is used for severely congested conditions and shown in Figures 13 and 14 with a dashed red line.
- Alternative 6 would provide some congestion relief but, due to the congestion discussed in the previous bullet, Alternative 6 would not provide trip reliability.
- Alternative 6 does not address the degradation in the existing HOV lane west of Haven Avenue. The degradation will deteriorate further over time as HOV traffic increases. The HOV lane is anticipated to exceed capacity in 2045, be severely congested, with throughput of approximately 1,200 vehicles per hour, as shown in Figure 14 with a dashed red line.
- The RTP project identified for the corridor is an HOV lane. Alternative 6 is inconsistent with that project definition.
- Since MAP-21 prohibits the conversion of a free GP lane to a tolled Express Lane, construction of Alternative 6 would preclude future managed lanes. Implementation of the Express Lanes Network identified in the SCAG RTP would be effectively precluded because of the cost of acquiring the necessary additional right-of-way for two future additional lanes.

### ***Rationale for removing Alternative 6 from further consideration***

Alternative 6 is not considered an effective option in fulfilling the project purpose. Alternative 6 because it:

- Is forecast to have demand in excess of capacity and therefore be congested in 3 of the 4 segments between the LA County line and Ford Street on opening day and in all segments by 2045.
- Provides minimal enhancement of operations and improvement in trip reliability due to the extent of the corridor in which traffic demand exceeds capacity as noted in the previous bullet;
- Provides no additional managed lanes in the corridor and no potential to introduce additional managed lanes in the future.
- Provides no incentive to carpool;
- Does not maximize throughput; and
- Is inconsistent with the SCAG Regional Transportation Plan Express Lane Network plans, since MAP-21 prohibits the conversion of free GP lanes to a tolled Express Lane.

Based upon the preliminary cost estimate for this alternative, less than 50 percent of the cost could be funded with available funding sources identified within the SANBAG 10-year delivery plan and the SANBAG Measure I Strategic plan. Therefore, the high unfunded cost of Alternative 6 also contributes to the determination that the alternative is not an effective option.

### **Conclusion**

Table 1 below summarizes the information presented above with regard to the purpose and need of the project. In Alternatives 3, 4, 5, and 6, the GP lanes in all segments are anticipated to exceed capacity in 2045 (see Figures 4, 8, 12, and 14). In Alternatives 4, 5, and 6 the HOV lanes are over capacity in some segments, but the Express Lanes in Alternative 3 are managed so that they won't be over capacity. In short, none of the proposed alternatives will provide sufficient capacity to meet forecast traffic demand and avoid congestion. Nonetheless, the additional capacity in Alternatives 3, 4, 5, and 6 will result in some improvement of levels of service compared to doing nothing. Alternative 3 is the only alternative that provides some free flowing lanes that are not over capacity and will operate uncongested during the peak periods in all segments of the corridor.

**Table 1. Comparison of Two Lane Alternatives with Purpose and Need Elements.**

Criteria	Alternative 3 Express Lanes	Alternative 4 1 HOV & 1 GP Lane	Alternative 5 2 HOV Lanes	Alternative 6 2 GP Lanes
Improves traffic levels of service	◆	◆	◆	◆
Improves travel times within corridor	◆	◆	◆	◆
Provides a facility that is compatible with transit and other modal options	◆	◆	◆	◆
Consistency with SCAG RTP	◆	◆	◆	◆
Cost effective project solution	◆	◆	◆	◆
Minimize environmental impacts and ROW acquisition	◆	◆	◆	◆
TOTALS	◆◆◆◆◆ ◆	◆◆◆◆◆ ◆	◆◆◆◆◆ ◆	◆◆◆ ◆◆◆
LEGEND				
◆ best meets criteria				
◆ meets criteria				
◆ does not meet criteria				

Consequently, the Express Lanes in Alternative 3 are the only lanes that are anticipated to operate with acceptable levels of service. Therefore, Table 1 below shows that Alternative 3 best meets the criterion of improving traffic levels of service.

Similarly, all of the alternatives improve travel times within the corridor compared to doing nothing. Because of the congestion anticipated under any of the build alternatives, travel times along the corridor will be substantially greater during peak demand hours than during low-demand off-peak hours. Only the Express Lanes in Alternative 3 provide a travel time option that is reliable and not subject to the delay and unpredictable travel time consequences of severe congestion. Therefore, Table 1 below

shows that Alternative 3 best meets the criterion of improving travel times within the corridor.

All of the alternatives provide some compatibility with transit and other modal options, except Alternative 6 which provides no managed or HOV lanes east of Haven Avenue and does not address the existing degraded conditions and anticipated congested conditions in the HOV lane west of Haven Avenue. Alternatives 3, 4, and 5 provide some potential for preferential transit use of the HOV and/or Express Lanes. Figures 6 and 10 show that substantial congestion is anticipated in 2045 in the HOV lanes of Alternatives 4 and 5. Figure 2 shows that no congestion resulting from traffic volume exceeding capacity is anticipated in the Express Lanes of Alternative 3. Consequently, Table 1 shows that Alternative 3 best meets the criterion of providing a facility that is compatible with alternative modes of travel.

The current SCAG RTP includes proposed HOV improvements on I-10 within the project area. The SCAG RTP also identifies a longer range aim of providing Express Lanes in the corridor. Alternative 3 would meet both aims by constructing the Express Lanes and providing reduced toll for HOV travel in the Express Lanes for those vehicles meeting the HOV occupancy requirement. Therefore, Table 1 shows that Alternative 3 best meets the criterion of being consistent with the SCAG RTP. Alternative 4 meets the HOV improvement aim, but has limited potential to provide Express Lanes because it would be limited to a single Express Lane in each direction. Alternative 5 would meet the HOV improvement aim and retain the potential to implement the Express Lanes. Alternative 6 is consistent with neither of these regional planning aims.

With respect to providing a cost effective project solution, traditional federal, state, and local transportation funding is insufficient to construct any of the proposed two lane alternatives. Alternative 3 provides an additional increment of funding derived from the Express Lane tolls that could be used to fund part, or all, of the gap between the currently identified funding and the cost of construction. Therefore, Table 1 shows that Alternative 3 best meets the criterion of a cost effective project solution.

Since the footprint of Alternatives 3, 4, 5, and 6 are similar, the environmental impacts and right of way acquisitions would be comparable. Table 1 shows that all of the alternatives are essentially equal in this regard.

In conclusion, based on the rationales provided above and the information provided in Table 1, Alternatives 4, 5, and 6 are not as effective in meeting the project's purpose and need and therefore will not be fully analyzed in the environmental document. Alternative 3 is the most effective 2 lane alternative and will be fully analyzed in the environmental document.



- 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: 40

**Date:** July 10, 2013

**Subject:** Additional Expenditure Authority for Three Railroad Construction and Maintenance Agreements on Interstate 215 Segment 2

- Recommendation:**
1. Approve additional expenditure authority for Contract C09109, Construction and Maintenance Agreement with California Department of Transportation (Caltrans) and BNSF Railway for railroad flagging and inspection costs for Interstate 215 (I-215) for the Ninth Street Bridge construction in the amount of \$34,600 for a new total expenditure authority of \$515,813.00.
  2. Approve additional expenditure authority for Contract C09110, Construction and Maintenance Agreement with California Department of Transportation (Caltrans) and BNSF Railway for railroad flagging and inspection costs for Interstate 215 (I-215) for the Baseline Street Bridge construction in the amount of \$115,000 for a new total expenditure authority of \$902,823.00.
  3. Approve additional expenditure authority for Contract C09111, Construction and Maintenance Agreement with California Department of Transportation (Caltrans) and BNSF Railway for railroad flagging and inspection costs for Interstate 215 (I-215) for the 16th Street Bridge construction in the amount of \$215,000 for a new total expenditure authority of \$1,002,823.00.

*Approved  
 Board of Directors*

*Date:* July 10, 2013

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

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

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

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

BRD1307b-ds

**Background:**

The SANBAG Board approved three construction and maintenance agreements between Caltrans, SANBAG and BNSF Railway at its December 3, 2008 Board meeting for I-215 Segment 2. These agreements specified that SANBAG would construct these bridges and then turn over the bridges to Caltrans upon completion of construction. The agreements also required that SANBAG pay for permanent and temporary easements needed for the projects as well as railroad flagging and inspection services required during construction. In the agreement for Ninth Street, Baseline Street, and 16<sup>th</sup> Street, estimates were given for the amount of flagging and inspection services to be provided. The agreements require SANBAG to pay for the actual final costs for these services.

As construction is nearing completion, it is projected that the actual costs for railroad flagging and inspection services will exceed the original estimate. This is due to several reasons. (i) On many days, due to the length of the project area, more flagmen than originally planned for were required to safely monitor construction activity and coordinate train traffic. (ii) In addition to work at each of the bridges, the flagmen were required for the work on fencing and walls that abut the railroad between bridges. (iii) Finally, the complexity of the project and the limited work windows available from the railroad on this very active rail lines resulted in more work shifts than originally estimated.

Due to the factors noted above, additional expenditure authority is needed to complete the anticipated work in these three bridge areas. For the 9<sup>th</sup> Street Bridge, an estimated \$34,600 above the original estimate is needed to finish the project. For the Baseline Street Bridge, an estimated \$115,000 will be required before work is completed. The 16<sup>th</sup> Street Bridge work area will require an estimated \$215,000. Staff requests approval of the additional expenditure authority for these three agreements to allow full payment for completion of all railroad work.

**Financial Impact:**

This item is consistent with the proposed SANBAG Fiscal Year 2013/2014 budget. This agreement will be funded with Projects of National and Regional Significance (PNRS) and Traffic Congestion Relief Program (TCRP) funds under Task Number No. 0838.

**Reviewed By:**

This item has not received prior Policy Committee review.

**Responsible Staff:**

Garry Cohoe, Director of Project Delivery



- 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: 41

**Date:** July 10, 2013

**Subject:** Increase expenditure authority for the Downtown San Bernardino Passenger Rail Project and San Bernardino Transit Center right-of-way acquisitions

**Recommendation:\*** That the Board acting in its capacity as the San Bernardino County Transportation Commission allocate \$1,500,000 of undesignated, unreserved State Transit Assistance Fund County Population (PUC99313) to fund right-of-way purchases for the Downtown San Bernardino Passenger Rail Project and the San Bernardino Transit Center. This allocation amount is comprised of the estimated property acquisition costs plus contingency.

**Background:** The San Bernardino Associated Governments (SANBAG), acting as the San Bernardino County Transportation Commission, is proposing to extend Metrolink commuter passenger rail service approximately one (1) mile east from its current terminus at the Santa Fe Depot located at 1170 West 3rd Street, San Bernardino, to new Metrolink commuter rail platforms at the proposed San Bernardino Transit Center (SBTC) near the intersection of Rialto Avenue and E Street in the City of San Bernardino, California.

At its December 2012 meeting, the Board of Directors allocated \$6,587,000 to fund right-of-way (ROW) acquisition necessary for the construction of the Downtown San Bernardino Passenger Rail Passenger Project (DSBPRP) and \$2,000,000 to fund ROW acquisition necessary for the SBTC. At the February 2013 meeting, the Board of Directors allocated an additional \$1,957,573

\*

*Approved  
 Board of Directors*

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

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

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

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

COG	CTC	X	CTA	SAFE	CMA
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Check all that apply.

to fund additional properties not originally part of the ROW acquisition process. A total of \$13,838,073 has been budgeted between FY 12/13 and 13/14 to fund ROW acquisitions for both projects and, to date, a total of \$10,544,573 has been allocated for expenditures. In an effort to control costs, staff has incrementally brought forward allocation increases to ensure that only the funding necessary to complete the process is allocated. .

Staff is presenting this item directly to the Board to ensure the ROW process continues without interruption while SANBAG is dark during August and to ensure the delivery of the projects remain on schedule since funding requirements associated with over \$11,000,000 in State Local Partnership Program and Transportation Enhancement funds programmed for both the DSBPRP and SBTC that must be allocated by December 2013. Staff is requesting the allocation of an additional \$1,500,000 based on projected estimates for the remainder of ROW activities for the DSBPR and SBTC projects.

***Financial Impact:*** This item is consistent with the adopted Fiscal Year 2013/2014 SANBAG budget Task No. 0379 Commuter Rail Capital of State Transit Assistance Fund (PUC99313) in the amount of \$1,500,000.

***Reviewed By:*** This item has not received prior policy committee or technical advisory committee review.

***Responsible Staff:*** Mitch Alderman, Director of Rail & Transit Programs



- 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: 42

**Date:** July 10, 2013

**Subject:** E Street Storm Drain Contract Delegation

- Recommendation:**
1. Approve and adopt the Plans and Specifications for construction of the E Street Storm Drain Project.
  2. Delegate authority to the Commuter Rail & Transit Committee to award Contract #C14004, E Street Storm Drain Improvements, as part of the San Bernardino Transit Center Project

**Background:** As part of the San Bernardino Transit Center (SBTC) project, a storm drain will be constructed along Rialto Avenue and E Street in the City of San Bernardino. The SBTC is expected to be in construction by the end of 2013. The Omnitrans sbX project is currently under construction and expected to be substantially completed by the end of 2013 with operations set to begin in April 2014. The work on E Street needs to be completed before the rest of SBTC begins construction to allow for the storm drain construction to coincide with the sbX construction on E Street. By coordinating these efforts, the pavement on E Street will only have to be repaved once and avoid service disruption to sbX.

The proposed work on E Street includes the installation of a 36 inch storm drain from the railroad right-of-way north to Rialto Avenue, as well as the installation of a six (6) inch sewer lateral from the main line on E Street. The sewer line will be installed up to the SBTC property line. In addition, the San Bernardino

*Approved  
 Board of Directors*

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

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

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

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

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

Municipal Water Department (SBMWD) will be installing a six (6) inch fire service line from the water main to the property line on E Street. Performing the work prior to the completion of sbX construction will avoid disruption once service begins and will avoid unnecessary costs by performing all work in E Street prior to the final layer of new asphalt.

Based on the City of San Bernardino's predetermined per unit cost, the anticipated cost of construction is \$393,600, which is below the threshold requiring Board approval to release the invitation for bids (IFB). The storm drain plans were released via IFB on June 26, 2013 and bids will be due on July 24, 2013. It is anticipated that the contract will be ready to award by the August Commuter Rail & Transit Committee. In order to ensure the coordination between Omnitrans sbX construction and the storm drain construction, staff is requesting the Board approve the plans and specifications for the project and to delegate the contract award authority to the Commuter Rail & Transit Committee to allow for the work to be completed prior to the sbX project repaving E Street.

**Financial Impact:** This item is consistent with the proposed Fiscal Year 2013/2014 budget and was included in the overall budget for the SBTC.

**Reviewed By:** This item has not received prior policy committee or technical advisory committee review. SANBAG General Counsel has approved this item as to form.

**Responsible Staff:** Mitch Alderman, Director of Rail & Transit Programs



- 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: 43

**Date:** July 10, 2013

**Subject:** Purchase Order to Burlington Northern Santa Fe Railway Company for Flagging Services to accommodate the expansion of Southern California Regional Rail Authority's Eastern Maintenance Facility.

- Recommendation:**\*
1. Authorize an increase to Purchase Order No. 4000916 with Burlington Northern Santa Fe Railway Company in an amount of \$30,000 for a new total of \$130,000. The purchase order is for Flagging Services to accommodate the expansion of Southern California Regional Rail Authority's Eastern Maintenance Facility.
  2. Authorize the San Bernardino Associated Governments' Executive Director or his designee to execute Purchase Order No. 4000916 with Burlington Northern Santa Fe Railway Company for flagging services associated with the Eastern Maintenance Facility.
  3. Allocate \$7,050 of undesignated, unreserved State Transit Assistance Fund (PUC 99313) and \$22,950 of Local Transportation Fund Rail, for a total of \$30,000 to fund the flagging services for the expansion of the Eastern Maintenance Facility.

**Background:** The Southern California Regional Rail Authority (SCRRA) developed the Eastern Maintenance Facility (EMF) located in the City of Colton on Burlington Northern Santa Fe Railway Company (BNSF) property for maintenance of

*Approved*  
*Board of Directors*

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

*Moved:*                      *Second:*

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

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

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

Metrolink trains that serve the counties of Los Angeles, Orange, and Riverside. In order to accommodate additional train storage required by the implementation of the San Bernardino Associated Governments (SANBAG) Downtown San Bernardino Passenger Rail Project, SANBAG is currently completing construction efforts to expand the EMF. These improvements include extending existing storage tracks, building a bridge, and other supporting improvements. The additional funds are needed for increased flagging requirements by BNSF for the completion of the EMF project.

In accordance with Article 6 of the Shared Use Agreement (Pasadena-Redlands Easement, Pasadena-Redlands Trackage rights, SB shop Trackage Rights, and Cajon Trackage Rights) dated October 30, 1992, as amended, between BNSF and SANBAG, SANBAG is proposing to pay BNSF up to \$130,000 to provide flagging support services for EMF expansion.

***Financial Impact:*** This item is consistent with the Fiscal Year 2012/2013 adopted budget. Funding currently exists in Task No. 0379 Commuter Rail Capital, State Transit Assistance Funds and Local Transportation Fund Rail.

***Reviewed By:*** This item has not received prior policy committee or technical advisory committee review. Contracts administrator has reviewed this item.

***Responsible Staff:*** Mitch Alderman, Director of Transit and Rail Programs

**AGENCY  
REPORTS**



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • www.aqmd.gov

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Mayor, Santa Ana  
Cities of Orange County

June 11, 2013

To: Mayors and Councilmembers

From: Dennis R. Yates  
Mayor, City of Chino  
Vice Chairman, South Coast AQMD Governing Board /  
Representative, Cities of San Bernardino County

Attached is the agenda item and outcome of the June 7, 2013 SCAQMD Governing Board meeting, and a preview of the item(s) for discussion at the July 5 and July 12, 2013 meetings.

### PUBLIC HEARING ITEM AT JUNE BOARD MEETING:

**Amend Rule 444 – Open Burning**  
*(Continued from May 3, 2013 Board Meeting for Consideration of Provisions Pertaining to Beach Fire Rings Only)*

*Staff recommended this item be continued to a special Board meeting on July 12, 2013.*

At its May 3, 2013 meeting, the Board continued only those Rule 444 amendment provisions relating to a prohibition of fire rings to the June 7, 2013 Board Meeting. This action is to consider Proposed Amended Rule 444 – Open Burning, as it relates to open burning at beach areas only. These provisions include paragraphs (b)(11) and (c)(7), subparagraph (d)(3)(G), and paragraphs (h)(5) and (6).

**Vote to Continue: 12 Yes; 0 No; 0 Abstain; 1 Absent**

**PUBLIC HEARINGS SET FOR JULY BOARD MEETINGS:**

**July 5, 2013**

**Amend Rule 1309 - Emission Reduction Credits and Short Term Credits**

In 2002, the Board amended Rule 1309 to provide for Short Term Credits (STCs) and at the same time provide for the reissuance of such credits that had been provided as offsets but never used. However, the provision for reissuance of credits referred only to STCs, not Emission Reduction Credits (ERCs). U.S. EPA has never approved the 2002 amendments to Rule 1309. Accordingly, there is no mechanism for the reissuance or return of ERCs that have been submitted as offsets but never used. The proposal would allow the reissuance of unused ERCs provided the request is made within two years of issuance of the Permit to Construct and construction has not commenced. This action is to adopt the resolution: Amending Rule 1309.

**July 12, 2013 (Special Board Meeting) Amend Rule 444 – Open Burning**

*(Continued from June 7, 2013 Board Meeting for Consideration of Provisions Pertaining to Beach Fire Rings Only)*

[See rule description above.]



**REPORT:** Mobile Source Air Pollution Reduction Review Committee

**FROM;** Larry McCallon, SANBAG Representative to the MSRC

**SYNOPSIS:** Below is a summary of key issues addressed at the MSRC's meeting on May 16, 2013. The MSRC's next meeting is scheduled for Thursday, June 20, 2013, at 2:00 p.m. in Conference Room CC8.

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#### **Meeting Minutes Approved**

The MSRC unanimously approved the minutes from its March 21, 2013 meeting.

#### **Election of MSRC Chair & Vice-Chair**

Annually the MSRC elects its chair and vice-chair. At its May 16, 2013 meeting, the MSRC unanimously elected Greg Pettis as the new MSRC chair. Mr. Pettis is a Council Member for the City of Cathedral City, represents the RCTC on the MSRC, and formerly served as the MSRC vice chair. The MSRC also unanimously elected Steve Veres as the new MSRC vice chair. Mr. Veres represents the LACMTA (Metro) on the MSRC. This is the first term in these new positions for them both.

#### **Issue RFP for Technical Advisor Services**

The MSRC retains an independent contractor to provide technical assistance in support of the AB 2766 Discretionary Fund Program. Since the contract with the current Technical Advisor expires on September 30, 2013, the MSRC directed the MSRC-TAC Administrative Subcommittee to develop an RFP to solicit new proposals to provide technical advisor services for an initial two-year period beginning October 1, 2013, plus a two-year option term that can be exercised at the discretion of the MSRC. The services would be funded with administrative and work program funds, budgeted in the appropriate Discretionary Fund Work Programs, subject to SCAQMD Board approval, and respective FY Administrative Budgets. At its May 16, 2013 meeting, the MSRC approved RFP #P2013-25 for Technical Advisor Services. A non-mandatory Bidders' Conference is scheduled for June 25, 2013, with proposals due July 9, 2013. An interview

of top candidates may be conducted on July 22, 2013. The SCAQMD Board will consider issuance of the RFP at its June 7, 2013 meeting.

### **Implementation of “Rideshare Thursday” Campaign**

As part of its FY 2011-12 Work Program, the MSRC set aside \$1 million for a “Rideshare Thursday” Campaign and through a formal bid process contracted with Fraser Communications to implement the campaign. The contract required that Fraser present its proposed Campaign Design to the MSRC for approval. At its May 16, 2013 meeting, Fraser Communications presented its proposed campaign design to the MSRC, including research findings on identifying behavior shift motivations, which essentially came down to dollar savings and stress reduction; logo and branding concepts (Drive Less. Smile More); the landing webpage to which drivers would be directed ([ridesharethursday.com](http://ridesharethursday.com)); their two-pronged proposed advertising/promotion periods (flights), the first of which would launch starting in September and continue through Rideshare Week in October; and the combination of media (radio, social networks, etc.) which would be used to launch both flights. Concern was expressed about their proposal to conduct a sweepstakes to drive potential users to the webpage and SCAQMD legal confirmed they are looking into the issue on behalf of the MSRC. The MSRC emphasized the importance of minimizing the number of clicks visitors have to make to get the information they need but ultimately approved the proposed campaign, contingent upon addressing the concerns with the sweepstakes. The MSRC also approved a modified scope to align with the approved campaign design as well as a reallocation of costs between tasks.

### **Conceptual FYs 2012-14 AB 2766 Discretionary Fund Work Program**

At its fall retreat last year the MSRC decided its next work program would encompass two years to achieve a greater impact on emissions reductions and leverage other funds through partnerships. It directed its MSRC-TAC to create subcommittees to begin formulating categories and funding targets for the FYs 2012-14 Work Program. At its May 16, 2013 meeting, the MSRC-TAC presented subcommittee recommendations for candidate work program categories along with funding targets, noting many of the categories or elements within a category could be linked directly to the series of mini-workshops the MSRC held around the four-counties last year. Available funding will be unprecedented for this two-year work program totaling more than \$38.6 million.

Proposed categories for this Conceptual FYs 2012-14 Work Program are as follows:

1. Local Government Match– similar to successful match programs in past years (e.g., alternative fuel vehicles and infrastructure along with geographic funding minimums per county) but with an additional element for bicycle infrastructure; this program would have two different funding opportunities, one in 2013 and a second in 2014, offering proposed target funding levels of \$6 million and \$5 million, respectively.

2. Alternative Fuel Infrastructure – again similar to successful programs in past years offering incentives for new and expanded alternative fueling stations as well as garage upgrades, but setting up scoring such that the more criteria the proposer meets the greater amount of incentives they may receive including generating CNG through renewables; only gaseous fuel stations are eligible and the proposed target funding level is \$7.5 million.
3. Alternative Fuel School Bus Incentives – this program will continue to complement the SCAQMD’s Lower-Emission School Bus Program by offering incentives for new alternative fuel school buses for both schools and private pupil transportation providers which need to expand their fleet; the subcommittee is also exploring whether private pupil transportation providers can procure buses directly from manufacturers to reduce the purchase price and the proposed target funding level is \$2 million.
4. Zero-Emission & Near-Zero Emission Incentives for Medium Heavy-Duty Trucks – this program would target legacy fleets to achieve maximum emissions reductions and cost-effectiveness and require scrapping of an older vehicle for near-zero vehicles; the proposed target funding level is \$3.5 million.
5. Advanced Low-Emission Off-Road Construction Equipment Incentives – this program would include technologies such as hybrid-electric, hybrid-hydraulic, and zero emission off-road equipment and may be able to leverage funds in a partnership with ARB through its Advanced Technology Demonstration Program; the proposed target funding level is \$1.5 million.
6. Zero-Emission Ground Support Equipment at Major Airports – airlines and cargo handling facilities would be eligible for this program which would offer incentives toward the acquisition of zero-emission ground support equipment and charging infrastructure at airports; the subcommittee is exploring potential partnerships with airport authorities and the proposed target funding level is \$3.5 million.
7. Zero-Emission Cargo Handling Equipment for Goods Movement – this program would offer incentives to marine terminal operators and distribution facility operators towards the purchase of zero-emission cargo handling equipment; the subcommittee is exploring partnering with ARB on its program to electrify rubber-tired gantry cranes and the proposed target funding level is \$2 million.
8. Signal Synchronization – this broad-based program could cost effectively act as an air quality mitigation strategy while leveraging other sources of funding such as measure funds and CMAQ; the proposed target funding level is \$5 million.
9. “First Mile-Last Mile” Transit Center Options – this program would address the need for available options to commuters, especially using rail, with an emphasis on bicycles, to achieve the first mile-last mile in their commute (e.g., home to/from a transit center and transit center to/from work); the proposed target funding level is \$2.5 million

Additional details are still being worked out by the subcommittees for consideration by the MSRC in the next couple of months. Once finalized, solicitations will be prepared and the work program presented to the SCAQMD Board for consideration.

One program included in the FY 2012-14 Work Program has already launched. On March 1, 2013, the MSRC released Program Announcement #PA2013-05 offering \$4 million to reduce traffic congestion and its associated air quality impacts at major event center venues not currently served sufficiently by transportation service.

### **Received and Approved Final Reports**

The MSRC received and approved two final report summaries this month, as follows:

1. For Riverside County Transportation Commission, which provided \$225,000 towards regional rideshare database enhancements; and
2. For Riverside County Transportation Commission, which provided \$100,000 to develop and deploy a 511 mobile application.

All final reports are filed in the AQMD's library and a two-page summary of each closed project can be viewed in the electronic library on the MSRC's website at <http://www.cleantransportationfunding.org>.

### **Contract Modification Requests**

The MSRC considered several contract modification requests and took the following unanimous actions:

1. For Torrance Unified School District Contract #MS11066, which provides \$76,850 to expand their CNG fueling station, the MSRC approved a reduction in the scope of their station expansion and corresponding reduction in contract value;
2. For City of South Pasadena Contract #ML09009, which provides \$152,000 to expand their CNG fueling station, the MSRC approved a reduction in the scope of their station expansion, a corresponding reduction in contract value, and a 27-month term extension;
3. For City of Santa Monica Contract #ML06058, which provides \$149,925 towards the purchase of three heavy-duty CNG vehicles and installation of a CNG station, the MSRC approved the substitution of a crane truck for an additional water truck instead and a 40-month term extension.
4. For City of Santa Monica Contract #ML07044, which provides \$600,000 towards the purchase of 24 heavy-duty CNG vehicles, the MSRC approved the substitution of 10 vehicles in the contract for 10 different heavy-duty vehicles, including changing 3 of the 10 vehicles from CNG to LPG, and a 24-month term extension; and

5. For City of Santa Monica Contract #ML08028, which provides \$600,000 towards the purchase of 24 heavy-duty CNG vehicles, the MSRC approved the substitution of 8 vehicles in the contract for 8 different heavy-duty vehicles, including changing 1 vehicle from CNG to electric, and a 32-month term extension.

On the latter two modifications for the City of Santa Monica, the change of vehicle fuel type for the substituted vehicles is subject to approval by the SCAQMD Board. The Board will consider the requests to change fuel types at its June 7, 2013 meeting.

**Contracts Administrator's Report**

The MSRC's AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2003-04 through the present.

**ADDITIONAL  
INFORMATION**

APPOINTING/ELECTING AUTHORITY	REGIONAL COUNCIL (12:00 noon)	POLICY COMMITTEES (Regional Council Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TC) (10:00 a.m.)		
		Community, Economic, and Human Development	Energy and Environment	Transportation
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa) District 7 (San Bernardino, Highland) District 8 (Rialto, Fontana) District 9 (Rancho Cucamonga, Upland, Montclair) District 10 (Chino, Chino Hills, Ontario) District 11 (Barstow, Big Bear, Needles, Twentynine Palms, Yucca Valley) District 65 (Adelanto, Apple Valley, Hesperia, Victorville) San Bernardino County	J. Harrison L. McCallon D. Robertson P. Eaton E. Graham B. Jahn R. McEachron G. Ovitt	J. Harrison L. McCallon   B. Jahn	D. Robertson  E. Graham	P. Eaton  R. McEachron G. Ovitt
SANBAG Acting as County Transportation Commission	A. Wapner			A. Wapner
SANBAG Subregional Appointees* *One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SANBAG has a total of seven subregional appointees to the policy committees.		Julie McIntyre Ray Musser Ed Paget	Diane Williams James Ramos	Vacant (R. McEachron) B. Stanton

**Rules of Appointment**

1. SANBAG policy stipulates that all SANBAG appointees be SANBAG Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

**Terms of Appointment**

Terms of appointment are two years, commencing on adjournment of the annual General Assembly in May of each year. Even-numbered District representatives' terms expire in even-numbered years; odd-numbered District representatives expire in odd-numbered years.

**Stipend Summary**

SCAG Regional Council members receive a \$120 stipend for attendance and travel to SCAG sponsored meetings. Regional Council members may also receive reimbursement for public transit expenses or a mileage reimbursement. Parking is validated at SCAG's downtown Los Angeles office for RC members. RC members are eligible to receive up to six (6) per diem stipends per month. Both RC members and Subregional Appointees, if eligible, may receive reimbursement (\$150 + taxes) for lodging (please review SCAG rules before making expenditure). Subregional Appointees shall receive a \$120 stipend for up to four Policy or Task Force meetings per month.

**Meeting Information**

The regular meetings of SCAG Regional Council and Policy Committees are on the 1<sup>st</sup> Thursday of each month at the SCAG offices located at 818 West 7<sup>th</sup> Street, 12<sup>th</sup> Floor in Los Angeles. Generally, the Policy Committee meetings start at 10 AM and Regional Council meetings start at 12:15 PM.

**Policy Committees**

**Community, Economic, and Human Development:** Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.

**Energy and Environment:** Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservation. Reviews the Environmental Impact Report of the Regional Comprehensive Plan and Guide. Provides recommendations to the Planning Committee on state and federal legislative proposals and administrative guidelines affecting environmental quality, resource conservation.

**Transportation and Communications:** Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

## SANBAG Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p><b>General Policy Committee</b>                      Membership consists of the following:                      SANBAG President, Vice President, and Immediate Past President                      4 East Valley (3 City, 1 County)                      4 West Valley (3 City, 1 County)                      4 Mt/Desert (3 City, 1 County)</p>	<p>Makes recommendations to Board of Directors and:                      (1) Provides general policy oversight which spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity;                      (2) Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization;                      (3) Serves as policy review committee for any program area that lacks active policy committee oversight.                      Committee has authority to approve contracts in excess of \$25,000 with notification to the Board of Directors.</p>	<p>L. Dennis Michael, Rancho Cucamonga, Vice President (Chair)                      Bill Jahn, Big Bear Lake, President (Vice Chair)                      Janice Rutherford, Supervisor, Past President</p> <p><u>West Valley</u>                      L. Dennis Michael, Rancho Cucamonga                      Vacant (Ed Graham, Chino Hills)                      Vacant (Dennis Yates, Chino)                      Gary Ovitt, Supervisor</p>	<p>6/30/2014                      6/30/2014                      6/30/2014                      6/30/2014                      6/30/2013                      6/30/2013                      6/30/2014</p>
<p>All Policy Committee and Board Study Session Chairs are included in this policy committee.                      All City members serving as Board officers, Committee chairs, or Board Study Session Chair, are counted toward their subareas City membership.                      Supervisors collectively select their representatives. The SANBAG Vice President shall serve as Chair of the General Policy Committee.</p>		<p><u>East Valley</u>                      Pat Morris, San Bernardino (Chair - CRTC)                      Richard Riddell, Yucaipa (Chair - MVSS)                      Vacant (Larry McCallon, Highland)                      James Ramos, Supervisor</p> <p><u>Mountain/Desert</u>                      Edward Paget, Needles (Chair - MDC)                      Bill Jahn, Big Bear Lake                      Vacant (Jim Harris, Twentynine Palms)                      Robert Lovingood, Supervisor</p>	<p>6/30/2014                      6/30/2014                      6/30/2013                      6/30/2014                      6/30/2014                      6/30/2014                      6/30/2014</p>
<p><b>Commuter Rail &amp; Transit Committee</b>                      Membership consists of 11 SANBAG Board Members:                      9 Valley-members, two being Southern California Regional Rail Authority (SCRRA) primary (*) and two being SCRRA alternate (**) members.                      2 Mountain/Desert Board Members who serve on the Board of a Mountain/Desert transit agency.                      SCRRA members and alternates serve concurrent with their term on the SCRRA Board of Directors as appointed by the SANBAG Board.                      Other members are appointed by the SANBAG President for 2-year terms.</p>	<p>Provides policy guidance and recommendations to the SANBAG Board of Directors and Southern California Regional Rail Authority (SCRRA) delegates with respect to commuter rail and transit service.                      * SCRRA Primary Member                      ** SCRRA Alternate Member</p>	<p>Pat Morris, San Bernardino* (Chair)                      Paul Eaton, Montclair* (Vice Chair)                      Pete Aguilar, Redlands                      Bill Jahn, Big Bear Lake                      Mike Leonard, Hesperia                      Larry McCallon, Highland**                      L. Dennis Michael, Rancho Cucamonga                      Ray Musser, Upland                      James Ramos, Supervisor                      Richard Riddell, Yucaipa                      Alan Wapner, Ontario**</p>	<p>Indeterminate (6/30/2014)                      Indeterminate (6/30/2014)                      12/31/2014                      12/31/2013                      12/31/2013                      Indeterminate                      12/31/2013                      12/31/2013                      12/31/2014                      12/31/2014                      Indeterminate</p>



## SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
<p><b>Audit Subcommittee of the Administrative Committee</b>                      In November 2008, the Board approved the creation of an Audit Subcommittee of the Administrative Committee to strengthen the financial oversight function of the Board. Additional SANBAG Board Members may be appointed annually at the discretion of the Board President.</p>	<p>The responsibilities of the Audit Subcommittee shall be to:</p> <ul style="list-style-type: none"> <li>• Provide a direct contact between the independent auditor and the Board of Directors before, during and after the annual audit.</li> <li>• Work with the auditor and SANBAG staff on reviewing and implementing practices and controls identified in the annual audit.</li> </ul>	<p>Audit Subcommittee (for FY 2012-2013 Audit)                      - SANBAG President – Bill Jahn, Big Bear Lake                      - Vice President – L. Dennis Michael, Rancho Cucamonga                      - Immediate Past President – Janice Rutherford, Supervisor                      - Presidential Appointment – Walt Stanckiewicz, Grand Terrace</p>
<p><b>Ad Hoc Committee on Litigation with San Bernardino County Flood Control District</b>                      In January 2007, the SANBAG President was authorized to appoint an ad hoc review committee of SANBAG Board Members who do not represent local jurisdictions party to the San Bernardino County Flood Control District vs. SANBAG litigation relative to the Colonies Development.                      In April 2008, the role of this committee was expanded to include the Cactus Basin litigation.</p>	<p>Review and provide guidance on litigation with San Bernardino County Flood Control District regarding the Colonies Development and the Cactus Basin in Rialto.</p>	<p>Pat Morris, San Bernardino, Chair                      Richard Riddell, Yucaipa                      Larry McCallon, Highland</p>
<p><b>Bylaws</b>                      In July 2012, the SANBAG Board President appointed this ad hoc committee to review SANBAG's bylaws and recommend changes to strengthen SANBAG's corporate governance</p>	<p>Review SANBAG's bylaws and make recommendations to the Board on any necessary changes.</p>	<p>Rhodes "Dusty" Rigsby, Loma Linda - Chair                      Pat Morris, San Bernardino                      Mike Leonard, Hesperia                      Larry McCallon, Highland</p>
<p><b>Budget Process</b>                      In July 2012, the SANBAG Board President appointed this ad hoc committee to review SANBAG's budget preparation process and final budget document and make recommendations to help improve communication and transparency of SANBAG's budget to elected officials and the general public.</p>	<p>Review SANBAG's budget adoption process and final budget document and make recommendations on changes to improve the process and the final budget document to make them more useful and informative to Board Members and the public.</p>	<p>Bill Jahn, City of Big Bear Lake - Chair                      Kevin Ryan - Principal Transportation Planner, City of Fontana                      Sam Racadio – Council Member, City of Highland                      Mike Podegratz, P.E. – City Manager, City of Hesperia</p>
<p><b>Contracting Process</b>                      In July 2012, the SANBAG Board President appointed this ad hoc committee to strengthen SANBAG's procurement policies and procedures.</p>	<p>Review SANBAG's contracting policies and procedures and make recommendations to improve them.</p>	<p>Michael Tahan, Fontana - Chair                      Robert Lovingood, Supervisor                      Julie McIntyre, Barstow                      Walt Stanckiewicz, Grand Terrace                      Dennis Yates, Chino                      Alan Wapner, Ontario</p>

## SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
<p><b>Omnitrans Comprehensive Operational Analysis</b>                      In January 2013, the SANBAG Board President appointed this ad hoc committee to work with Omnitrans Board members to review the Comprehensive Operational Analysis (COA) of Omnitrans and to make recommendations based on the COA review.</p>	<p>Review the Comprehensive Operational Analysis of Omnitrans and make recommendations to address projected fiscal shortfalls associated with Omnitrans operations and capital projects.</p>	<p>Janice Rutherford Supervisor                      Dick Riddell, Yucaipa                      Alan Warner, Ontario                      Pat Morris, San Bernardino                      Deborah Robertson, Rialto                      Penny Lilburn , Omnitrans</p>
<p><b>Right of Way</b>                      In February 2013, the SANBAG Board President appointed this ad hoc committee</p>	<p>Review Right of Way policies and make recommendations on changes and signature authority limits.</p>	<p>Curt Emick, Apple Valley                      James Ramos, Supervisor                      Deborah Robertson, Rialto                      Michael Tahan, Fontana</p>
<p><b>Legislative</b>                      In March 2013, the SANBAG Board President appointed this ad hoc committee.                      This committee will consist of the SANBAG Board Officers.</p>	<p>Review proposed legislation at the state and federal level. Provide direction to staff on positions consistent with the Board-adopted legislative platform.</p>	<p>President – Bill Jahn, City of Big Bear Lake                      Vice President – L. Dennis Michael, Rancho Cucamonga                      Immediate Past President – Janice Rutherford, Supervisor</p>

## SANBAG Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
<p><b>Transportation Technical Advisory Committee (TTAC)</b>                      Committee membership consists of a primary staff representative of each SANBAG member agency designated by the City Manager or County Administrative Officer.</p>	<p>SANBAG's Transportation Technical Advisory Committee was formed by SANBAG management to provide input to SANBAG staff on technical transportation-related matters and formulation of transportation-related policy recommendations to the SANBAG Board of Directors.                      The TTAC is not a Brown Act committee.</p>	<p>Generally meets on the first Monday of each month at 1:30 PM, at SANBAG.</p>
<p><b>City/County Manager's Technical Advisory Committee (CCM TAC)</b>                      The committee is made up of up to two representatives of the County Administrator's Office and the city manager or administrator from each city and town in the County.</p>	<p>SANBAG's City/County Manager's Technical Advisory Committee was established in the Joint Powers Authority that established SANBAG. The primary role of the committee is to provide a forum for the chief executives of SANBAG's member agencies to become informed about and discuss issues facing SANBAG. It also provides a forum for the discussion of items of mutual concern and a way to cooperate regionally in addressing those concerns.                      The CCM TAC is a Brown Act Committee.</p>	<p>Meets on the first Thursday of each month at 10:00 AM, at SANBAG.</p>
<p><b>Public and Specialized Transportation Advisory and Coordinating Council (PASTACC)</b>                      Membership consists of 13 members appointed by the SANBAG Board of Directors                      6 representing Public Transit Providers                      1 representing County Dept. of Public Works                      1 representing the Consolidated Transportation Services Agency                      5 representing Social Service Providers</p>	<p>Subject to the Transportation Development Act (TDA) Section 99238 – establishes PASTACC's statutory responsibilities:                      (1) Review and make recommendations to SANBAG on annual Unmet Transit Needs, Federal Transit Administration and Measure 1 Program applications and reports.                      (2) Assist SANBAG in developing public outreach approach on updating the Coordinated Public Transit/Human Services Transportation Plan and disseminate information in reference to State law and recommendations as they relate to transit and specialized transit.                      (3) Monitor and make recommendations on Federal regulatory processes as they relate to transit and specialized transit.                      (4) Address any special issues of PASTACC voting and non-voting members.                      The PASTACC is a Brown Act committee.</p>	<p>Meets the second Tuesday every other even month at 10:00 AM, at SANBAG.</p>
<p><b>Planning and Development Technical Forum (PDTF)</b>                      Committee membership consists of a primary staff representative of each SANBAG member agency designated by the City Manager or County Chief Executive Officer.</p>	<p>The SANBAG Planning and Development Technical Forum was formed by SANBAG management to provide an opportunity for interaction among planning and development representatives of member agencies on planning issues of multijurisdictional importance.                      The PDTF is not a Brown Act Committee.</p>	<p>Meets the 4th Wednesday of each month at 2:00 p.m. at the Depot (in the SCAG Office).</p>

### SANBAG Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
<p><b>Project Development Teams</b></p>	<p>Project Development Teams (PDTs) are assembled for all major project development activities by SANBAG staff.</p> <p>Teams are generally composed of technical representatives from SANBAG, member jurisdictions appropriate to the project, Caltrans, and other major stakeholder entities that have significant involvement in the project.</p> <p>PDTs make recommendations related to approaches to project development, evaluation of alternatives, and technical solutions.</p> <p>PDTs meet on a regular basis throughout the project phase to review progress and to provide technical input required for project development.</p> <p>The PDTs are not Brown Act Committees.</p>	<p>Varies with the PDT, at SANBAG.</p>

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
S RTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

# ***San Bernardino Associated Governments***



## **MISSION STATEMENT**

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

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

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

Approved June 2, 1993  
Reaffirmed March 6, 1996