

## Revised Agenda Item No. 31

### Board of Directors Meeting

December 4, 2013

10:30 a.m.

Location:

San Bernardino Associated Government  
*Santa Fe Depot – SANBAG Lobby 1<sup>st</sup> Floor*  
1170 W. 3<sup>rd</sup> Street  
San Bernardino, CA

## DISCUSSION CALENDAR

### Transit/Commuter Rail

#### **31. San Bernardino Transit Center Federal Funding Subgrantee Agreement**

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

1. Approve Contract No. R14070, "San Bernardino Transit Center Federal Funding Subgrantee Agreement" between Omnitrans and the San Bernardino Associated Governments, acting in the capacity of the San Bernardino County Transportation Commission, providing for Omnitrans' contribution to reimburse SANBAG for costs of the project, in an amount not to exceed \$19,769,690 (which includes \$6,943,261 previously committed by Omnitrans in Contract C12117) and, providing for SANBAG to contribute an amount not exceeding \$3,747,593 to the project **which includes \$992,000 in Federal Transportation Funds allocated to SANBAG by Omnitrans as a Federal Transit Administration sub-recipient.**
2. Approve a budget amendment for Task No. 0311 Transit Capital, Transit Center Project fund, in the amount of \$2,590,336 **funded by Omnitrans contribution** for a new fund total of \$13,150,482; and
3. **Authorize staff to process an administrative budget amendment to re-classify the Transit Center Project fund revenue received from Omnitrans should it be required for FTA sub-recipient tracking purposes. The administrative amendment will not increase the overall budget total of \$13,150,482, but will solely reclassify the names of the funds within the budget for the Transit Center to comply with federal guidelines. Mitch Alderman**

*This item was revised to provide additional clarity in Recommendations 1 - 3.*



- 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: 31

**Date:** December 4, 2013

**Subject:** San Bernardino Transit Center Federal Funding Subgrantee Agreement

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

1. Approve Contract No. R14070, "San Bernardino Transit Center Federal Funding Subgrantee Agreement" between Omnitrans and the San Bernardino Associated Governments, acting in the capacity of the San Bernardino County Transportation Commission, providing for Omnitrans' contribution to reimburse SANBAG for costs of the project, in an amount not to exceed \$19,769,690 (which includes \$6,943,261 previously committed by Omnitrans in Contract C12117) and, providing for SANBAG to contribute an amount not exceeding \$3,747,593 to the project **which includes \$992,000 in Federal Transportation Funds allocated to SANBAG by Omnitrans as a Federal Transit Administration sub-recipient.**
  
2. Approve a budget amendment for Task No. 0311 Transit Capital, Transit Center Project fund, in the amount of \$2,590,336 **funded by Omnitrans contribution** for a new fund total of \$13,150,482; and

\*

*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.

3. **Authorize staff to process an administrative budget amendment to re-classify the Transit Center Project fund revenue received from Omnitrans should it be required for FTA sub-recipient tracking purposes. The administrative amendment will not increase the overall budget total of \$13,150,482, but will solely reclassify the names of the funds within the budget for the Transit Center to comply with federal guidelines.**

***Background:***

In 2008, Omnitrans purchased approximately five (5) acres of vacant land at the southwest corner of Rialto Avenue and E Street in downtown San Bernardino for the construction of the San Bernardino Transit Center (SBTC). The SBTC will provide a multi-modal transit center that will consolidate all bus stops currently scattered throughout downtown San Bernardino as well as provide connections to Metrolink when the Downtown San Bernardino Passenger Rail Project (DSBPRP) is constructed. Adjacent to, but not part of this Project includes a station for the planned (and now in construction) sbX Bus Rapid Transit (BRT) project.

In October 2011, SANBAG approved Contract No. C12117 for the planning, design, construction, operating, and maintenance of the San Bernardino Transit Center. Parties to the agreement included SANBAG, Omnitrans, the City of San Bernardino, and the San Bernardino Economic Development Corporation (SBEDC). The agreement was intended to provide initial funding to complete the design, engineering, environmental and right-of-way acquisition phase of the project and a subsequent agreement was envisioned to provide additional funding from both Omnitrans and SANBAG to complete the construction phase of the project.

As part of Contract No. C12117, SANBAG took the lead for the design and construction of the SBTC, providing a more efficient and cost-effective delivery method for SBTC and DSBPRP. In the agreement, the SBEDC agreed to contribute \$2,000,000 in redevelopment funding along with approximately five (5) acres of land immediately to the south of the railroad tracks, estimated at a value of \$1,420,000 to be used as a parking lot for serving the transit center and eventual commercial purposes in the area. However, with the subsequent dissolution of redevelopment agencies statewide by the State of California, the \$2,000,000 funding commitment from SBEDC is no longer available. Included in Contract No. C12117, Omnitrans agreed to pass through \$6,943,261 of federal and local funding to SANBAG for the design of the facility. Since October 2011, Omnitrans and SANBAG have secured additional funding for the SBTC in the amount of \$16,574,022 with a combination of local, state and federal sources.

In February 2012, SANBAG entered into Contract No. C12077 with HDR Engineering, Inc. (HDR) for architectural and engineering services, project management, right-of-way acquisition, and environmental, as well as traffic studies, geotechnical work, hydrology work, and landscaping for the SBTC. Since then, staff from both Omnitrans and SANBAG have worked with the HDR

team to develop a site plan and design for the transit center that met the goals and objectives of the Project within the available funds.

The Invitation for Bid (IFB) was released on October 2nd and bids were due December 2nd. In order for the construction contract to be awarded, a new funding agreement is required to memorialize funding, roles and responsibilities. The total cost of the design, engineering, right-of-way, construction management, construction and contingency is estimated at \$23,517,283. SANBAG's not-to-exceed contribution amount in Contract No. R14070 is \$3,747,593 and the respective funding sources are outlined in the table below. In addition to \$6,943,261 originally obligated by Omnitrans in Contract No. C12117, Omnitrans will contribute an additional \$12,826,429 under Contract No. R14070 bringing their total project contribution to \$19,769,690.

The following table identifies the various funding sources and the responsible respective agency.

<b>SANBAG Contributions – Contract No. R14070</b>	
State Transportation Assistance Funds - Population	\$1,935,593
Federal Transportation Enhancement Funds	\$992,000
Local Transportation Funds	\$320,000
State Proposition 1B Security	\$500,000
<b>SANBAG Total Contribution</b>	<b>\$3,747,593</b>

<b>Omnitrans Contributions – Contract No. R14070</b>	
Federal Transit Administration 5309 (Fiscal Year 2011 and Fiscal Year 2012)	\$8,300,000
Local Transportation Fund	\$966,197
State Transit Assistance Funds - Population	\$153,896
State Proposition 1B PTMISEA*	\$3,406,336
<b>New Contract No. R14070</b>	<b>\$12,826,429</b>

\*Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)

Existing Contract No. C12117	\$6,943,261
<b>New Contract R14070</b>	<b>\$12,826,429</b>
<b>Total Omnitrans Contribution</b>	<b>\$19,769,690</b>
<b>Total SANBAG Contribution</b>	<b>\$3,747,593</b>
<b>Combined SANBAG/Omnitrans Contribution</b>	<b>\$ 23,517,283</b>

At the July 2013 SANBAG Board of Directors meeting, the SANBAG Board authorized staff to proceed directly to the Board for consideration of this item due to the requirements of the Transportation Enhancement Funds; the construction contract must be awarded by the end of December 2013. The overall duration of construction is expected to last approximately 12-18 months.

Since Federal Transit Administration (FTA) funds are being used on this project and since SANBAG is not yet a direct FTA grant recipient, the agreement also includes certain FTA sub-recipient responsibilities to ensure the project meets all FTA requirements for reporting, accounting and procurement.

***Financial Impact:*** This item is not consistent with the current Fiscal Year 2013/2014 budget. This item requires budget amendments outlined in recommendation 2 .

***Reviewed By:*** This item has not received prior policy committee or technical advisory committee review. SANBAG General Counsel and Contract Administrator have reviewed this item.

***Responsible Staff:*** Mitch Alderman, Director of Transit and Rail Programs