

## AGENDA

### General Policy Committee Meeting

**December 11, 2013**

**9:00 a.m.**

**Location**

**SANBAG**

*Super Chief Conference Room*

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

San Bernardino, CA

### *General Policy Committee Membership*

**Chair – SANBAG Vice President**

Mayor L. Dennis Michael  
City of Rancho Cucamonga

**SANBAG President**

Council Member Bill Jahn  
City of Big Bear Lake

**SANBAG Past President**

Supervisor Janice Rutherford  
County of San Bernardino

**Mt./Desert Representatives**

Mayor Edward Paget (*Chair-MDC*)  
City of Needles

Council Member Jim Harris  
City of Twentynine Palms

Supervisor Robert Lovingood  
County of San Bernardino

**East Valley Representatives**

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

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

Mayor Larry McCallon  
City of Highland

Supervisor James Ramos  
County of San Bernardino

**West Valley Representatives**

Vice Mayor Ed Graham  
City of Chino Hills

Mayor Dennis Yates  
City of Chino

Supervisor Gary Ovitt  
County of San Bernardino

*Ray Wolfe*  
*Executive Director*

*Eileen MonaghanTeichert*  
*SANBAG Counsel*

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

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

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

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

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

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

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

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

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

**AGENDA**

**General Policy Committee Meeting**

**December 11, 2013**

**9:00 a.m.**

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

CALL TO ORDER 9:00 a.m.

(Meeting chaired by L. Dennis Michael)

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

**Notes/Actions**

**1. Possible Conflict of Interest Issues for the General Policy Committee Meeting December 11, 2013 Pg. 7**

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

**Consent Calendar**

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

**Administrative Matters**

**2. Attendance Register Pg. 8**

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

**3. November 2013 Procurement Report Pg. 10**

Receive November 2013 Procurement Report.  
**William Stawarski**

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

Consent Calendar Continued...Administrative Matters Continued...

4. **Budget to Actual Report for first quarter ending September 30, 2013** Pg. 16

Receive and file Budget to Actual Report for first quarter ending September 30, 2013. **William Stawarski**

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

Discussion ItemsAdministrative Matters

5. **Insurance Premium Update** Pg. 20

Receive Insurance Premium Update Report.  
**William Stawarski**

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

6. **Measure I Revenue Estimate for Fiscal Year 2014/2015 Allocation Planning** Pg. 23

That the Committee recommend the Board:

Approve a Measure I 2010-2040 revenue estimate of \$141.9 million for Fiscal Year 2014/2015 and the revenue distribution by subarea in Table 2 for purposes of allocation planning for Fiscal Year 2014/2015. **William Stawarski**

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

7. **SANBAG 2014/2015 Budget Schedule** Pg. 26

That the Committee recommend the Board:

Approve the 2014/2015 Budget Schedule. **William Stawarski**

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

8. **Communication from Committees, Boards, Agencies and Organizations to which SANBAG Belongs** Pg. 29

That the Committee recommend the Board:

Approve the practice of requesting status reports at least annually from external committees, boards, agencies and organizations to which SANBAG belongs. **Duane Baker**

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

**Discussion Items Continued...****Air Quality Traveler Services****9. Award Freeway Service Patrol (FSP) Tow Services Contract Pg. 31**

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

Award Contract No. C14009 to Pomona Valley Towing for FSP Beat No. 1 for a three-year term with two one-year options to extend for an amount not-to-exceed \$561,180.00 for the initial three year term, as outlined in the Financial Impact Section. **Duane Baker**

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

**Transportation Fund Administration****10. Measure I Local Street Program Policy Amendments Pg. 58**

That the committee recommend the Board, acting at the San Bernardino County Transportation Authority:

Adopt amended Policies 40003, 40012, and 40016 pertaining to the Measure I Local Street Program, as shown in Attachments 1, 2, and 3, respectively. **Ellen Pollema**

**The proposed policy revisions were reviewed by the Transportation Technical Advisory Committee on November 4, 2013.**

**Regional/Subregional Planning****11. Development of a Countywide Habitat Preservation/ Conservation Framework Pg. 85**

That the committee recommend the Board, acting as the San Bernardino County Council of Governments:

1. Approve the attached scope of work for the development of a Countywide Habitat Preservation/Conservation Framework.
2. Authorize the release of Request for Proposals No. 14113 for consultant support to complete the study of a Countywide Habitat Preservation/Conservation Framework consistent with the approved scope of work. **Josh Lee**

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

**Comments from Committee Members**

**Brief Comments from Committee Members**

**Public Comment**

**Brief Comments by the General Public**

**ADJOURNMENT**

**Additional Information**

**Acronym List**

**Pg. 95**

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

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

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

### **Accessibility**

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

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

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

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

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

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

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

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

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

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

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

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

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

**Amendment or Substitute Motion.**

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

**Call for the Question.**

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

**The Chair.**

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

**Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

*Adopted By SANBAG Board of Directors January 2008*



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

*Minute Action*

AGENDA ITEM:   1  

**Date:** December 11, 2013

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

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

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

Item No.	Contract No.	Contractor/Agents	Subcontractors
9	C14009	Pomona Valley Towing, Inc. Michael Payne	N/A

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

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

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*Approved*  
 General Policy Committee

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

Moved:            Second:

In Favor:        Opposed:        Abstained:

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

COG	CTC	X	CTA		SAFE	X	CMA	X
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Check all that apply.  
 GPC1301z-dab

## GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2013

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Ed Graham</b> City of Chino Hills	X	X	X	X	X		**	X	X	X	X	
<b>Jim Harris</b> City of Twentynine Palms	X	X	X	X	X	X	**	X	X	X	X	
<b>Bill Jahn</b> City of Big Bear Lake	X	X	X	X	X	X				X	X	
<b>Mike Leonard</b> City of Hesperia	X	X	X	X	X	X	**				X	
<b>Robert Lovingood</b> Board of Supervisors		X	X		X	X	**			X		
<b>Larry McCallon</b> City of Highland	X		X	X	X	X	**	X	X			
<b>Julie McIntyre</b> City of Barstow		X	X	X	X		**					
<b>L. Dennis Michael</b> City of Rancho Cucamonga						X	**	X	X	X	X	
<b>Patrick Morris</b> City of San Bernardino	X	X	X	X	X	X	**	X	X	X	X	
<b>Gary Ovitt</b> Board of Supervisors	X	X	X	X	X	X	**			X		
<b>Edward Paget</b> City of Needles	X	X	X	X	X	X						
<b>Dick Riddell</b> City of Yucaipa	X	X	X	X	X	X	**	X	X	X	X	
<b>Janice Rutherford</b> Board of Supervisors	X	X	X	X	X	X	**	X	X		X	
<b>James Ramos</b> Board of Supervisors	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 =Member attended meeting.

Empty box = Member did not attend meeting.

Crossed out box = Not a member at the time.

\*\* =The General Policy Committee did not meet this month

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

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

X = Member attended meeting.

Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

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



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

*Minute Action*

AGENDA ITEM:   3  

**Date:** December 11, 2013

**Subject:** November 2013 Procurement Report

**Recommendation:\*** Receive November 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

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

GPC1312a-wws

Attachments:

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1312/AgendaItems/GPC1312a1-wws.docx>

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1312/AgendaItems/GPC1312a2-wws.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 November 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 2013/2014 budget. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy (Policy No. 11000).

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

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

## Attachment A

### November Contract/Purchase Order Actions

**Contracts Executed:**

<b>Contract No.</b>	<b>Description of Specific Services</b>	<b>Vendor Name</b>	<b>Dollar Amount</b>	<b>Description of Overall Program</b>
C14039	Morongo Basin Area Transportation Study	Fehr & Peers	\$64,500.00	Morongo Basin Area Transportation Study
C14067	Freeway Service Patrol	Pepe's Towing Services	\$35,800.00	Mid-Day Construction Freeway Service Patrol for Beat 6
C14068	Employee Benefits	Keenan & Associates	\$0.00	Provides basic life, Long Term Disability, and Short Term Disability coverage for employees
C14069	WiFi for SANBAG	Unlimited Internet Access	\$8,026.64	Agency wide WiFi for SANBAG
R14073	Right of Entry Agreement	Griffith/Comet JV	\$1,500.00	Right of Entry Agreement of Redlands Subdivision
R14074*	Fund Transfer Agreement	Caltrans	\$1,200,000.00	Fund Transfer Agreement for STIP Planning Programming and Monitoring funds Fiscal Year 13-14
R14075*	Program Supplement Agreement	Caltrans	\$2,660,053.00	Program Supplement Agreement for Tippecanoe with Caltrans for STP (Advance Construction Conversion)

\*The Executive Director was authorized to execute Program Supplements associated with the Master Agreement between Caltrans and SANBAG on March 7, 2007. There are no dollar limits associated to the Executive Director's authorization for these Program Supplements.

## Attachment A

### November Contract Amendment Actions

#### Contract Amendments Executed:

Contract No. & Amendment No.	Reason for Amendment (include a description of the amendment)	Vendor Name	Amended Contract Total	Dollar Amount of Amendment
C03046 Amendment No. 4	Extending the contract due to extensive comments from FHWA which caused a redesign of the intersection.	AECOM Technical Services	\$5,808,927.61	\$0.00
C08137 Amendment No. 3	Inclusion of design support during construction and time extension	CH2M Hill	\$2,798,040.48	\$0.00
C08200 Amendment No. 3	Extending the contract due to the contract value not being fully expended and to continue with this success of the vigorous and effective project delivery program.	Vandermost	\$3,700,000.00	\$0.00
C10161 Amendment No. 1	Transfer Muscoy Water Company water share from SANBAG to Caltrans for water rights	Caltrans	\$0.00	\$0.00
C11081 Amendment No. 1	Change the "Technical Direction" and "Changes" section of the contract	Parsons Brinckerhoff	\$949,300.00	\$0.00
C12195 Amendment No. 1	Changed scope of work to include Measure I 1990-2010, Ordinance 89-10 and Ordinance 90-01.	Vavrinek, Trine, Day, and Co.	\$583,050.00	\$0.00
C13153 Amendment No. 1	Removed Davis-Bacon language which is not required on this project, there are no federal funds on the project.	Natures Image, Inc.	\$1,207,487.10	\$0.00

## Attachment A

### October 30 - November 11, 2013 Contract/Purchase Order Actions

**Purchase Orders:**

PO No.	PO Issue Date	Vendor Name	Description of Services	Dollar Amount
4001080	10/30/2013	Hinderliter, De Llamas & Associates (HDL)	HDL provides services relating to the collection and proper distribution of sales taxes including allocation of sales tax to various sub-areas as provided in Measure I. The Price is done as part of a joint contract with San Bernardino County and it is for Fiscal Year 2013/2014.	\$9,600.00
<i>*Note: Sole Source justification is noted in the Purpose statement, if applicable.</i>				<b>Total</b> <b>\$9,600.00</b>

**Attachment B**  
**October to November RFPs and IFBs**

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

<b>Release Date</b>	<b>RFP/IFB No.</b>	<b>Description of Services</b>	<b>Anticipated Dollar Amount</b>	<b>Anticipated Award Date</b>	<b>Description of Overall Program and Program Budget</b>
10/24/2013	IFB 14072	Demolition Abatement and Removal of Commercial & Residential Structures	\$318,050.00	12/04/2013	Building to be removed for the First Mile Rail Project.
				<b>Total</b>	<b>\$318,050.00</b>



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

**Minute Action**

AGENDA ITEM:   4  

**Date:** December 11, 2013

**Subject:** Budget to Actual Report for first quarter ending September 30, 2013

**Recommendation:**\* Receive and file Budget to Actual Report for first quarter ending September 30, 2013.

**Background:** SANBAG's Budget for Fiscal Year 2013/2014 for new activity was adopted by the Board of Directors on June 5, 2013. 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 2013/2014 Budget.

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

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

\*

*Approved*  
*General Policy Committee*

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

*Moved:*      *Second:*

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

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

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

San Bernardino Associated Governments  
 Budget to Actual Report: July 2013 - September 2013  
 Fiscal Year 2013/2014  
**ATTACHMENT A**

**AIR QUALITY & TRAVELER SERVICES PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK BALANCE	% OF BUDGET EXPENDED
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES		
0102	Air Quality Activities	507,361			507,361	162,982	344,379	32.12%
0406	Rideshare Management	2,218,910	-	-	2,218,910	-	2,218,910	0.00%
0702	Call Box System	1,142,713	-	-	1,142,713	136,900	1,005,813	11.98%
0704	Freeway Service Patrol/State	2,031,009	-	-	2,031,009	286,199	1,744,810	14.09%
0706	Intelligent Transportation Systems	82,545	-	-	82,545	-	82,545	0.00%
<b>TOTAL AIR QUALITY &amp; TRAVELER SERVICES PROGRAM</b>		<b>5,982,538</b>	<b>-</b>	<b>-</b>	<b>5,982,538</b>	<b>586,081</b>	<b>5,396,457</b>	<b>9.80%</b>

**TRANSPORTATION PLANNING & PROGRAMMING PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK BALANCE	% OF BUDGET EXPENDED
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES		
0110	Regional Transportation Planning	372,939	-	-	372,939	75,441	297,498	20.23%
0203	Congestion Management	165,872	-	-	165,872	15,787	150,085	9.52%
0213	High Desert Corridor Studies	3,858	-	-	3,858	1,701	2,157	44.09%
0373	Federal/State Fund Administration	630,544	-	-	630,544	108,453	522,091	17.20%
0404	Subregional Transportation Planning	1,446,715	80,000	2,806	1,529,521	176,818	1,352,703	11.56%
0500	Transportation Improvement Program	357,965	-	-	357,965	25,659	332,306	7.17%
0609	Strategic Planning/Delivery Planning	359,811	-	7,760	367,571	45,633	321,938	12.41%
0701	Valley Signal Coordination	731,312	-	-	731,312	94,299	637,013	12.89%
0941	Mt./Desert Planning & Project Development	212,942	-	-	212,942	10,614	202,328	4.98%
<b>TOTAL TRANSPORTATION PLANNING &amp; PROGRAMMING PROGRAM</b>		<b>4,281,958</b>	<b>80,000</b>	<b>10,566</b>	<b>4,372,524</b>	<b>554,404</b>	<b>3,818,120</b>	<b>12.68%</b>

17 **MAJOR PROJECT DELIVERY PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK BALANCE	% OF BUDGET EXPENDED
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES		
0803	SR 210 Baseline Road Interchange	906,652	-	-	906,652	8,951	897,701	0.99%
0815	Measure I Program Management	5,814,656	-	17,828	5,832,484	763,111	5,069,374	13.08%
0820	SR 210 Final Design	18,706	-	-	18,706	10,084	8,622	53.91%
0822	SR 210 Right of Way Acquisition	1,001,450	-	-	1,001,450	22,226	979,224	2.22%
0824	SR 210 Construction	11,834,154	-	-	11,834,154	-	11,834,154	0.00%
0825	I-10 Corridor Project Development	5,415,319	-	-	5,415,319	500,286	4,915,033	9.24%
0826	I-10 Citrus/Cherry Interchanges	60,281,302	-	-	60,281,302	4,531,362	55,749,940	7.52%
0830	I-215 San Riv Project Development	225,000	-	-	225,000	-	225,000	0.00%
0834	I-215 Final Design	8,036	-	-	8,036	-	8,036	0.00%
0836	I-215 Right of Way Acquisition	107,536	-	-	107,536	-	107,536	0.00%
0838	I-215 Construction	33,769,873	(224,278)	-	33,545,595	4,904,785	28,640,810	14.62%
0839	I-215 Bi- County HOV Gap Closure Project	16,498,209	-	-	16,498,209	-	16,498,209	0.00%
0840	I-215 Barton Road Interchange	24,025,749	200,000	-	24,225,749	34,932	24,190,817	0.14%
0841	I-10 Riverside Interchange	641,542	-	-	641,542	55,921	585,621	8.72%
0842	I-10 Tiptecanoe Interchange	20,923,901	-	-	20,923,901	-	20,923,901	0.00%

**San Bernardino Associated Governments**  
**Budget to Actual Report: July 2013 - September 2013**  
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**ATTACHMENT A**

**MAJOR PROJECT DELIVERY PROGRAM, Continued**

TASK#	TASK DESCRIPTION	BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
0845	Mt. Vernon/Washington Interchange	671,556	-	-	671,556	137,074	534,482	20.41%
0850	Alternative Project Financing	3,974,844	-	-	3,974,844	32,203	3,942,641	0.81%
0862	I-10 Westbound Lane Addition - Yucaipa	2,263,718	-	-	2,263,718	301,354	1,962,364	13.31%
0869	Glen Helen Parkway Grade Separation	3,586,296	-	-	3,586,296	1,343	3,584,953	0.04%
0870	Hunts Lane Grade Separation	9,326,480	-	-	9,326,480	270,490	9,055,990	2.90%
0871	State St./University Parkway Grade Separation	9,036	-	-	9,036	6	9,030	0.06%
0874	Palm Avenue Grade Separation	9,129,369	-	5,182	9,134,551	79,366	9,055,185	0.87%
0876	South Milliken Avenue Grade Separation	4,496,264	-	-	4,496,264	5,669	4,490,595	0.13%
0877	Vineyard Avenue Grade Separation	7,074,093	-	-	7,074,093	19,080	7,055,013	0.27%
0879	Colton Crossing BNSF/UPRR Grade Separation	20,120,951	-	-	20,120,951	826,042	19,294,909	4.11%
0880	I-15/I-215 Devore Interchange	23,278,713	-	16,254	23,294,967	2,085,465	21,209,502	8.95%
0881	Lenwood Avenue Grade Separation	4,890,756	-	55,000	4,945,756	209,458	4,736,298	4.24%
0882	North Milliken Avenue Grade Separation	9,419,387	-	5,762,925	15,182,312	688,403	14,493,909	4.53%
0883	SR 210 Pepper Avenue Interchange	2,208,282	-	-	2,208,282	49,899	2,158,383	2.26%
0884	Laurel Avenue Grade Separation	17,966,703	24,278	5,000	17,995,981	755,615	17,240,366	4.20%
0885	9th Street Rail Improvements	3,081,456	-	-	3,081,456	37,926	3,043,530	1.23%
0886	Colton Quiet Zone Project	2,408,394	-	5,000	2,413,394	-	2,413,394	0.00%
0887	SR 210 Lane Addition	862,631	-	-	862,631	22,799	839,832	2.64%
0888	I-15 La Mesa/Nisqualli Interchange	7,046,057	-	50,000	7,096,057	3,375,258	3,720,799	47.57%
0890	I-15 Ranchero Interchange	23,229,897	-	-	23,229,897	2,560,418	20,669,479	11.02%
0892	I-15 Baseline Interchange Improvement	12,843,139	-	-	12,843,139	27,480	12,815,659	0.21%
0893	State Route 60 Central Avenue Interchange	100,000	-	-	100,000	-	100,000	0.00%
0894	State Route 60 Archibald Avenue Interchange	100,000	-	-	100,000	-	100,000	0.00%
0896	I-10 Pepper Avenue Interchange	869,665	-	-	869,665	47,221	822,444	5.43%
0897	I-10 Cedar Avenue Interchange	100,000	-	-	100,000	-	100,000	0.00%
0898	I-10 Mount Vernon Avenue Interchange	100,000	-	-	100,000	-	100,000	0.00%
0899	I-10 University Street Interchange	100,000	-	-	100,000	-	100,000	0.00%
0965	2012 A Sales Tax Revenue Bond	4,166,840	-	-	4,166,840	2,081,669	2,085,171	49.96%
0966	2014 A Sales Tax Revenue Bond	4,153,500	-	-	4,153,500	-	4,153,500	0.00%
<b>TOTAL MAJOR PROJECT DELIVERY PROGRAM</b>		<b>359,050,112</b>	<b>-</b>	<b>5,917,189</b>	<b>364,967,301</b>	<b>24,445,892</b>	<b>340,521,409</b>	<b>6.70%</b>

**TRANSIT & PASSENGER RAIL PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL BUDGET	AMENDMENTS	ENCUMBRANCES	REVISED BUDGET	EXPENDITURES	TASK BALANCE	% OF BUDGET EXPENDED
0309	General Transit	1,393,649	-	-	1,393,649	133,742	1,259,907	9.60%
0310	Transit Operating	9,495,667	-	-	9,495,667	1,742,927	7,752,740	18.35%
0311	Transit Capital	20,265,858	-	79,240	20,345,098	1,164,631	19,180,467	5.72%
0352	General Commuter Rail	3,060,807	-	-	3,060,807	101,021	2,959,786	3.30%
0377	Commuter Rail Operating Expenses	12,628,500	-	-	12,628,500	6,874,739	5,753,761	54.44%
0379	Commuter Rail Capital Expenses	87,559,017	-	851,662	88,410,679	2,537,018	85,873,661	2.87%
0501	Federal Transit Act Programming	78,724	-	-	78,724	12,595	66,129	16.00%
<b>TOTAL TRANSIT &amp; PASSENGER RAIL PROGRAM</b>		<b>134,482,222</b>	<b>-</b>	<b>930,902</b>	<b>135,413,124</b>	<b>12,566,673</b>	<b>122,846,451</b>	<b>9.28%</b>

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**San Bernardino Associated Governments**  
**Budget to Actual Report: July 2013 - September 2013**  
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**TRANSPORTATION FUND ADMINISTRATION PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK BALANCE	% OF BUDGET EXPENDED
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES		
0502	TDA Administration	779,466	-	-	779,466	41,381	738,085	5.31%
0504	Measure I Administration	529,379	30,000	-	559,379	87,693	471,686	15.68%
0506	Local Transportation Fund	94,858,102	-	-	94,858,102	-	94,858,102	0.00%
0507	State Transit Assistance Fund	50,648,971	-	-	50,648,971	-	50,648,971	0.00%
0515	Measure I Valley Apportionment & Allocation	11,178,221	(30,000)	6,538,198	17,686,419	14,731	17,671,688	0.08%
0516	Measure I Mountain/Desert Apportionment & Allocation	9,842,859	500,000	328,034	10,670,893	8,312	10,662,581	0.08%
0610	Measure I 2010-2040 Project Advancement	18,203,913	-	288,086	18,491,999	-	18,491,999	0.00%
0615	Measure I Local Stimulus	-	-	717,182	717,182	101,991	615,191	14.22%
0918	Measure I Local Pass-through	39,082,300	-	-	39,082,300	2,817,372	36,264,928	7.21%
<b>TOTAL TRANSPORTATION FUND ADMINISTRATION PROGRAM</b>		<b>225,123,211</b>	<b>500,000</b>	<b>7,871,500</b>	<b>233,494,711</b>	<b>3,071,481</b>	<b>230,423,231</b>	<b>1.32%</b>

**GENERAL - COUNCIL OF GOVERNMENTS SUPPORT PROGRAM**

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK BALANCE	% OF BUDGET EXPENDED
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES		
0104	Intergovernmental Relations	562,570	-	-	562,570	57,035	505,535	10.14%
0490	Council of Governments New Initiatives	118,150	-	-	118,150	-	118,150	0.00%
0492	Joint Solar Purchase Agreement	735,244	-	-	735,244	7,595	727,649	1.03%
0495	Green House Gas	195,656	-	-	195,656	17,245	178,411	8.81%
0503	Legislation	551,793	-	-	551,793	116,735	435,058	21.16%
0601	County Transportation Commission-General	269,020	-	-	269,020	74,491	194,529	27.69%
0605	Publications & Public Outreach	471,960	-	338	472,298	64,073	408,225	13.57%
0708	Property Assessed Clean Energy	51,686	-	-	51,686	2,860	48,826	5.53%
0805	Building Operations	29,272	-	-	29,272	3,067	26,205	10.48%
0942	Financial Management	1,163,793	-	-	1,163,793	23,911	1,139,882	2.05%
<b>TOTAL COUNCIL OF GOVERNMENTS SUPPORT PROGRAM</b>		<b>4,149,144</b>	<b>-</b>	<b>338</b>	<b>4,149,482</b>	<b>367,010</b>	<b>3,782,471</b>	<b>8.84%</b>

<b>GRAND TOTAL ALL PROGRAMS</b>		<b>733,069,185</b>	<b>580,000</b>	<b>14,730,495</b>	<b>748,379,680</b>	<b>41,591,541</b>	<b>706,788,138</b>	<b>5.56%</b>
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**CONSOLIDATED BY PROGRAM**

PROGRAM DESCRIPTION	ORIGINAL			REVISED		PROGRAM BALANCE	% OF BUDGET EXPENDED
	BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES		
AIR QUALITY & TRAVELER SERVICES PROGRAM	5,982,538	-	-	5,982,538	586,081	5,396,457	9.80%
TRANSPORTATION PLANNING & PROGRAMMING PROGRAM	4,281,958	80,000	10,566	4,372,524	554,404	3,818,120	12.68%
MAJOR PROJECT DELIVERY PROGRAM	359,050,112	-	5,917,189	364,967,301	24,445,892	340,521,409	6.70%
TRANSIT & PASSENGER RAIL PROGRAM	134,482,222	-	930,902	135,413,124	12,566,673	122,846,451	9.28%
TRANSPORTATION FUND ADMINISTRATION PROGRAM	225,123,211	500,000	7,871,500	233,494,711	3,071,481	230,423,231	1.32%
GENERAL - COUNCIL OF GOVERNMENTS SUPPORT PROGRAM	4,149,144	-	338	4,149,482	367,010	3,782,471	8.84%
<b>GRAND TOTAL ALL PROGRAMS</b>	<b>733,069,185</b>	<b>580,000</b>	<b>14,730,495</b>	<b>748,379,680</b>	<b>41,591,541</b>	<b>706,788,138</b>	<b>5.56%</b>

**NOTE:** Measure I Local pass through includes reversal of prior Fiscal Year accruals



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

*Minute Action*

AGENDA ITEM:     5    

**Date:** December 11, 2013

**Subject:** Insurance Premium Update

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

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

Carrier	Coverage	Cost
National Assurance Company	General Liability	\$103,200
Allied World National Assurance	Umbrella Liability	\$55,934
The Hartford Insurance Group	Automotive	\$1,722
National Union Fire Insurance	Public Officials	\$174,688
National Union Fire Insurance	Crime	\$3,687
Great American	Excess Crime	\$11,000
Affiliated FM	Property	\$39,329
Zenith	Workers Compensation	\$73,734
<b>TOTAL</b>		<b>\$463,294</b>

\*

*Approved*  
 General Policy Committee

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

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

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

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

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

GPC1312b-wws

Attachment: <http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1312/AgendaItems/GPC1312b1-wws.xlsx>

The total premium cost (including taxes) of \$463,294 represents a 9.6% or \$40,563 increase from the previous year. The majority of the increase is attributed to the General Liability policy increased by \$15,051, and the Public Officials Liability policy which increased by \$9,328. The general increases are due to current market conditions. A change in the general liability policy for the Calendar Year 2014 is to include a self-insured retention of \$10,000 instead of a deductible which reduced the premium by \$3,818. The general liability and workers compensation policies are based on estimated annual payrolls. The excess liability, automobile, property, crime and excess crime are based on market conditions, losses, and underwriting. The public officials policy is based on estimated expenditures.

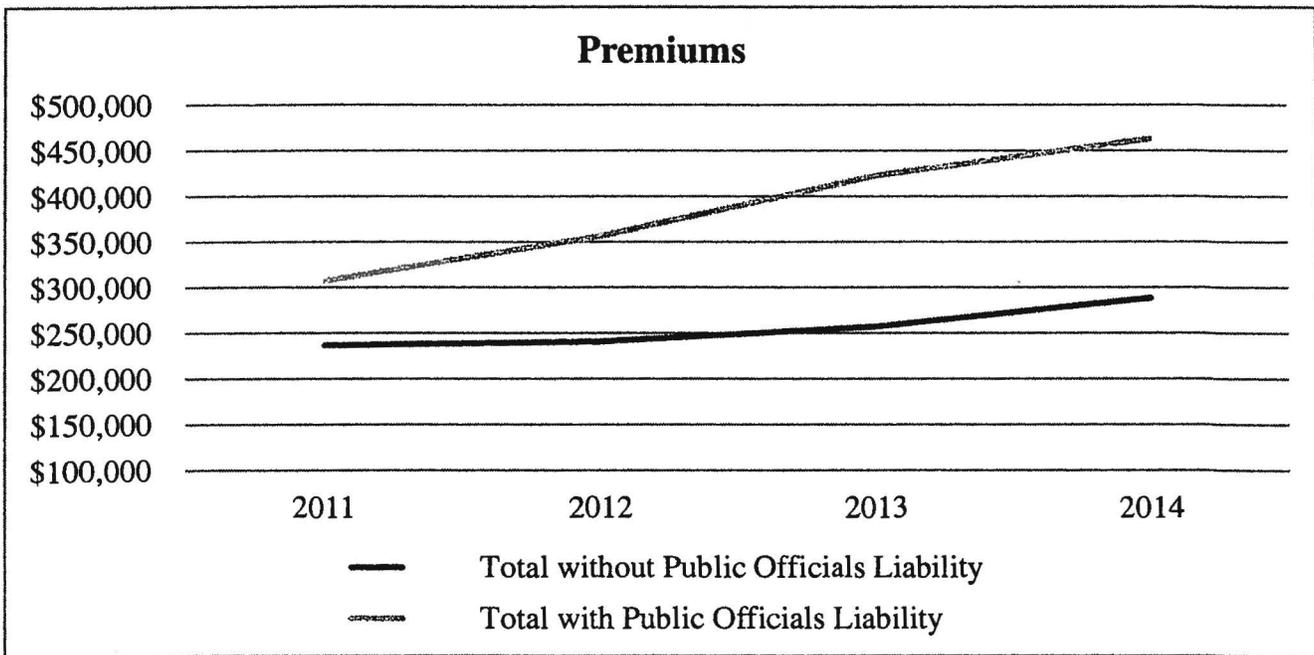
Exhibit A provides a four (4) year comparison of premium costs of the insurance policies. The total cost without Public Officials Liability increased from \$263,786 in 2011 to \$288,606 for 2014. The total cost with Public Officials Liability increased from \$307,470 in 2011 to \$463,294 for 2014.

- Financial Impact:*** This item is consistent with the approved 2013/2014 Budget, Task 0105, Indirect Project Management. There is sufficient budget balance to offset the increase in premium costs.
- Reviewed By:*** This item is not scheduled for review by any other policy committee or technical advisory committee.
- Responsible Staff:*** William Stawarski, Chief Financial Officer

# ATTACHMENT A

**SANBAG  
Insurance Premiums  
Four Year Comparison**

Premiums	12/01/2010- 12/01/2011	12/01/2011- 12/01/2012	12/01/2012- 12/01/2013	12/01/2013- 12/01/2014
<b>Policy</b>				
Automobile (\$1K deductible)	\$ 1,439	\$ 1,439	\$ 1,502	\$ 1,722
Crime	2,699	2,699	3,635	3,687
Excess Crime	9,000	9,900	10,890	11,000
General Liability	84,722	82,672	88,149	103,200
Property (\$10K deductible)	36,500	38,249	43,589	39,329
Umbrella Liability	47,182	46,721	49,302	55,934
Workers Compensation	55,244	59,311	60,304	73,734
Total without Public Officials Liability	236,786	240,991	257,371	288,606
Public Officials Liability (\$100K self-insured retention)	70,684	115,569	165,360	174,688
Total with Public Officials Liability	<u>\$ 307,470</u>	<u>\$ 356,560</u>	<u>\$ 422,731</u>	<u>\$ 463,294</u>





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

*Minute Action*

AGENDA ITEM:   6  

**Date:** December 11, 2013

**Subject:** Measure I Revenue Estimate for Fiscal Year 2014/2015 Allocation Planning

**Recommendation:\*** That the Committee recommend the Board approve a Measure I 2010-2040 revenue estimate of \$141.9 million for Fiscal Year 2014/2015 and the revenue distribution by subarea in Table 2 for purposes of allocation planning for Fiscal Year 2014/2015.

**Background:** San Bernardino Associated Governments (SANBAG) staff is beginning the allocation planning process for Fiscal Year 2014/2015. The purpose of this process is to provide information to be used by both SANBAG and its member agencies in preparation of their capital budgets.

SANBAG staff must first develop an estimate of Measure I revenue by subarea and program for Fiscal Year 2014/2015. This agenda item requests approval of a Measure I revenue estimate for budgeting and allocation purposes for the next fiscal year.

Hinderliter, deLlamas & Associates (HdL Companies) monitors sales tax collections and trends for SANBAG which includes the local jurisdictions of San Bernardino County. Based on current collections and trends, HDL Companies is projecting \$139 million sales tax revenue for Fiscal Year 2013/2014 and estimating \$141.9 million for Fiscal Year 2014/2015. This compares to \$138.5 million from Fiscal Year 2012/2013. SANBAG will use HdL Companies's

\*

*Approved*  
*General Policy Committee*

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

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

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

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

COG		CTC		CTA	X	SAFE		CMA	
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Check all that apply.

estimated Measure I sales tax revenue of \$141.9 million for the 2014/2015 budget and allocations. This is in contrast to the more conservative figures in the ten-year (10) delivery plan which accounts for long-term planning and uncertainties

Distribution of Measure I revenues to subareas for Fiscal Year 2014/2015 is based on the two most recent complete fiscal years of actual revenue (Fiscal Years 2011/2012 and 2012/2013), as shown in Table 1.

**Table 1**  
**Distribution of Measure I Revenue by Subarea**  
**Fiscal Years 2011-2012 and 2012-2013**

Subarea	Actual Revenues (in thousands)		Percentage of Total Subarea	
	FY	FY	FY	FY
	2011-2012	2012-2013	2011-2012	2012-2013
Cajon Pass	\$ 3,636	\$ 3,801	2.8%	2.8%
Valley	102,878	107,819	78.1%	78.7%
Victor Valley	14,688	15,065	11.1%	11.0%
Colorado River	205	199	0.2%	0.1%
Morongo Basin	2,118	2,123	1.6%	1.5%
Mountains	1,786	1,815	1.4%	1.3%
North Desert	6,327	6,276	4.8%	4.6%
Total Subarea	\$ 131,638	137,098	100.0%	100.0%

NOTE: Actual revenues for Fiscal Year 2011/2012 and 2012/2013 are less 1% Measure I Administration.

The two-year (2) average is then used to calculate the distribution of Measure I revenue for each subarea. The distribution of the estimated 2014/2015 Measure I revenue of \$140.5 million (\$141.9 million less 1% for administration) is provided in Table 2.

**Table 2**  
**Estimate of Measure I Revenue by Subarea**  
**For Fiscal Year 2014-2015.**

<b>Subarea</b>	<u>Estimated Revenues (In Thousands)</u>	<u>Percentage of Total Subarea</u>
Cajon Pass *	\$ 3,935	2.8%
Valley	110,184	78.4%
Victor Valley	15,459	11.0%
Colorado River	281	0.2%
Morongo Basin	2,108	1.5%
Mountains	1,968	1.4%
North Desert	<u>6,605</u>	<u>4.7%</u>
Total Subarea	<u>\$ 140,540</u>	<u>100.0%</u>

\* Cajon Pass is funded with 3% of Valley and Victor Valley Measure I funds

The numbers in Table 2 represent estimates for apportionment/allocation planning purposes only. Each subarea will receive the actual revenue collected according to the provisions of the Measure I 2010-2040 Expenditure Plan. Current trends indicate a recovery from the recent recession which could result in different rates within each subarea. This could result in actual distributions that are different in Table 2.

**Financial Impact:** This item imposes no impact on the Fiscal Year 2013/2014 budget. It will be utilized in the preparation of the Fiscal Year 2014/2015 budget.

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

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



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

*Minute Action*

AGENDA ITEM: 7

**Date:** December 11, 2013

**Subject:** SANBAG Fiscal Year 2014/2015 Budget Schedule

**Recommendation:\*** That the Committee recommend the Board Approve the Fiscal Year 2014/2015 Budget Schedule.

**Background:** The preparation of the Fiscal Year 2014/2015 budget requires a schedule for development, consideration and adoption of the final budget appropriations.

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

A full Board of Directors Budget Workshop will be scheduled in conjunction with the May 2014 General Policy Committee meeting for consideration of the proposed budget. Final budget adoption for Fiscal Year 2014/2015 is scheduled for the June Board of Directors meeting. Changes from the prior year budget schedule include adding general overview by region for the Metro Valley Study Session and Mountain/Desert Committee and removal of the General Policy Committee Program Review to reduce redundancy since it is discussed at the May 14<sup>th</sup> Board of Directors Budget Workshop.

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

\*

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

General Policy Agenda Item  
December 11, 2013  
Page 2

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

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

## **SANBAG Fiscal Year 2014/2015 Budget Schedule**

<b><u>DATE</u></b>	<b><u>ACTIVITY</u></b>
December 11, 2013	General Policy Committee Review and Discussion of 2014/2015 Budget Schedule
January 8, 2014	Board Approval of 2014/2015 Budget Schedule
February 13, 2014	Metro Valley Study Session General Overview by Region
February 21, 2014	Mountain/Desert Committee General Overview by Region
March 12, 2014	General Policy Committee Review of Tasks
March 13, 2014	Metro Valley Study Session Review of Tasks
March 13, 2014	Commuter Rail & Transit Committee Review of Tasks
March 21, 2014	Mountain/Desert Committee Review of Tasks
April 10, 2014	Metro Valley Study Session Further Review of Tasks if Required
April 10, 2014	Commuter Rail & Transit Committee Further Review of Tasks if Required
April 18, 2014	Mountain/Desert Committee Further Review of Tasks if Required
May 7, 2014	Board of Directors Presentation of the Proposed Budget
May 14, 2014	Board of Directors Budget Workshop in Conjunction with General Policy Committee Meeting
June 4, 2014	Board of Directors Adoption of the SANBAG Fiscal Year 2014/2015 Budget



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

*Minute Action*

AGENDA ITEM: 8

**Date:** December 11, 2013

**Subject:** Communication from Committees, Boards, Agencies and Organizations to which SANBAG Belongs

**Recommendation:**\* That the Committee recommend the Board:

Approve the practice of requesting status reports at least annually from external committees, boards, agencies and organizations to which SANBAG belongs.

**Background:** SANBAG in its role as the Council of Governments or the Transportation Commission for San Bernardino County has membership on a number of external agencies that deal with regional issues. In addition, SANBAG pays membership dues to certain organizations that do work to further goals that are consistent with policy objectives adopted by the SANBAG Board of Directors. Finally, there are some agencies that have a regional impact and in which SANBAG members may have a policy interest in.

Currently, the method by which the SANBAG Board is informed of the activities and direction of these outside groups is inconsistent. Some groups provide regular feedback to the Board on a monthly basis, some make annual presentations and others have made no formal communication.

As the SANBAG Board increases its active role in these broader regional issues, it is becoming more important that a method for consistent feedback be provided

\*

*Approved*  
*General Policy Committee*

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

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

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

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

COG	X	CTC	X	CTA		SAFE		CMA	
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Check all that apply.  
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on the activities of these various groups. It is recommended that each organization be invited to the General Policy Committee at least once a year to inform the Committee of that organizations work and significance to SANBAG and its members. These presentations would be spread throughout the year to have a minimal impact on any single agenda. At these meetings, the Executive Director or other relevant outside staff for a particular agency would be invited to give a brief report and answer any questions that the Committee might have.

The organizations we would invite are:

- Southern California Association of Governments
- South Coast Air Quality Management District
- Mobile Source Air Pollution Reduction Review Committee
- Inland Empire Economic Partnership
- The Sam and Alfreda L. Maloof Foundation for Arts and Crafts
- One Water One Watershed Steering Committee of the Santa Ana Watershed Project Authority
- Mobility 21
- Self Help Counties Coalition
- Coalition for Americas Gateways and Trade Corridors
- Inland Action

If the Board of Directors concurs with this practice, SANBAG staff will begin coordinating the schedule for these presentations and reports, and prepare a calendar.

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

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

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



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

*Minute Action*

AGENDA ITEM:   9  

**Date:** December 11, 2013

**Subject:** Award Freeway Service Patrol (FSP) Tow Services Contract.

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

Award Contract No. C14009 to Pomona Valley Towing, Inc., for Freeway Service Patrol Beat No. 1 for a three-year term, with two one-year options, to extend for an amount not-to-exceed \$561,180 for the initial three year term, as outlined in the Financial Impact Section.

**Background:** Freeway Service Patrol (FSP) consists of a fleet of tow trucks roaming urban freeways for the purpose of assisting motorists with their disabled vehicles during peak periods of congestion. The stretch of highway that the fleet roams up and down is referred to as a "Beat." FSP programs are extremely beneficial to the motoring public by reducing the amount of time a motorist is in unsafe conditions in traffic lanes, improving traffic delay, as well as reducing fuel consumption, vehicular emissions and secondary incidents. San Bernardino began its program in January 2006, and now has eight separate beats in operation and, on average, assists more than 3,000 motorists each month.

SANBAG receives an annual allocation from the State of California to implement FSP services, which is matched 20% with local revenues, Department of Motor

\*

*Approved*  
*General Policy Committee*

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

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

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

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

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

GPC1312a-jh

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C14009.docx>

Vehicles funds. . These funds are sufficient to operate the eight beats during the morning and afternoon peak periods Monday through Friday, on the most congested highways in the San Bernardino Valley.

The current contract for FSP Beat 1 expires on April 30, 2014. The Executive Director approved the release of a Request for Proposal (RFP 14009) for three Contracts (C14009, C14010, and C14011) on September 6, 2013, seeking proposals from qualified tow operators. The three beats cover the following areas:

1. Beat 1 – I-10 from Indian Hill (LA County line) to Haven Avenue
2. Beat 2 – I-10 from Haven Avenue to Sierra Avenue
3. Beat 5 – I-15 from Jurupa St. to Summit Avenue

The RFP was posted on SANBAG's website and sent to 236 vendors, advertisements were placed in several local newspapers, and two RFP notifications were mailed to 103 tow operators in the surrounding Southern California area which are on the California Highway Patrol's (CHP) rotational tow lists (which is an RFP requirement). A mandatory pre-proposal meeting was conducted on September 19, 2013, which was attended by sixteen (16) persons representing fourteen (14) tow agencies. As a result, three tow operators submitted proposals for Beats 1, 2, and 5 (Navarro's Towing, Pomona Valley Towing, Inc., and Steve's Towing); and two tow operators submitted proposals for Beats 2 and 5 (Navarro's Towing and Steve's Towing). The Proposers included (in alphabetical order): Navarro's Towing of Fontana, Pomona Valley Towing, Inc., of Pomona, and Steve's Towing of Rancho Cucamonga.

An Evaluation Team to review the proposals consisted of representatives from the California Highway Patrol (CHP) local office (Inland Empire Transportation Management Center), Riverside County Transportation Commission (RCTC) and SANBAG. After this initial review, the Evaluation Team made their contract awards' recommendations based on the following criteria:

1. Qualifications of the Firm - experience in performing FSP and similar work, working with public agencies and review of client references;
2. Staffing and Project Organization - qualifications of key staff assigned and adequacy of labor commitment;
3. Work Plan - depth of Proposer's understanding of requirements and overall quality of work plan, ability to recruit and retain drivers and ability to meet backup vehicle requirements;
4. Cost and Price - reasonableness of the total price and competitiveness of this amount with other proposals received and the basis on which prices are quoted (labor, equipment, materials, gas, profit, and so on).

As a result of the proposal reviews, the Evaluation Team ranked each proposer by Beat. The evaluation team conducted interviews at each of the Proposer's tow yards. Each of the three proposers were asked a series of about ten questions and the evaluation committee walked each of the yards to ensure it met basic FSP needs such as secure lot that will house the FSP tow trucks.

Pomona Valley Towing, Inc., was ranked as number 1 on Beat 1, and was deemed overall best suited to perform the services for a variety of reasons including experience with law enforcement tow programs, price structure, approach to services, references, and commitment in management, staffing, and resources to the program. While this is Pomona Valley Towing, Inc.'s, first time entering into a contract with SANBAG for FSP, they have an outstanding record of 30 plus years with CHP and city law enforcement for tow services, and the evaluation team believes they are very qualified to perform the work. Another important consideration taken was the proposer's proximity to the specific beat, which in this case the company is less than five miles from the Beat; as well as their ability to meet other critical requirements as outlined in the RFP.

Recommendations for award of Beats 2 and 5 have yet to be made as they are still in negotiations.

Attached is the Scope of Services from Pomona Valley Towing, Inc.'s, proposal which will be incorporated into their Contract (Exhibit A), as well as pricing information (Exhibit B), and the Fines and Penalties Schedule (Exhibit C). Upon Board approval, the contract will be executed and service for Beat 1 will begin on May 1, 2014. With Board approval, this service will continue to be provided to the motoring public without service disruption.

**Financial Impact:** Funds for all three Beats were included in the Fiscal Year (FY) 2013/2014 Budget. Amount required for this FY is \$31,641.00 and will be funded 80% State FSP funding and 20% Department of Motor Vehicle funds. Future funding to reimburse the contractors in subsequent fiscal years will be included in those respective budgets.

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

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

## CONTRACT SUMMARY SHEET

Contract No. C 14009 Amendment No. \_\_\_\_\_

By and Between

San Bernardino Associated Governments and Pomona Valley Towing, Inc.

Contract Description Freeway Service Patrol along Beat #1

<b>Board of Director's Meeting Date:</b> January 8, 2013	
<b>Overview of BOD Action:</b> Award C14009 to Pomona Valley Towing for FSP Beat 1.	
Is this a Sole-Source procurement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	561,180	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>	\$	561,180	<b>TOTAL CONTINGENCY VALUE</b>
			\$ 0
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>			\$ 561,180

<b>Contract Start Date</b> 5/1/2014	<b>Current Contract Expiration Date</b> 4/30/2017	<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>0704</u> .				
<input type="checkbox"/> A Budget Amendment is required.				
How are we funding current FY? 80% FSP State Funds, 20% DMV/SAFE Revenues				
<input type="checkbox"/> Federal Funds	<input checked="" type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
Provide Brief Overview of the <b>Overall</b> Funding for the duration of the Contract: Will continued to paid for by 80% STATE FSP funds and 20% local funds.				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable				

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

<u>Jenny Herrera</u>	
Project Manager (Print Name)	Signature
<u>Duane SAKER</u>	<u>11-26-13</u>
Task Manager (Print Name)	Date
<u>Andrea Zureick</u>	<u>11/27/13</u>
Dir. of Fund Admin. & Programming (Print Name)	Date
<u>Jeffery Hill</u>	<u>11/27/13</u>
Contract Administrator (Print Name)	Date
Chief Financial Officer (Print Name)	Date

**CONTRACT C14009  
EXHIBIT A  
SCOPE OF SERVICES**

1.0 Scope of Work.

CONTRACTOR shall provide the rapid removal of disabled vehicles and those involved in minor accidents from the freeway. Where conditions permit, safe removal of small debris may also be required. The CONTRACTOR's Freeway Service Patrol (FSP) tow trucks shall be exclusively dedicated to providing FSP services during the designated hours of operation. All tow truck maintenance activities for the primary and back-up tow trucks shall be conducted during non-designated service hours.

CONTRACTOR's FSP Tow Truck drivers ("Drivers") shall assist motorists involved in minor accidents and those with disabled vehicles. When and where conditions warrant, service may take place on the freeway shoulders. The Drivers shall continuously patrol their assigned Beat, respond to California Highway Patrol (CHP) dispatched calls for service, and use the designated turnaround locations and use the CHP designated drop locations.

The Drivers may be required to change flat tires, provide "jump" starts, provide one gallon of gasoline or diesel fuel, temporarily tape cooling system hoses and refill radiators. These services are not all inclusive. The Drivers are to spend a maximum of ten (10) minutes per disablement in attempting to mobilize a vehicle.

All FSP services shall be provided at no cost to the motorist. The Drivers shall not accept any gratuities, gifts or money to perform secondary towing services, recommend secondary tows, or recommend repair/body shop businesses. The CONTRACTOR shall follow the CHP Standard Operating Procedures (SOP) Manual., The CHP is responsible for the day-to-day supervision of the program, therefore all policies and procedures are outlined in the SOP Manual. To promote a safe work environment and to maintain a high level of professionalism, the CONTRACTOR and their Drivers must follow the SOP Manual as this document and all updates will be incorporated into the CONTRACTOR's agreement. Please note that the SOP is updated as needed, and that the CONTRACTOR is responsible to operate and adhere to the most recent version of the SOP.

At times, the SANBAG will have construction projects on the highways that may require Construction FSP. Typically this will take place along the highway segment that is a construction zone with no shoulder areas. SANBAG and Caltrans have established an agreement for which these types of services can be provided. Days and hours may vary per each project and will typically take place during non-FSP hours.

CONTRACTOR shall attend, or send a designated management-level representative to all trend meetings (i.e. required TAC meeting which meets every other month). These trend meetings will encompass focused and informal discussions concerning but not limited to; scope, services, schedule, and current progress of services, relevant cost

issues, and future project objectives. CONTRACTOR shall be responsible for having a representative attend all meetings (i.e. FSP TAC meeting) that has the ability to make management-level decisions on the behalf of the Contractor. If the Contractor cannot have a management-level representative at a meeting, Contractor shall notify SANBAG and CHP prior to the meeting. Management-level attendance at these meetings shall be considered part of the Contractor's contractual responsibility. Meetings are scheduled, and Contractor will be notified no later than three (3) working days prior to the meeting.

Please refer to RFP Attachment G (Contract Exhibit "C") for further details on violations and penalties.

If a disabled vehicle cannot be mobilized within the ten-minute (10) time limit, it shall be towed to a designated drop location identified by the CHP. The motorist can request the FSP Driver to contact the CHP Communications Center to request a CHP Rotation Tow or other services. FSP Tow Truck Drivers shall not be allowed to tow as an independent CONTRACTOR from an incident that occurred during the FSP shift. This is only allowed after the shift when called as a Rotation Tow by CHP. If called as a Rotation Tow after a FSP shift, the FSP Tow Truck Driver must remove all FSP markings such as vests, uniforms and any sort of FSP signage.

There may be some instances where the FSP Tow Truck Driver may be requested to provide assistance to CHP officers. FSP Tow Truck Drivers shall follow the instructions of the CHP officer at the scene of any incident within the scope of the FSP program.

## 2.0 Contract Representatives.

SANBAG, California Department of Transportation (Caltrans) and the CHP will jointly oversee the service (hereinafter singularly or jointly referred to as "FSP Management"). CHP is responsible for dispatch services to incident locations within the tow truck's patrol limits, otherwise referred to as "Beats". The dispatching will be done in accordance with the contract for the service. A SOP manual will be provided to the successful CONTRACTOR explaining the types of incidents to which his/her FSP Tow Truck Drivers may be dispatched. Please note that this Manual, also known as the Standard Operating Procedures (SOP) Manual is updated as needed, and that the CONTRACTOR is responsible to adhere to the most current version of the SOP. Also note that the successful Proposer(s) which enters into an agreement with the SANBAG for these services will have the SOP and any updates referenced into the agreement and therefore adhering to the SOP Manual is a contractual requirement as well.

## 3.0 Service Location.

The FSP operates on selected freeway segments referred to as "Beats". Each Beat has specific turnaround locations and designated drop locations identified by the CHP. THE limits are identified in this SOW, number of Primary tow trucks, number of Back-Up trucks, hours of operation and tentative holidays on which the cost of each beat shall be based. SANBAG reserves the right to add or delete holidays to the work schedule. Travel time to and from the Beat will be at the expense of the CONTRACTOR.

At any time during the contract's term, SANBAG reserves the right to adjust Beat specifications (length of Beat for example), and Beat hours to better accommodate demand for the service. These changes can occur during the course of the contract through written change orders. The CONTRACTOR may be requested by CHP, to go beyond the limits of their assigned Beat area to assist a motorist in an adjacent beat area. Drivers may be permitted to do this only upon CHP request.

#### 4.0 Equipment Requirements:

##### A. Tow Truck Requirements:

Primary FSP Tow Trucks will be exclusively dedicated to the FSP during its hours of operation.

The FSP will utilize at a minimum, Class A tow trucks with a minimum gross vehicle weight rating of 14,000 pounds, dual wheel chassis and four (4) ton recovery equipment rating. All trucks proposed for use in the FSP Program must be less than a year old with a maximum of 50,000 miles with non-salvage title. The chassis and working parts of the truck must be free of any mechanical defects or physical damage at the onset of the contract.

The CHP, in conjunction with Caltrans and the SANBAG, will verify the original purchase dates to ensure compliance.

All FSP Tow Trucks must be Department of Transportation (DOT) compliant, as well as California Air Resources Board (CARB) compliant. This includes an engine that has been certified by CARB, as required by law in the State of California. With any tow truck that is utilized for the FSP Program, it must comply with emission standards set forth by DOT and CARB as well as all Local, State and Federal laws associated with that truck, and as outlined in the RFP.

Prior to commencement of service, the CHP will inspect each tow truck designated for the San Bernardino County FSP Program to ensure that it meets the tow truck specifications and to ensure that it meets or exceeds safety requirements. These inspections will occur prior to the start of service. Succeeding inspections will occur periodically as determined by the CHP. Documentation of the vehicle identification number and successful completion of the inspection will be kept on file at the CHP office and CONTRACTOR's base office. Any unsafe or poorly maintained tow truck(s) or improperly equipped tow truck(s) shall not be allowed into service, and if discovered during the shift, shall be removed from service or repaired as directed by the CHP, the CONTRACTOR shall be fined three (3) times the hourly contract rate in one (1) minute increments. FSP Certified Back-Up Tow Trucks will be required to complete the shifts of FSP Tow Trucks removed from service. The CONTRACTOR will be required to have a FSP Certified Back-Up Tow Truck available for service during both FSP shifts.

FSP tow trucks bearing the service patrol title, the FSP logo, and vehicle identification number shall be painted white (includes the hood, fenders, doors, boom and bed area – the entire truck is to be painted white). No trim will be allowed. Lettering shall be in block lettering and shall be no less than two (2) inches and no greater than four (4) inches in height. Lettering can only be black in color (only black will be allowed, no other colors will be permitted) and will be bold style parallel to the ground. Letters shall be placed on the lower body of the truck toward the cab. Names, phone numbers, advertising or any other lettering on the boom shall be prohibited during FSP operational hours. The overall look of the truck must be approved by CHP prior to service implementation; therefore any questions regarding this policy is highly recommended to be discussed with CHP prior to implementing, as truck compliance with current State FSP standards is required. No other accessory equipment or signage (bumper stickers, employment advertisement, and so forth) shall be mounted or installed without prior CHP approval. This includes but is not limited to brass, chrome wheel covers and window tint, etc.

Please refer to RFP Attachment G (Contract Exhibit “C”) for further details on violations and penalties.

SANBAG follows and relies on the policies and procedures set forth in the SOP Manual developed by CHP. Please note that the FSP equipment list is subject to change at any time. For the most updated equipment list, please refer to the latest SOP Manual.

Each FSP tow truck shall be equipped in accordance with the Highway Patrol Manual 100.47, SOP Manual and, shall include the following:

1. Wheel lift towing equipment, with a minimum lift rating of 3,000 pounds. All tow equipment shall include proper safety straps.
2. Boom with a minimum static rating of 8,000 pounds. (NOTE: The Boom must have a minimum static rating of 8,000 pounds, even though The Tow Truck Inspection guide for FSP Contract Operations Manual says that a 5,000 minimum static rating is fine – it still has to meet the required four (4) ton recovery rating regardless of the minimum. You may obtain this manual via the CHP website at: [www.chp.ca.gov](http://www.chp.ca.gov)).
3. Winch - 8,000 pound rating on the first layer of cable.
4. Wire rope- 100 ft., 3/8-inch diameter, with a working limit of 3500 pounds.
5. Towing slings rated at 3,000 pounds minimum.
6. Two (2) Tow chains 3/8" alloy or OEM specs. J/T hooks assembly.
7. Rubber faced push bumper.
8. Mounted spotlight capable of directing a beam both front and rear.
9. Amber warning lights with front and rear directional flashing capability, with on/off switch in cab.
10. Public address system.
11. Power outlets ("hot boxes"), front and rear mounted, with outlets compatible to 12-volt booster cables.
12. Heavy duty, 60+ amp battery.

13. Radios with the ability to communicate with the CONTRACTOR's base office (Nextel).
14. Programmable scanners capable of scanning between the 39 and 48 MHz used by the CHP. Scanners need to be capable of scanning CHP Police frequencies, and must be mounted for safety concerns.
15. Suitable cab lighting.
16. Trailer hitch capable of handling a 1 7/8-inch ball and 2 inch ball.
17. One (1) 1 7/8-inch ball and one (1) 2 inch ball.
18. Rear work lights (4)
19. Safety chain D-ring or eyelet mounted on rear of truck.
20. Motorcycle Straps (2)
21. Diesel fuel in plastic jerry cans (5 gallons)
22. Unleaded gasoline in plastic jerry cans (5 gallons)
23. Safety chains min. 5 ft. (2)
24. First aid kit (small 5" x 9") (1)
25. Fire extinguisher aggregate rating of at least  
4 B-C units (1)
26. Pry bar - 36" or longer (1)
27. Radiator water in plastic container (5 gallons)
28. Sling crossbar spacer blocks (2)
29. 4" x 4" x 48" wooden cross beam (1)
30. 4" x 4" x 60" wooden cross beam (1)
31. 24" wide street broom (1)
32. Square point shovel (1)
33. Fuses (highway flares), 15 minute, or  
Fuses (highway flares), 30 minute (36)  
(20)
34. Cones 18" (6)
35. Hydraulic jack, min. 4,000 lbs. floor (1)
36. Four way lug wrench (1 std.) (1)
37. Four way lug wrench (1 metric) (1)
38. Rechargeable air bottle or compressor, hoses and fittings to fit  
tire valve stems, 100 psi capacity (1)
39. Flashlight and spare batteries (1)
40. Tail lights/brake lights, portable remote  
with extension cord (1 set)
41. Booster cables, 25 ft. long minimum,  
3-gauge copper wire with heavy-duty clamps  
and one end adapted to truck's power outlets (1 set)
42. Funnel, multi-purpose, flexible spout (1)
43. Pop-Up Dolly (with tow straps), portable for removing otherwise  
Un-towable vehicles (1)
44. Five (5)-gallon can with lid filled with clean absorb-all (1)
45. Empty trash can with lid (Five gallon) (1)
46. Lock out set (1)

Each FSP tow truck will be required to have a toolbox with the following minimum number of tools/supplies. A tool kit for small equipment items is required. The list may be supplemented at the CONTRACTOR's option and expense.

- 47. Screwdrivers--
  - i. Standard-1/8", 3/16", 1/4", 5/16" (1 each, min).
  - ii. Phillips head - #1 and #2 (1 each, min).
- 48. Needle nose pliers (1)
- 49. Adjustable rib joint pliers, 2" min. capacity (1)
- 50. Crescent wrench - 8" (1)
- 51. Crescent wrench - 12" (1)
- 52. Four (4) lb. hammer (1)
- 53. Rubber mallet (1)
- 54. Electrical tape, roll (1)
- 55. Duct tape, 20 yard roll (1)
- 56. Tire pressure gauge (1)
- 57. Mechanic's wire (roll) (1)
- 58. Bolt cutters (1)

The Driver shall be required to complete a pre-operation shift inspection log of the vehicle as well as inventory the required equipment prior to the start of each shift. A shift inspection/inventory log shall be completed by the Driver prior to the start of each shift and be available for inspection by the CHP and/or the SANBAG. Any item missing must be replaced prior to the start of the shift. All equipment stored on top of the truck shall be secured to the truck.

Installation of FSP related equipment:

Upon execution of the contract, SANBAG will designate and cover the cost of the selected installer for the San Bernardino FSP digital radio equipment and SANBAG AVL (Automatic Vehicle Locator) equipment.

At times, an "outside speaker" or a handheld Kenwood "mic" (examples only) may need to be replaced due to normal wear and tear. Please note that if FSP related equipment needs to be replaced due to negligence by the CONTRACTOR or any of their staff, including drivers, the cost of the equipment and the installation cost will be deducted from the CONTRACTOR'S invoice/payment the following month. CONTRACTORS, supervisors and drivers are required to contact the SANBAG and FSP CHP immediately when any San Bernardino FSP equipment is damaged, failing or has failed and the tow operator will be provided with a replacement part by the SANBAG or FSP CHP. If a replacement part is not immediately available, then the CONTRACTOR will be asked to have their "certified FSP backup truck" on the beat to cover the shift.

With the written permission of the SANBAG the operator may be given the authorization to install some of the replacement equipment (an "outside speaker" or

a “mic” for example) as long as the tow operator installs the equipment per SANBAG and San Bernardino FSP standards. If a CONTRACTOR is given the authorization to install FSP-related equipment, and has any questions regarding “installation standards”, the tow operator is to contact the SANBAG or FSP CHP for further instructions/information. If provided the authorization by SANBAG or FSP CHP, vendor must install equipment in the safest possible manner, and the installation must comply with all FSP equipment rules for safety reasons.

Please note that equipment requirements are subject to change at any time. For the most updated equipment list, please refer to the latest SOP Manual.

#### B. FSP Certified Back-Up Tow Truck.

The CONTRACTOR shall be required to have one FSP Certified Back-Up Tow Truck available per Beat during FSP service hours that is in full compliance with this Contract, unless otherwise authorized by SANBAG in writing. The FSP Certified Back-Up Tow Truck should be used when a Certified Primary FSP Tow Truck is unavailable. The FSP Certified Back-Up Tow Truck shall meet the same requirements for equipment, set-up and color as a Certified Primary FSP Tow Truck. It shall meet all the vehicle equipment specifications. Please refer to Attachment G for further details on violations and penalties. Back-Up Tow Trucks are subject to inspection during non-FSP hours by CHP.

#### C. Vehicle Breakdown and Other Missed Service.

A FSP Certified Back-Up Tow Truck must be in service on the Beat within 45 minutes of the time when a Primary FSP Tow Truck is taken out of service for a mechanical or driver issue. The CONTRACTOR shall not be paid for the time period that the contractually required trucks are not in service. If a vehicle is not made available within the 45 minute time period, the CONTRACTOR shall be fined three (3) times the hourly contract rate in 1 minute increments until a FSP Certified Back-Up Tow Truck is provided. If a FSP Tow Truck is not ready due to a breakdown at the start of a shift, the fine time will be calculated from the start of the shift. If the entire shift is missed, the CONTRACTOR shall be fined for the entire shift at three (3) times the hourly rate. FSP Tow truck maintenance shall be performed during non-FSP service hours.

In the event that a FSP Certified Back-Up Tow Truck is required to continue the shift, the FSP Tow Truck Driver must complete a new inspection worksheet and mileage log prior to the commencement of driving the tow truck, and notify one of the FSP CHP Supervisors immediately. In addition, the FSP Tow Truck Driver must indicate in the “notes” section of the Personal Digital Assistant (PDA) that they have switched to a FSP Certified Back-Up Tow Truck.

In addition, not having a FSP Certified Back-Up Tow Truck Driver available is not an allowable excuse for not having a FSP Certified Back-Up Tow Truck on the Beat within the 45 minute time period.

Please refer to RFP Attachment G (Contract Exhibit "C") for further details on violations and penalties.

Please note: Existing FSP tow operator contracts with the Riverside County Transportation COMMISSION (RCTC) or any other neighboring FSP service, does not qualify as meeting the backup requirement noted above.

For further information see above Section 4.0, subsection C. "Vehicle Breakdown and Other Missed Service".

#### D. Vehicle Identification.

It shall be the Driver's sole responsibility to place detachable FSP markings on each vehicle during the service hours and to remove or cover the FSP markings immediately upon completion of each shift. SANBAG will supply each CONTRACTOR with the appropriate number of detachable markings for each Beat(s). If a marking is lost or damaged, the CONTRACTOR shall be responsible for the cost of the replacement markings. All FSP markings shall be returned at the termination of the contract. The cost of any SANBAG and/or Caltrans/CHP supplied item and/or equipment not returned shall be deducted from the CONTRACTOR's final payment.

Freeway Service Patrol markings as well as vehicle numbers shall be required on both sides of all trucks. The detachable markings (magnetic or other forms of FSP signage), provided by SANBAG, must be placed on the center of both doors (driver and passenger doors) of the vehicle. The Driver shall be required to keep the title and logos clean, straight and in readable condition throughout the service patrol's operation. The operator is also required to keep all FSP related signage flat (do not bend in any way), clean, and out of public view while being stored during non-FSP operational hours.

#### E. Communications Equipment.

Each FSP vehicle shall be equipped with various communication devices that will enable the Driver to communicate with the CHP Communications Center as well as the FSP CHP Officers. All vehicles shall be equipped with an Automatic Vehicle Location (AVL) system, radios, and handheld/PDAs for data collection. The AVL system, radios, GPS, handheld/PDA equipment shall be purchased, owned, supplied, and installed by SANBAG. SANBAG shall select the equipment installation vendor.

The CONTRACTOR shall be responsible for maintaining the security of the SANBAG owned vehicle communication equipment. The CONTRACTOR shall be liable for any damage other than normal wear and tear to the communication equipment. The CONTRACTOR shall also be liable for the full replacement value of the communication equipment installed in the trucks while in the care, custody and control of the equipment. SANBAG shall pay for repair fees for normal wear and tear to equipment. However, SANBAG will deduct repair fees as well as the full replacement cost of any SANBAG equipment due to improper use or negligence by the

CONTRACTOR from any payment due to the CONTRACTOR under this agreement. SANBAG supplied vehicle equipment shall be returned upon contract termination. The cost of any equipment not returned shall be deducted from the CONTRACTOR's final payment.

Programmable scanners capable of scanning between the 39 and 48 MHz used by CHP shall be supplied by the CONTRACTOR and shall be installed and securely mounted in all Tow Trucks.

The CONTRACTOR is also required to use Sprint cell phones (or equivalent direct connect device that will pair with Sprint CHP devices) in order to facilitate proper communication with the CHP Communications Center and CHP field supervisors. Sprint cell phones shall be purchased, owned, and maintained by the CONTRACTOR. The CONTRACTOR will also be responsible for all operating costs of the Sprint cell phones. In addition, Drivers are not permitted to take pictures, video or capture any other images while performing FSP duties during FSP operational hours. These actions will not be tolerated and a Driver that is found doing this will not be permitted to work in the FSP Program. Drivers are not permitted to download or share any data or images related to the FSP Program. If any FSP related data or images are found on any social media outlet or networks not authorized by the SANBAG; all parties associated with the incident will be excluded from the FSP Program.

Any data input into the PDA device shall not be allowed while the vehicle is being operated/driven. Uses of other devices while driving/operating a vehicle such as cell phones are subject to California State Law.

The FSP vehicles shall be equipped with a public address system. The public address system shall have the capability for the driver of the disabled vehicle to hear instructions transmitted from the cab of the FSP vehicle when the FSP vehicle is directly to the rear of the disabled vehicle.

The CONTRACTOR shall purchase and maintain a computer workstation (not a laptop) with high speed internet access and email to communicate with SANBAG and CHP staff and the CHP, and transfer FSP data collected with handheld/PDA units. Handheld/PDA units shall be downloaded at the end of each shift before the deadlines listed below to the computer workstation; therefore the computer workstation will need to be easily accessible to Drivers after each shift

The download schedule is as follows:

For the AM shift, the deadline to download is 12 p.m. (noon),

For the PM shift, the deadline to download is 12 a.m. (midnight).

If PDA's are not synced prior to the deadlines given, CONTRACTOR may be subject to fines as outlined in RFP Attachment G (Contract Exhibit "C").

The computer workstation shall be a PC Pentium4 2.4Ghz or AMD Athlon XP 2800 or greater based machine with at least 2 GB memory, 20 gig hard drive, network card, CDROM, optical mouse, keyboard and monitor. Computer workstation shall be equipped with the following software; Windows 7, or Windows Vista, Microsoft Active Sync (if Vista), Anti-Virus software (Norton, McAfee, or Trend Micro): if utilizing different Anti-Virus software, please notify SANBAG prior to purchase or use. The computer must include a 9 pin RS232 serial port. The computer workstation must always be connected to the internet.

It is the CONTRACTOR's responsibility to ensure that the computer workstation is working at all times. If the CONTRACTOR is having problems with their workstation that would prevent proper syncing of PDA's or would create any negative impact on FSP Program assist data; CONTRACTOR must notify SANBAG and CHP immediately. Computer equipment shall be inspected and cleaned on a quarterly basis by the CONTRACTOR; this includes: updating operating systems with security patches, time patches, loading system updates, and cleaning the interior of the computer work station.

In addition, it is also the CONTRACTOR's responsibility to ensure that all Handheld/PDA units are working at all times. All Handheld/PDA units should have the exterior protective case cleaned (protective outside case) and the stylus and screen protector shall be inspected for functionality and serviceability. Damaged/Worn items shall be reported to SANBAG within 3 hours. All workstations and Handheld/PDA's must be kept in a secure location. During all non-FSP operational hours, Handhelds/PDA's shall not be left in a tow truck or go home with a FSP Tow Truck Driver or anyone else. All Handhelds/PDA's must be connected to a battery charger in the secure workstation area at the CONTRACTOR's facility during non-FSP operational hours. Except for when the PDA is being used during FSP operational service hours, it must be plugged in and being charged at all times, this is required so that data and software "patches" are not lost. PDA's are to be with the FSP Tow Truck Driver in their FSP tow truck during FSP operational hours, or connected to a battery charger in the designated secure workstation of the tow operator's facility during non-FSP operational hours. Any other location shall not be permitted.

CONTRACTOR shall immediately report any issues with the work station or the PDAs to SANBAG or the FSP CHP Officers. CONTRACTOR is directly responsible to ensure their computer work station is operating, can interface with PDAs and has internet access at all times.

The CONTRACTOR shall provide access to the work station and PDAs for SANBAG and FSP CHP supervisors, or their designated designee, at any time during the course of the contract.

In addition, SANBAG shall review the workstation 30 calendar days prior to that start of the new service to ensure compliance of requirements.

The CONTRACTOR shall be available to review data with SANBAG, or its designee, at any time. Data shall be reviewed using the pre-defined reports created in Microsoft Access on the workstation computer. The CONTRACTOR shall review data for accuracy, and ensure that any errors and/or edits to the data are documented and forwarded to SANBAG for review.

The CONTRACTOR shall provide a quarterly inspection report to SANBAG indicating the status of all equipment. SANBAG will provide the submittal form. CONTRACTORS should consider the accurate completion and timely return of this form as part of their contract requirements.

The CONTRACTOR shall allow SANBAG staff or its representative access to the workstation and handheld/PDA units at any time. If upon inspection SANBAG determines that workstation and/or PDA's are not being properly updated/stored; the CONTRACTOR will be subject to fines as outlined in RFP Attachment G (Contract Exhibit "C").

#### F. Equipment Modifications

Modifying FSP communication/tracking equipment so that it does not function properly to SANBAG's specifications, and/or is disconnected or is moved (without FSP Management authorization) from its original installed location is strictly prohibited. This includes but is not limited to: breaking evidence tape/connection sealer on equipment connections, cutting wires or cable, moving mounted equipment (speakers, microphones, antennas, etc.), rerouting any wiring, not putting radio equipment back in its original installed location, disconnecting any connectors. Interfering with the operations of the equipment is strictly prohibited.

If modification is suspected, SANBAG shall conduct an inspection of the equipment on/near the Beat area or the vehicle may be sent to a designated location determined by the SANBAG. CONTRACTOR shall not access the AVL equipment in any way until SANBAG has arranged an inspection.

- 1) If any alterations are found with AVL related equipment owned by SANBAG; the CONTRACTOR shall be fined at a minimum: two complete FSP shifts (7 hours) at their hourly penalty rate (Three (3) times their hourly rate). The final penalty shall be determined and assessed by FSP Management.
- 2) The SANBAG shall determine the designated AVL installer and the designated technician that comes out to the San Bernardino County region to review and repair the AVL systems.
- 3) In the event of alterations, any transportation, labor, repair, or replacement expenses incurred to repair the AVL equipment/system related to the San Bernardino FSP tow operations will be the responsibility of the CONTRACTOR. Costs incurred to repair and document the equipment

will be deducted from the tow operator's monthly invoice.

Please refer to RFP Attachment G (Contract Exhibit "C") for further details on violations and penalties.

#### 5.0 Drivers,

All Drivers shall be required to have a safe driving record and current California Class C driver's license. All Drivers shall be at least 18 years of age or older at the time of background check. All Drivers shall be subject to driving record and criminal background checks through the CHP. Drivers shall be sufficiently experienced in the tasks of tow truck operations and proficient with all required FSP equipment to provide safe and proper service. Any Driver from other FSP service areas will be evaluated by the CHP on a case by case basis. All Drivers must be capable of demonstrating their tow operating abilities prior to formal CHP training. Additionally, the Drivers will be required to exercise good, sound judgment in carrying out their duties.

The CONTRACTOR's Drivers shall be required to inform the CHP Communications Center at any time he/she leaves the assigned Beat. This includes replenishing expendable items such as gasoline, fire extinguisher, breaks, etc. The FSP Tow Truck Driver shall be required to immediately notify the CHP Communications Center upon a tow truck breakdown.

Each Driver shall be responsible for accurately entering the following data into their PDA:

- inspection worksheet prior to the commencement of driving the tow truck
- mileage log prior to the commencement of driving the tow truck.

The Driver shall also be required to complete an assist record for each incident utilizing the handheld/PDA.

Other important forms that shall be required for FSP Tow Truck Drivers to complete and turn in are the Liability Release Forms Damage Release Forms. It is critical that these forms are completed and returned to the SANBAG within thirty (30) business days from the date on the form. Any CONTRACTOR in violation of not completing these required forms may be subject to penalties as outlined in Attachment G.

The CONTRACTOR is required to participate in the California Department of Motor Vehicles DMV Pull Notice Program..

If a Driver is convicted of a crime involving a stolen vehicle, stolen property, violence, drugs or moral turpitude, fraud related to the towing business, or misdemeanor or felony driving while under the influence of alcohol or a drug, the CONTRACTOR shall permanently remove that Driver from the FSP program. If a Driver is charged with any

crimes, the CONTRACTOR shall immediately suspend that Driver from duties under this Contract pending the outcome of the criminal case. If the Driver is not convicted, or is ultimately convicted of a lesser crime not described above, SANBAG retains the right to have the CONTRACTOR remove that Driver from the duties under the FSP program.

Mandatory CHP refresher training classes shall be scheduled during non-FSP hours. A minimum of four (4) hours refresher training per year shall be required (at CONTRACTOR's expense). CONTRACTORS shall pay all FSP Tow Truck Drivers and Back-Up FSP Tow Truck Drivers for attending the required training.

FSP Tow Truck Drivers will be required to utilize a Handheld/PDA to input the mileage log, inspection worksheet, and each assist; which will include location, vehicle make, model, license number, type of assistance provided, etc. FSP Tow Truck Drivers will be trained on using Handheld/PDA units to enter accurate data using SANBAG data collection software.

A. Driving record and criminal history check.

As required by California Vehicle Code Section 2430, all applicants and owners are required to have a driver's license and criminal history check. Only after a completed CHP 234F and CHP 234 supplemental is received and accepted by CHP, a driver's license and criminal history check will be performed.

The driver's license check will consist of confirming that the applicant has a valid driver's license and the applicant's point count is within standards set forth in the SOP (refer to Chapter 11, Annex A).

The criminal history check will consist of a preliminary background check to see if the applicant meets the criteria for a FSP Tow Truck Driver Certificate as outlined in California Vehicle Code Section 13377, and the FSP contract. Any CONTRACTOR or potential CONTRACTOR not meeting the requirements put forth in the following documents will be automatically excluded from the FSP Program. Documents can be found on the CHP website at: <http://www.chp.ca.gov/programs/rotation.html>.

- Tow Service Agreement for Rotational Tow Operator (HPM 81.2, Vehicle Procedures Manual)
- Element 15 (C and D) Annex GG ("Criminal Conviction Disqualifications for Rotational Tow Operator/Drivers")

In addition, SANBAG, and/or CHP may, in its sole discretion, require a CONTRACTOR to replace any FSP Tow Truck Driver or potential FSP Tow Truck Driver who it determines is not suitable to represent the FSP Program with the public based on the background check. If the applicant passes the preliminary check, then the applicant shall submit to fingerprinting.

Background checks will be completed by CHP upon the acceptance of a CHP 234F.

## B. Operator Equipment.

It shall be the responsibility of the CONTRACTOR to provide the FSP Tow Truck Driver with specified uniforms, protective toe boots, and other equipment. The equipment includes navy blue jump suits or shirts and pants. If coveralls are worn they shall have zip front with a zipper.

A detachable brass or gold nameplate shall be worn with the first initial of the first name and full last name. Letters shall not exceed ½ inch tall (nameplate must be approved by CHP). The nameplate shall be worn above the right chest pocket on the vest.

A safety vest with reflective stripes shall be worn and will be supplied by SANBAG. A small FSP logo (patch) shall be sewn on the front of the safety vest over the left front pocket of the uniform, and a small FSP logo patch shall be sewn on the left sleeve of the vest as well. A large FSP logo (patch) shall be sewn across the middle portion of the back of each safety vest. SANBAG will supply vests to the CONTRACTOR with the FSP logo patches already sewn on per CHP's required patch placement locations. The brass or gold nameplate with the name of the Driver shall be displayed on the front of the safety vest over the right front. The CONTRACTOR is responsible for obtaining CHP approval of the Driver name plates, and the CONTRACTOR is responsible for the purchase and placement of the Driver name plate. An FSP logo patch is not required to be sewn on the navy blue Driver uniform.

All Drivers shall wear black work boots with protective (steel or composite) toe.

During cold weather, a navy blue sweater or sweatshirt may be worn under the long sleeve uniform shirt/jumpsuit. A navy blue jacket may also be worn at the Driver's option, if it meets all the uniform specifications. The CONTRACTOR and/or the Driver may contact CHP for any uniform questions.

Rain gear shall be waterproofed material, yellow in color.

Hats, if worn, shall be baseball type cap, navy blue in color. An "FSP" logo patch may be sewn on the hat above the brim. No other logos/names shall be accepted. A Beanie may also be worn which must be navy blue in color and only worn with a jacket under the vest or long sleeve shirt. A picture of the uniform is provided on pages 20-21 of this document titled: FSP Uniform Requirements

CONTRACTOR should refer to the most current SOP in making sure they are following the most recent Driver equipment requirements.

### 6.0 Local Office.

The CONTRACTOR shall provide a local office for contract administration purposes. This office shall be staffed by either the CONTRACTOR or a person who represents

the CONTRACTOR and has the authority to conduct business and make decisions on behalf of the CONTRACTOR. The office shall have business hours coinciding with CONTRACTOR's Beat(s) hours of operation. Through the Proposal document shown in RFP Attachment "D", CONTRACTOR Representative Form, the CONTRACTOR shall designate representatives who will be available at the office during hours of operation to make decisions on behalf of the CONTRACTOR. The office shall be established within close proximity to the CONTRACTOR's Beat(s) and be located within Riverside, San Bernardino, Los Angeles or Orange Counties. A FSP Certified Back-Up Tow Truck and a FSP Certified Back-Up Tow Truck Driver must be available within a 45 minute request of the Beat area regardless of the CONTRACTOR's office location.

7.0 Beat Descriptions.

**SAN BERNARDINO COUNTY FREEWAY SERVICE PATROL**

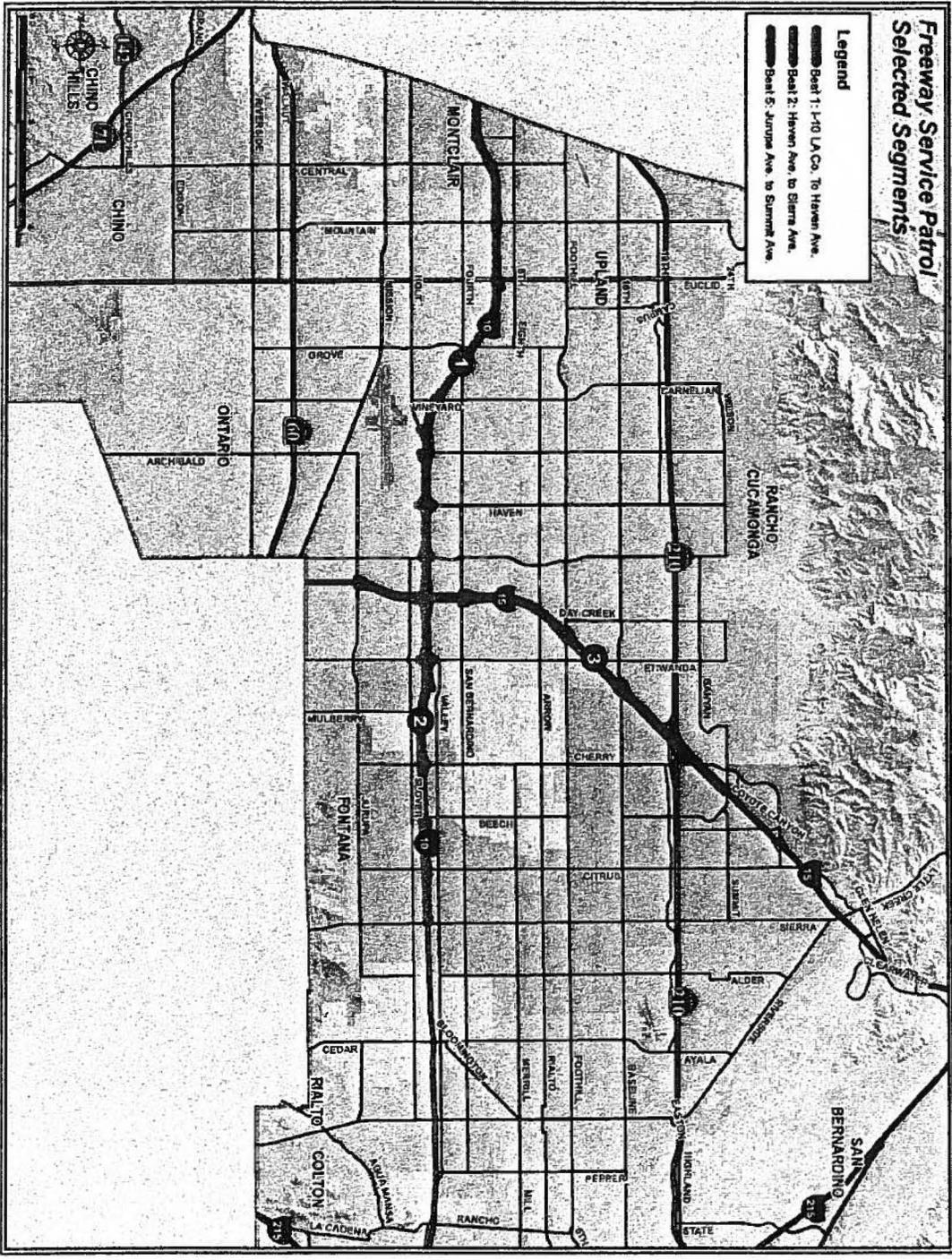
**BEAT DESCRIPTIONS**

Beat #	CHP Area Beat #	Beat Description	One Way Length in Miles	# Primary FSP Trucks in both AM and PM	# FSP certified Back-Up Tow Trucks
1		Interstate (I) 10 from Indian Hill to Haven Avenue	8.16	2	1

All Beats would operate from 5:30 to 8:30 am (M-F) and from 3:00 to 7:00 pm (M-F).

Each Beat requires two (2) Primary FSP Tow Trucks and one Back-Up Tow Truck, available during all FSP operational service hours. The SANBAG reserves the right to change Beat hours and operational requirements during the course of the Contract.

Please refer to Attached Map of Beat areas



## 8.0 FSP Holidays.

### **PRELIMINARY LIST OF FREEWAY SERVICE PATROL HOLIDAYS**

Services are to be provided Monday through Friday at the hours designated in the Contract with the exception for the following holidays:

1. Martin Luther King, Jr. Day (Monday)
2. Presidents' Day (Monday)
3. Memorial Day (Monday)
4. Independence Day (July 4 - varies)
5. Labor Day (Monday)
6. Veterans Day (varies)
7. Thanksgiving Day (Thursday)
8. Day after Thanksgiving (Friday)
9. Christmas Day (December 25 - varies)
10. New Year's Day (January 1 - varies)

Approximate total service hours per vehicle per year: 1,736

In addition to the above service hours, at the discretion of SANBAG and the CHP, additional service may be requested on certain "high traffic days" on/or following certain holidays (e.g. July 4th, Labor Day, Sunday following Thanksgiving Day, Memorial Day), in the afternoons for four (4) hours. CONTRACTOR will be notified at least one week prior to when this service is to be provided.

**9.0 FSP UNIFORM REQUIREMENTS**

**No hat:**



**Hat:**



**Jacket and beanie: (beanie optional but if chosen must be worn with jacket or long sleeve shirt):**



**Long Sleeves:**





**CONTRACT C14009  
EXHIBIT C**

**SUMMARY OF FSP VIOLATIONS AND PENALTIES**

Below is a list of penalties that can be assessed to a Contractor if not in compliance with the policies and procedures of the Freeway Service Patrol Program.

<b>Relevant section</b>	<b>Description of violation</b>	<b>Penalty</b>
	Not having 2 primary and 1 back up tow trucks per each Beat "FSP" ready for inspection by CHP five business days prior to the start of a Beat.	Flat \$1,000 fine. In addition, should the trucks not be ready by the start of shift, Contractor shall be fined truck hourly rate times the # of trucks not available times the # of service minutes missed per each day compliance is not met.
5.0	Not meeting tow truck requirements outlined in the RFP/SOP	Three (3) times the hourly contract rate in one (1) minute increments until requirement is met.  If entire shift is missed, Contractor shall be fined for the entire shift at three (3) times the hourly rate.
5.0 B	Not having a certified FSP "back-up" tow truck and/or FSP Tow Truck Driver	Three (3) times the hourly contract rate in one (1) minute increments until requirement is met.  If entire shift is missed, Contractor shall be fined for the entire shift at three (3) times the hourly rate.
5.0 C	Tow truck not made available <u>within 45 minutes</u> due to equipment/truck breakdown.	The operator has 45 minutes to correct the problem if the breakdown occurs during the shift, the penalty for the forty five (45) minute period will be calculated in one (1) minute increments on a straight hourly rate.  Time beyond 45 minutes will be calculated as penalized time (Three times the hourly contract rate in one minute increments). Exact penalized down time rate is detailed in the Contract.  If a truck is not ready due to a breakdown at the beginning of a shift, penalty will begin at the beginning of the shift at the penalized rate.  If entire shift is missed, Contractor shall be fined for the entire shift at three (3) times the hourly rate
SOP	Contractor fines 9.B.4 Contractor fines are assessed for violations of the FSP contract or the SOP that are not directly related to FSP truck operations. This includes but not limited to: Failing to turn required paperwork in on time (Surveys, inspection sheets, etc.), damage to FSP Program equipment, not syncing the PDAs or not supplying FSP Tow Truck Drivers the proper equipment as required in the FSP Contract.	The fine amount shall not exceed \$50.00 for each individual occurrence or violation, with the exception of replacement costs.
5.0 E	PDAs sent for repair due to lack of charging causing the PDA to lose patch updates.	\$50.00 per PDA + shipping, repair and/or replacement costs.
5.0 E	PDAs not being charged in designated PDA workstation location during non-FSP operational hours.	\$50.00 per PDA
5.0 E	Workstation does not meet requirements outlined in SOP.	\$50.00 per incident
5.0 E	Lost/damaged equipment	Full cost if lost or repair charges of the item if damage is not due to wear and tear.
SOP	Contractor did not follow proper tip procedure per the SOP on Page 40, Section 6.B.	\$50.00 per occurrence

5.0 F	Tampering with FSP AVL equipment	2 FSP shifts (7 hours) at the tow operator's penalty rate (3 times the normal hourly rate) plus AVL Technician's transportation, labor, repair and/or replacement costs.
5.0 G	Damage Release/Release of liability forms not completed, not filled out properly, or not submitted within thirty (30) calendar days from the date on the form.	\$5.00-50.00 per incident at the discretion of Commission.
5.0 G	Duplicate customer six digit survey number >10%	\$50 and up. Case by case basis as determined by FSP Management.



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

*Minute Action*

AGENDA ITEM: 10

**Date:** December 11, 2013

**Subject:** Measure I Local Street Program Policy Amendments

**Recommendation:\*** That the Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

Adopt amended Policies 40003, 40012, and 40016 pertaining to the Measure I Local Street Program, as shown in Attachments 1, 2, and 3, respectively.

**Background:** Policies 40003, 40012, and 40016 in the Measure I 2010-2040 Strategic Plan establish requirements for the Valley, Victor Valley, and Rural Mountain/Desert subareas Local Streets Programs, respectively, for project eligibility, adoption of Five Year Capital Improvement Plans (CIP) by local jurisdictions, accounting requirements, and development mitigation requirements.

After reviewing the Fiscal Year 2011/2012 financial audits of the Local Streets Program funds prepared by the auditors hired by SANBAG, SANBAG staff has identified sections of the policies that could be amended to clarify SANBAG's expectations and to provide jurisdictions more flexibility in managing the pass-through program. These recommendations are summarized below and the specific amendment recommendations are included in Attachments 1, 2, and 3.

\*

*Approved*  
*General Policy Committee*

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

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

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

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

COG	CTC	CTA	X	SAFE	CMA	
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Check all that apply.

GPC1312a-ep

<http://portal.sanbag.ca.gov/mgmt/measure-i/MI-2010-2040SP/Shared%20Documents/SPlan%20Policy%2040003%20Rev%20Nov%202013.doc>

<http://portal.sanbag.ca.gov/mgmt/measure-i/MI-2010-2040SP/Shared%20Documents/SPlan%20Policy%2040012%20Rev%20Nov%202013.doc>

<http://portal.sanbag.ca.gov/mgmt/measure-i/MI-2010-2040SP/Shared%20Documents/SPlan%20Policy%2040016%20Rev%20Nov%202013.doc>

**Section C – Five Year Plan**

Currently the policies specify that no more than 50% of the estimated annual revenue can be planned for general program categories such as pavement management systems, system improvements, and general maintenance or other miscellaneous categorical expenditures. Additionally the policies require that jurisdictions include named projects totaling 50% of annual expenditures in all five years of the CIP.

Findings were frequently cited in the Fiscal Year 2011/2012 audits concerning the policy requiring 50% named projects in all five years of the CIP. This caused staff to consider why this policy was developed and whether it was serving the intended purpose. This policy was implemented in practice during the first Measure and formalized in creation of the Strategic Plan for Measure I 2010-2040. The purpose was to have a document that clearly illustrated to the public the benefit the pass-through funds were providing and to insure that the funds weren't being spent on general categories of unnamed streets that the public couldn't relate to or assign value to. This was particularly important as SANBAG looked to renew Measure I. However, SANBAG staff is now encouraging local agencies to prepare Five Year CIPs that are more reflective of expected expenditure levels, and while requiring a certain percentage of named projects in every year of the CIP can show which projects agencies are saving Measure I funds for, it does not necessarily reflect the timing of expenditures.

The current policy specifies that no more than 50% of estimated annual revenue can be expended on general program categories. Therefore, by default, at least 50% of the revenue must be expended on named projects that will have to eventually be listed in the CIP to be eligible for funds. Staff recommends that this intent be strengthened by explicitly stating that carryover funds cannot be expended on general program category projects. By explicitly limiting annual general program category expenditures to 50% of that year's revenue, there will be no question whether jurisdictions are exceeding the general program category limitation.

Additionally the policy states that named projects must total 50% of expenditures, not of revenues. That can limit the ability of a jurisdiction to save funds for a larger project because it requires any general category expenditures to be matched by named project expenditures in the same fiscal year. Staff recommends that the current policies be amended to remove the requirement that named projects totaling 50% of annual expenditures be included in all five years of the CIP. The main benefit of this amendment is that it will allow jurisdictions flexibility to save multiple years of Measure funds for larger projects. As part of the CIP submittal, agencies are required to prepare an Expenditure Strategy to describe the policy approach adopted by the Council for the expenditure of Measure I funds. This

provides an opportunity to document circumstances or analyses that are not otherwise apparent when reviewing the CIP and will allow jurisdictions to identify projects for which they are saving Measure I or reasons for not including named projects in every year.

Policies VLS-9, VVLS-13, and MDLS-11 are proposed to be modified so that each contain identical language regarding the annual adoption by local jurisdictions of a Five Year Capital Improvement Plan and the components of the plan.

Policies VLS-11, VVLS-15 and MDLS-13 are proposed to be modified to add language referencing revisions to the local jurisdictions Five Year Capital Improvement Plan.

#### **Section D – Eligible Expenditures**

Minor clarification is needed in this section in order to memorialize the previous interpretations of eligibility.

Staff recommends adding two items to the list of Eligible Expenditures in Policies VLS-12, VVLS-16, and MDLS-14:

Software will be added as an eligible use of Measure I funds under the category of traffic signal component equipment in Item #34.

Alleys on the street system have been eligible and only those not on the system were considered ineligible. However, the policy only listed the ineligible expenditure and the addition of Item #35 corrects the error.

In the maintenance section of eligible expenditures, purchases of equipment used exclusively for road maintenance have been allowed as an eligible expenditure but it was not included specifically in the policy. The addition of Item #25 will formalize the eligibility.

#### **Section E - Ineligible Expenditures**

In the Ineligible Expenditures section Item #11 will be modified to match the language of Section D, Item #35:

- 11) Maintenance or construction on alleys that have not been formally accepted into the city or county street system.

#### **Section F – Accounting Requirements**

The terms for repayment of ineligible expenditures has never been addressed in the Local Streets Program policies. Staff recommends amending Policies

VLS-15, VVLS-19 and MDLS-17 to address the expectations for their repayment as follows:

- f) If a project is deemed ineligible in the annual Compliance Audit, the Measure I funds used on that project must be repaid to the Special Measure I Transportation Sales Tax Fund in accordance with Policy (VLS-19, VVLS-23 and MDLS-21).

In addition, staff recommends the addition of new Policies VLS-19, VVLS-23, and MDLS-21 as follows:

If Measure I Transportation Sales Tax Funds are determined through the annual audit to have been used for ineligible expenses, the jurisdiction must repay those funds within six months of completion of the audit that discovered the ineligible use. If the jurisdiction is unable to repay those expenses through an internal transfer to the Measure I Transportation Sales Tax Fund from another source, then a Repayment Agreement must be approved by both the Jurisdiction and the SANBAG Board of Directors.

**Financial Impact:** This item has no impact on the adopted Fiscal Year 2013/2014 SANBAG Budget.

**Reviewed By:** The proposed policy revisions were reviewed by the Transportation Technical Advisory Committee on November 4, 2013.

**Responsible Staff:** Ellen Pollema, Transportation Planning Analyst

San Bernardino Associated Governments	<b>Policy</b>	<b>40003</b>
Adopted by the Board of Directors April 1, 2009	Revised	Mn/Dy/Year
<b>Valley Local Street (VLS) Program Measure I 2010-2040 Strategic Plan</b>	Revision No.	1

**Important Notice: A hardcopy of this document may not be the document currently in effect. The current version is always the version on the SANBAG Intranet.**

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### **I. PURPOSE**

The purpose of this policy is to establish requirements relating to adoption of Five Year Plans by local jurisdictions outlining the projects which will be funded under the Measure I 2010-2040 Valley Subarea Local Streets Program. Twenty percent of the total Measure I 2010-2040 revenue collected in the San Bernardino Valley Subarea shall be assigned to the Local Streets Program. This program will be used by local jurisdictions to fund Local Street Projects.

### **II. REFERENCES**

Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan.

SANBAG Congestion Management Program

### **III. DEFINITIONS**

**Local Street Program:** Measure I program in all subareas that provides funds through a pass-through mechanism directly to local jurisdictions for expenditure on street and road construction, repair, maintenance and other eligible local transportation priorities. Local Street Program funds can be used flexibly for any eligible transportation purpose determined to be a local priority, including local streets, major highways, state highway improvements, freeway interchanges, transit, and other improvements/programs to maximize use of transportation facilities.

**Allocation:** An action by the SANBAG Board of Directors to assign a specific amount of Measure I funds from a Measure I program to a project. The allocation decision is made annually by the Board of Directors by March of each year. Allocation of Local Street Program funds occur monthly as a direct pass-through to local jurisdictions.

**Five Year Plan:** A plan of projected local jurisdiction expenditures for the next five years on Local Street Projects eligible for Local Streets Program funds, updated annually and submitted to SANBAG by local jurisdictions.

### **IV. POLICIES FOR THE VALLEY LOCAL STREETS PROGRAM**

#### **A. Local Streets Allocation**

Policy VLS-1: Each jurisdiction shall receive an allocation from 20% of the Measure I revenue collected in the Valley Subarea on a per capita basis using the population estimate as of January 1 of that year. The population estimate for making the per capita calculation shall be determined by SANBAG each year based on the State Department of Finance population estimate as of January 1 of that year. For the unincorporated areas, the calculation shall be based on the population estimate from the County Planning Department and reconciled with the State Department of Finance population estimate as of January 1 of that year.

Policy VLS-2: Local jurisdictions shall not receive their Local Streets Allocation until they have submitted their annual update of their Five Year Plan.

Policy VLS-3: The Local Streets allocation shall be remitted to local jurisdictions monthly.

Policy VLS-4: Local Streets Allocations remitted from January 1 until such time as the State Department of Finance has issued their population figures and SANBAG has made the per capita calculation, shall be based on the prior year's calculation. Once the per capita calculation has been made, the calculation will be applied retroactively to January 1 and amounts received by local jurisdictions will be adjusted to account for the difference in the amount remitted during the retroactive period and the amount that should have been remitted adjusted for the new per capita calculation.

## **B. Development Fair Share Contribution**

Policy VLS-5: A development mitigation fair share contribution is required by Measure I 2010-2040 for all capacity improvement projects on the Nexus Study Network, contained in the most recent Board-adopted version of the Nexus Study approved for jurisdictions in the San Bernardino Valley.

Policy VLS-6: Annually as part of its audit of each jurisdictions' use of Measure I funds, SANBAG will specifically review development mitigation contribution records for capacity improvements to Nexus Study Network facilities. If a material finding is made in the audit showing that the development share contribution was not made, SANBAG may, as the Congestion Management Agency, withhold Section 2105 Gas Tax funds or Measure I Local Street Allocations until the jurisdiction shows that they are in compliance with the Congestion Management Program.

Policy VLS-7: Jurisdictions may borrow from other internal accounts (i.e. within their own jurisdictions) to fund the required development fair share. The internal accounts shall be reimbursed by development mitigation as development occurs..

## **C. Five Year Plan**

Policy VLS-8: Each local jurisdiction is required to annually adopt a Five Year Capital Improvement Plan which details the specific projects to be funded using Measure I Local Pass-Through Funds. Expenditures of Measure I Local Pass Through Funds must be detailed in the Five Year Capital Improvement Plan and adopted by resolution of the governing body.

Policy VLS-9: Five Year Capital Improvement Plans shall:

- a. Specifically identify improvements to be funded by Measure I by street name, boundaries, and project type, subject to eligibility requirements listed in Section D below.
- b. Constrain the total amount of planned expenditures to 150% of SANBAG's forecasted revenue for Measure I Local Pass-Through Funds, revenue resulting from bonds secured by Measure I revenue, and remaining balances from previous year allocations.
- c. Include no more than 50% of estimated annual new revenue to general program categories for pavement management programs, system improvements, and general maintenance or other miscellaneous categorical expenditures. Carryover fund balance shall not be used for general program categories.  
  
A general program category is a program of work without any identified streets. If a line item in the Five Year Capital Improvement Plan includes a list of the streets to which it will apply, then it does not have to count as a general program category (i.e. a city-wide AC overlay program that lists the streets to be included in the program).
- d. For capacity enhancement projects to Nexus Study Network roadways, include total estimated cost, Measure I share of project cost and development share of project cost. Maintenance projects or projects that do not enhance the capacity of a roadway do not require a development contribution to be included in the Five Year Plan.

Policy VLS-10: Any single project expenditure in excess of \$100,000 shall be listed as an individual project and shall not be included in a general program category. A project is defined as an eligible specific road improvement.

Policy VLS-11: The Five Year Capital Improvement Plan shall be the basis for the annual audit. Jurisdictions will have flexibility in moving projects around in their Five Year Capital Improvement Plan based on the necessities of the jurisdiction. However, in order for a project to be eligible for expenditure of Local Streets funds, the project must be included in the Five Year Capital Improvement plan. A revised Capital Improvement Plan must be provided to SANBAG by the end of each fiscal year if the project list has been changed in order for the projects to be eligible for expenditures of Local Streets funds.

#### **D. Eligible Expenditures**

Policy VLS-12: Eligible expenditures include construction, maintenance, and overhead. Included below are definitions and types of eligible expenditures by category.

- a. Construction shall be defined as the building or rebuilding of streets, roads, bridges, and acquisition of rights-of-way or their component parts to a degree that improved traffic service is provided and geometric or structural improvements are effected including allocated administration and engineering necessarily incurred and directly related to the above.
  - 1) Removal of old street and roadbeds and structures, and detour costs when connected with a construction project.
  - 2) Change of alignment, profile, and cross-section.
  - 3) Addition of a frontage street or road.
  - 4) Original surfacing of shoulders.
  - 5) Installation of original traffic signs and markers on routes.
  - 6) Earthwork protective structures within or adjacent to the right-of-way area.
  - 7) Complete reconstruction or addition to a culvert.
  - 8) Reconstruction of an existing bridge or installation of a new bridge.
  - 9) Widening of a bridge.
  - 10) Installations or extensions of curb, gutter, sidewalks or underdrain, (including improvements to handicap ramps to make them ADA compliant).
  - 11) Extensions and new installation of walls.
  - 12) Reconstruction of an intersection and its approximate approaches to a substantially higher type involving a change in its character and layout including changes from a plain intersection to a major channelized intersection or to grade separation and ramps.
  - 13) Placing sufficient new material on soil surface, gravel street or road to substantially improve the quality of the original surface.
  - 14) Improvement of a surface to a higher type.
  - 15) Bituminous material of 1" or more placed on bituminous or concrete material. A lesser thickness may be considered construction provided the engineer shall certify that the resulting pavement is structurally adequate to serve anticipated traffic.
  - 16) Remix existing bituminous surfacing with added materials to provide a total thickness of 1" or more. A lesser thickness may be considered construction provided the engineer shall certify that the resulting pavement is structurally adequate to serve anticipated traffic.
  - 17) Stabilization of street or road base by additive, such as cement, lime or asphaltic material.
  - 18) Widening of existing street, roadbed or pavement, with or without resurfacing.
  - 19) Addition of auxiliary lanes such as speed change, storage, or climbing lanes.
  - 20) Resurfacing, stabilizing or widening of shoulders including necessary connections to side streets or road approaches.
  - 21) Installation or addition to landscape treatment such as sod, shrubs, trees, irrigation, etc.

- 22) Extending old culverts and drains and replacing headwalls.
  - 23) Replacement of bridge rails and floors to a higher standard.
  - 24) Replacement of retaining walls to a higher standard.
  - 25) Replacement of all major signs or traffic control devices on a street or road.
  - 26) The installation of a new sign or the replacement of an old sign with one of superior design such as increased size, illumination, or overhead installations.
  - 27) Installation or improvement of traffic signal controls at intersections and protective devices at railroad grade crossings.
  - 28) Installation or expansion of street or road lighting system.
  - 29) Replacement in kind, when legally required, of structures which are required to be relocated for street and road purposes.
  - 30) Construction of bikeways when they are an integral part of the Public Streets and Highways System.
  - 31) Extension or new installation of guardrails, fences, raised medians or barriers for traffic safety.
  - 32) Painting or rearrangement of pavement striping and markings, or repainting to a higher standard.
  - 33) Construction of pedestrian underpasses or overhead crossing for the general public use.
  - 34) Purchase and installation of traffic signal control equipment including traffic actuated equipment, radio or other remote control devices and related computers, software and that portion of preemption equipment not mounted on motor vehicles.
  - 35) Maintenance or construction on alleys that have been formally accepted into the city or county street system.
- b. Maintenance shall be defined as the preservation and upkeep of a street or road to its constructed condition and the operation of a street or road facility and its integral services to provide safe, convenient and economical highway transportation. Examples of Maintenance include:
- 1) Scarifying, reshaping and restoring material losses.
  - 2) Applying dust palliatives.
  - 3) Patching, repairing, surface treating, and joint filling on bituminous or concrete surfaces.
  - 4) Jacking concrete pavements.
  - 5) Repair of traveled way and shoulders.
  - 6) Bituminous material of less than 1" added to bituminous material including seal coats.
  - 7) Remix existing bituminous surfacing with added materials to provide a total thickness of less than 1". (See exception under Construction, example 16.)
  - 8) Patching operations including base restoration.
  - 9) Resealing street or road shoulders and side street and road approaches.
  - 10) Reseeding and resodding shoulders and approaches.
  - 11) Reshaping of drainage channels and side slopes.
  - 12) Restoration of erosion controls.
  - 13) Cleaning culverts and drains.
  - 14) Removing slides and restoring facilities damaged by slides. (Additional new facilities shall be considered construction.)

- 15) Mowing, tree trimming and watering.
  - 16) Replacing top soil, sod, shrubs, trees, irrigation facilities, etc. on street and roadside.
  - 17) Repairing curb, gutter, rip-rap, underdrain, culverts and drains.
  - 18) Cleaning, painting and repairing bridges and structures.
  - 19) All snow control operations such as the erection of snow fences and the actual removal of snow and ice from the traveled way.
  - 20) Repainting of pavements, striping and marking to the same standards.
  - 21) Repainting and repairing of signs, guardrails, traffic signals, lighting standards, etc.
  - 22) Servicing lighting systems and street or road traffic control devices.
  - 23) Furnishing of power for street and road lighting and traffic control devices.
  - 24) Developing and maintaining programs which enhance management of transportation facilities such as travel demand models and pavement management programs.
  - 25) Purchase of equipment used exclusively for road maintenance.
- c. Overhead shall be defined as those elements of cost necessary in the production of an article or performance of a service which are of such a nature that the amount applicable to the functions are not readily discernible. Usually they relate to those objects of expenditure which do not become an integral part of the finished product or service. Examples of overhead components are shown below and are comprised of costs which cannot be identified or charged to a project, unless an arbitrary allocation basis is used. Overhead will only be allowed via an approved cost allocation plan or an equitable and auditable distribution of overhead among all departments.
- 1) Payroll
  - 2) Facilities
  - 3) Advertising
  - 4) General Government
  - 5) Department Accounts/Finance
  - 6) Procurement
  - 7) Top Management
  - 8) General Accounting/Finance
  - 9) Personnel
  - 10) Data Processing
  - 11) Legal Costs

#### **E. Ineligible Expenditures**

Policy VLS-13: Although many types of work may be classified as "construction," this does not make them automatically eligible for expenditures of Measure I funds. To be eligible, the work must be for street and road purposes.

- a. Following is a list of the types of expenditures which are not eligible for financing with Measure funds:
- 1) Costs of rearranging non-highway facilities, including utility relocation, when not a legal road or street obligation.
  - 2) New (first installation of) utilities, including water mains, sanitary sewers and other nonstreet facilities.
  - 3) Costs of leasing property or right-of-way, except when required for construction work purposes on a temporary basis.
  - 4) The costs of constructing or improving a street or area for parking purposes, except for the width normally required for parking adjacent to the traveled way and within the right-of-way, or when off-street parking facilities are constructed in lieu of widening a street to improve the flow of traffic.

- 5) Decorative lighting.
- 6) Park features such as benches, playground equipment, and rest rooms.
- 7) Work outside the right-of-way which is not a specific right-of-way obligation.
- 8) Equestrian under and overpasses or other similar structures for any other special interest group unless as a part of a right-of-way obligation.
- 9) Construction, installation or maintenance of cattle guards.
- 10) Acquisition of buses or other mass transit vehicles or maintenance and operating costs for mass transit power systems or passenger facilities, other than to specifically serve elderly and handicapped persons.
- 11) Maintenance or construction on alleys that have not been formally accepted into the city or county street system.
- 12) Non-street related salaries and benefits.
- 13) Driveways outside of the street and road right-of-way.
- 14) Electronic speed control devices or other non-highway related safety expenditures.

#### **F. Accounting Requirements**

Policy VLS-14: Each local jurisdiction shall establish a Special Measure I 2010-2040 Transportation Sales Tax Fund. This fund is a special revenue fund utilized to account for proceeds of specific revenue sources that are legally restricted to expenditures for street purposes. Jurisdictions should use the modified accrual basis of accounting

Policy VLS-15: The following requirements are to provide guidance on the specific accounting treatment as it relates to the Special Measure I Transportation Sales Tax Fund.

- a. All apportionments shall be deposited directly into the Special Measure I Transportation Sales Tax Fund.
- b. Interest received by a jurisdiction from the investment of money in its Special Measure I Sales Tax Fund shall be deposited in the fund and shall be used for street purposes.
- c. Segregation must be maintained within the Special Measure I Transportation Sales Tax Fund to show separate balances for each subarea (County only).
- d. If other revenues are commingled in the Special Measure I Transportation Sales Tax Fund, it is the responsibility of the jurisdiction to provide accurate and adequate documentation to support revenue and expenditure allocation, as well as segregated balances.
- e. It is allowable to fund prior year expenditures with current year revenues and/or fund balance as long as funded projects are included in the adopted Five-Year Capital Improvement Program and accounting clearly identifies the project and other pertinent data to establish a clear audit trail.
- f. If a project is deemed ineligible in the annual Compliance Audit, the Measure I funds used on that project must be repaid to the Special Measure I Transportation Sales Tax Fund in accordance with Policy VLS-19.

Policy VLS-16: Any interest earned on investment of Measure I Transportation Sales Tax Funds must be deposited in the Special Measure I Transportation Sales Tax Fund. Any jurisdiction not electing to invest its Measure I funds but at the same time investing most of its other available funds should deposit the Measure I funds in a separate account to clearly indicate that no such monies were invested. If Measure I Transportation Sales Tax funds are invested, they must receive their equitable proration of interest earned on the total funds invested. Several methods are available to determine an equitable distribution of interest earned. Whatever method is employed, it will be analyzed during audit to determine reasonableness and confirm distribution to the Special Measure I Transportation Sales Tax Fund. It is recommended that a distribution based on average monthend cash balances be employed. In addition, if the interest distribution methodology allows for negative distributions, they will be disallowed. No interest charges based on negative cash and fund balances will be allowed.

Policy VLS-17: Reimbursements of Measure I Transportation Sales Tax Funds previously expended for street and road construction or right-of-way purposes, from whatever source, must be deposited in the Special Measure I Transportation Sales Tax Fund. This includes but is not limited to:

- Federal Aid Urban projects
- Redevelopment agencies
- Cooperative agreements
- Right-of-way dispositions
- Federal and safety projects

Policy VLS-18: Records:

- a. Source Documentation - On construction or purchase of right-of-way, all expenditures charged to the Measure I Transportation Sales Tax Fund must be supported by a warrant or other source document (invoice, requisition, time sheet, equipment rental charge, engineering plans, specifications and other pertinent data) clearly identifying the project and other pertinent data to establish a clear audit trail.
- b. Retention Period - All source documents, together with the accounting records, are deemed to be the official records of the jurisdiction and must be retained by the jurisdiction for five (5) years.

Policy VLS-19: If Measure I Transportation Sales Tax Funds are determined through the annual audit to have been used for ineligible expenses, the jurisdiction must repay those funds within six months of completion of the audit that discovered the ineligible use. If the jurisdiction is unable to repay those expenses through an internal transfer to the Measure I Transportation Sales Tax Fund from another source, then a Repayment Agreement must be approved by both the Jurisdiction and the SANBAG Board of Directors.

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**V. REVISION HISTORY**

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors.	04/01/2009
1	Revisions adopted by the Board of Directors.	Mm/dd/Year

San Bernardino Associated Governments	<b>Policy</b>	<b>40012</b>
Adopted by the Board of Directors	April 1, 2009	Revised
<b>Victor Valley Local Streets (VVLS) Program Measure I 2010-2040 Strategic Plan</b>		Mo/Dy/Year
	Revision No.	1

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## I. PURPOSE

The purpose of this policy is to establish requirements for the Victor Valley Local Streets Program, including project eligibility, adoption of Five Year Plans by local jurisdictions, accounting requirements, and development mitigation requirements.

## II. REFERENCES

Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan.

SANBAG Congestion Management Program

## III. DEFINITIONS

**Local Street Program:** Measure I program in all subareas that provides funds through a pass-through mechanism directly to local jurisdictions for expenditure on street and road construction, repair, maintenance and other eligible local transportation priorities. Local Street Program funds can be used flexibly for any eligible transportation purpose determined to be a local priority, including local streets, major highways, state highway improvements, freeway interchanges, transit, and other improvements/programs to maximize use of transportation facilities.

**Allocation:** An action by the SANBAG Board of Directors to assign a specific amount of Measure I funds from a Measure I program to a project. The allocation decision is made annually by the Board of Directors by March of each year. Allocation of Local Street Program funds occur monthly as a direct pass-through to local jurisdictions.

**Five Year Plan:** A plan of projected local jurisdiction expenditures for the next five years on Local Street Projects eligible for Local Streets Program funds, updated annually and submitted to SANBAG by local jurisdictions.

## IV. POLICIES FOR THE VICTOR VALLEY LOCAL STREETS PROGRAM

### A. Local Streets Allocation

Policy VVLS-1 Each jurisdiction shall receive an allocation from 70% of the Measure I revenue, after reservation of 2% collected in the subarea for Project Development and Traffic Management Systems. The allocation methodology is determined based on:

- 50% population. The population estimate for making the per capita calculation shall be determined by SANBAG each year based on the State Department of Finance population estimate. Annual adjustments to the population estimates are made mid-year, based on availability of DOF estimates. Following approval of the population estimates by the Board, adjustments will be made to the local pass through fund allocations retroactive to January 1 of the year.
- 50% return to source. The sales tax estimates provided by the State Board of Equalization, updated quarterly based on the prior quarter's financial data, shall be used as the basis for making the return to source calculations.

Policy VVLS-2: Local jurisdictions shall not receive their Local Streets Allocation until they have submitted their annual update of their Five Year Plan.

Policy VVLS-3: The Local Streets allocation shall be remitted to local jurisdictions monthly.

Policy VVLS-4: Local Streets Allocations remitted from January 1 until such time as the State Department of Finance has issued their population figures and SANBAG has made the per capita calculation, shall be based on the prior year's calculation. Once the per capita calculation has been made, the calculation will be applied retroactively to January 1 and amounts received by local jurisdictions will be adjusted to account for the difference in the amount remitted during the retroactive period and the amount that should have been remitted adjusted for the new per capita calculation.

Policy VVLS-5: Local Streets Allocations sales tax generation portion will be based on the prior quarter's data. Because of the lag in receiving sales tax data from the Board of Equalization, the Sales Tax Generation calculations for that portion of the Local Streets Allocation will be calculated using the data from the prior quarter. (Example: During the months of January, February and March SANBAG will use the local sales tax generation figure derived from the fourth quarter of the previous calendar year.)

- Policy VVLS-6: SANBAG will make the monthly allocations using the following procedure:
- Determine total amount of Measure I Sales Tax generated in the subarea from information submitted by the State Board of Equalization.
  - Multiply the total Measure I Sales Tax received for the month by 0.68 to arrive at the total amount of Local Streets Program funds available for distribution to local jurisdictions.
  - Divide the Local Streets Program fund into two 50% pools of funding: Allocate the two pools of funding based on:
    - a jurisdiction's population share of the entire subarea population.
    - jurisdiction's share of sales tax generation within the total subarea.
  - Add the population based component and the sales tax based component of each jurisdiction's allocation to arrive at the total Local Streets Allocation for each jurisdiction.
  - Remit payment of Local Streets Program fund to local jurisdiction.

Policy VVLS-7: The Local Streets program allocation will be decreased by 0.5% beginning in 2015 with additional decreases of 0.5% every five years thereafter to a maximum of 2.5% to be allocated to the Senior and Disabled Transit Service Program. This change in allocation will occur automatically unless each jurisdiction in the subarea makes a finding that such increase in Senior and Disabled Transit Service Program is not needed to address unmet transit needs of senior and disabled transit users.

## **B. Development Fair Share Contribution**

Policy VVLS-8: A development mitigation fair share contribution is required by Measure I 2010-2040 for all capacity improvement projects on the Nexus Study Network contained in the most recent Board-adopted version of the in the urbanized Victor Valley. The urbanized Victor Valley is

defined as the cities of Adelanto, Hesperia, Victorville, Town of Apple Valley and their spheres of influence.

**Policy VVLS-9:** A development mitigation fair share contribution is required by Measure I 2010-2040 for all capacity improvement projects as identified by Traffic Impact Analysis (TIA) reports as required by the Congestion Management Program in the non-urban areas. The amount of the Development Fair Share Contribution for each project is defined by the traffic mitigation measures identified in the related TIA reports.

**Policy VVLS-10:** Annually as part of its audit of each jurisdictions' use of Measure I funds, SANBAG will specifically review development mitigation contribution records for capacity improvements to Nexus Study Network facilities. If a material finding is made in the audit showing that the development share contribution was not made, SANBAG may, as the Congestion Management Agency, withhold Section 2105 Gas Tax funds or Measure I Local Street Allocations until the jurisdiction shows that they are in compliance with the Congestion Management Program.

**Policy VVLS-11:** Jurisdictions may borrow from other internal accounts (i.e. within their own jurisdictions) to fund the required development fair share. The development mitigation account shall reimburse the source of the loan as development occurs.

### **C. Five Year Plan**

**Policy VVLS-12:** Each local jurisdiction is required to annually adopt a Five Year Capital Improvement Plan which details the specific projects to be funded using Measure I Local Pass-Through Funds. Expenditures of Measure I Local Pass Through Funds must be detailed in the Five Year Capital Improvement Plan and approved by the governing body

**Policy VVLS-13:** Five Year Capital Improvement Plans shall:

- a. Specifically identify improvements to be funded by Measure I by street name, boundaries, and project type, subject to eligibility requirements listed in Section D below.
- b. Constrain the total amount of planned expenditures to 150% of SANBAG's forecasted revenue for Measure I Local Pass-Through Funds, revenue resulting from bonds secured by Measure I revenue, and remaining balances from previous year allocations.
- c. Include no more than 50% of estimated annual new revenue to general program categories for pavement management programs, system improvements, and general maintenance or other miscellaneous categorical expenditures. Carryover fund balance shall not be used for general program categories.

A general program category is a program of work without any identified streets. If a line item in the Five Year Capital Improvement Plan includes a list of the streets to which it will apply, then it does not have to count as a general program category (i.e. a city-wide AC overlay program that lists the streets to be included in the program).

- d. For capacity enhancement projects to Nexus Study Network roadways, include total estimated cost, Measure I share of project cost and development share of project cost. Maintenance projects or projects that do not enhance the capacity of a roadway do not require a development contribution to be included in the Five Year Plan.

**Policy VVLS-14:** Any single project expenditure in excess of \$100,000 shall be listed as an individual project and shall not be included in a general program category. A project is defined as an eligible specific road improvement.

Policy VVLS-15: The Five Year Capital Improvement Plan shall be the basis for the annual audit. Jurisdictions will have flexibility in moving projects around in their Five Year Capital Improvement Plan based on the necessities of the jurisdiction. However, in order for a project to be eligible for expenditure of Local Streets funds, the project must be included in the Five Year Capital Improvement plan. A revised Capital Improvement Plan must be provided to SANBAG by the end of each fiscal year if the project list has been changed in order for the projects to be eligible for expenditures of Local Streets funds.

#### **D. Eligible Expenditures**

Policy VVLS-16: Eligible expenditures include construction, maintenance, and overhead. Included below are definitions and types of eligible expenditures by category.

- a. Construction shall be defined as the building or rebuilding of streets, roads, bridges, and acquisition of rights-of-way or their component parts to a degree that improved traffic service is provided and geometric or structural improvements are effected including allocated administration and engineering necessarily incurred and directly related to the above.
  - 1) Removal of old street and roadbeds and structures, and detour costs when connected with a construction project.
  - 2) Change of alignment, profile, and cross-section.
  - 3) Addition of a frontage street or road.
  - 4) Original surfacing of shoulders.
  - 5) Installation of original traffic signs and markers on routes.
  - 6) Earthwork protective structures within or adjacent to the right-of-way area.
  - 7) Complete reconstruction or addition to a culvert.
  - 8) Reconstruction of an existing bridge or installation of a new bridge.
  - 9) Widening of a bridge.
  - 10) Installations or extensions of curb, gutter, sidewalks or underdrain (including improvements to handicap ramps to make them ADA compliant).
  - 11) Extensions and new installation of walls.
  - 12) Reconstruction of an intersection and its approximate approaches to a substantially higher type involving a change in its character and layout including changes from a plain intersection to a major channelized intersection or to grade separation and ramps.
  - 13) Placing sufficient new material on soil surface, gravel street or road to substantially improve the quality of the original surface.
  - 14) Improvement of a surface to a higher type.
  - 15) Bituminous material of 1" or more placed on bituminous or concrete material. A lesser thickness may be considered construction provided the engineer shall certify that the resulting pavement is structurally adequate to serve anticipated traffic.
  - 16) Remix existing bituminous surfacing with added materials to provide a total thickness of 1" or more. A lesser thickness may be considered construction provided the engineer shall certify that the resulting pavement is structurally adequate to serve anticipated traffic.
  - 17) Stabilization of street or road base by additive, such as cement, lime or asphaltic material.
  - 18) Widening of existing street, roadbed or pavement, with or without resurfacing.
  - 19) Addition of auxiliary lanes such as speed change, storage, or climbing lanes.
  - 20) Resurfacing, stabilizing or widening of shoulders including necessary connections to side streets or road approaches.
  - 21) Installation or addition to landscape treatment such as sod, shrubs, trees, irrigation, etc.
  - 22) Extending old culverts and drains and replacing headwalls.
  - 23) Replacement of bridge rails and floors to a higher standard.
  - 24) Replacement of retaining walls to a higher standard.

- 25) Replacement of all major signs or traffic control devices on a street or road.
  - 26) The installation of a new sign or the replacement of an old sign with one of superior design such as increased size, illumination, or overhead installations.
  - 27) Installation or improvement of traffic signal controls at intersections and protective devices at railroad grade crossings.
  - 28) Installation or expansion of street or road lighting system.
  - 29) Replacement in kind, when legally required, of structures which are required to be relocated for street and road purposes.
  - 30) Construction of bikeways when they are an integral part of the Public Streets and Highways System.
  - 31) Extension or new installation of guardrails, fences, raised medians or barriers for traffic safety.
  - 32) Painting or rearrangement of pavement striping and markings, or repainting to a higher standard.
  - 33) Construction of pedestrian underpasses or overhead crossing for the general public use.
  - 34) Purchase and installation of traffic signal control equipment including traffic actuated equipment, radio or other remote control devices and related computers, software and that portion of preemption equipment not mounted on motor vehicles.
  - 35) Maintenance or construction on alleys that have been formally accepted into the city or county street system.
- b. Maintenance shall be defined as the preservation and upkeep of a street or road to its constructed condition and the operation of a street or road facility and its integral services to provide safe, convenient and economical highway transportation. Examples of Maintenance include:
- 1) Scarifying, reshaping and restoring material losses.
  - 2) Applying dust palliatives.
  - 3) Patching, repairing, surface treating, and joint filling on bituminous or concrete surfaces.
  - 4) Jacking concrete pavements.
  - 5) Repair of traveled way and shoulders.
  - 6) Bituminous material of less than 1" added to bituminous material including seal coats.
  - 7) Remix existing bituminous surfacing with added materials to provide a total thickness of less than 1". (See exception under Construction, example 16.)
  - 8) Patching operations including base restoration.
  - 9) Resealing street or road shoulders and side street and road approaches.
  - 10) Reseeding and resodding shoulders and approaches.
  - 11) Reshaping of drainage channels and side slopes.
  - 12) Restoration of erosion controls.
  - 13) Cleaning culverts and drains.
  - 14) Removing slides and restoring facilities damaged by slides. (Additional new facilities shall be considered construction.)
  - 15) Mowing, tree trimming and watering.
  - 16) Replacing top soil, sod, shrubs, trees, irrigation facilities, etc. on street and roadside.
  - 17) Repairing curb, gutter, rip-rap, underdrain, culverts and drains.
  - 18) Cleaning, painting and repairing bridges and structures.
  - 19) All snow control operations such as the erection of snow fences and the actual removal of snow and ice from the traveled way.
  - 20) Repainting of pavements, striping and marking to the same standards.
  - 21) Repainting and repairing of signs, guardrails, traffic signals, lighting standards, etc.
  - 22) Servicing lighting systems and street or road traffic control devices.
  - 23) Furnishing of power for street and road lighting and traffic control devices.
  - 24) Developing and maintaining programs which enhance management of transportation facilities such as travel demand models and pavement management programs.
  - 25) Purchase of equipment used exclusively for road maintenance.

c. Overhead shall be defined as those elements of cost necessary in the production of an article or performance of a service which are of such a nature that the amount applicable to the functions are not readily discernible. Usually they relate to those objects of expenditure which do not become an integral part of the finished product or service. Examples of overhead components are shown below and are comprised of costs which cannot be identified or charged to a project, unless an arbitrary allocation basis is used. Overhead will only be allowed via an approved cost allocation plan or an equitable and auditable distribution of overhead among all departments.

- 1) Payroll
- 2) Facilities
- 3) Advertising
- 4) General Government
- 5) Department Accounts/Finance
- 6) Procurement
- 7) Top Management
- 8) General Accounting/Finance
- 9) Personnel
- 10) Data Processing
- 11) Legal Costs

#### **E. Ineligible Expenditures**

Policy VVLS-17: Although many types of work may be classified as "construction," this does not make them automatically eligible for expenditures of Measure I funds. To be eligible, the work must be for street and road purposes.

a. Following is a list of the types of expenditures which are not eligible for financing with Measure funds:

- 1) Costs of rearranging non-highway facilities, including utility relocation, when not a legal road or street obligation.
- 2) New (first installation of) utilities, including water mains, sanitary sewers and other nonstreet facilities.
- 3) Costs of leasing property or right-of-way, except when required for construction work purposes on a temporary basis.
- 4) The costs of constructing or improving a street or area for parking purposes, except for the width normally required for parking adjacent to the traveled way and within the right-of-way, or when off-street parking facilities are constructed in lieu of widening a street to improve the flow of traffic.
- 5) Decorative lighting.
- 6) Park features such as benches, playground equipment, and rest rooms.
- 7) Work outside the right-of-way which is not a specific right-of-way obligation.
- 8) Equestrian under and overpasses or other similar structures for any other special interest group unless as a part of a right-of-way obligation.
- 9) Construction, installation or maintenance of cattle guards.
- 10) Acquisition of buses or other mass transit vehicles or maintenance and operating costs for mass transit power systems or passenger facilities, other than to specifically serve elderly and handicapped persons.
- 11) Maintenance or construction on alleys that have not been formally accepted into the city or county street system. Non-street related salaries and benefits.
- 12) Driveways outside of the street and road right-of-way.
- 13) Electronic speed control devices or other non-highway related safety expenditures.

#### **F. Accounting Requirements**

Policy VVLS-18: Each local jurisdiction shall establish a Special Measure I 2010-2040 Transportation Sales Tax Fund. This fund is a special revenue fund utilized to account for

proceeds of specific revenue sources that are legally restricted to expenditures for street purposes. Jurisdictions should use the modified accrual basis of accounting.

**Policy VVLS-19:** The following requirements are to provide guidance on the specific accounting treatment as it relates to the Special Measure I Transportation Sales Tax Fund.

- a. All apportionments shall be deposited directly into the Special Measure I Transportation Sales Tax Fund.
- b. Interest received by a jurisdiction from the investment of money in its Special Measure I Sales Tax Fund shall be deposited in the fund and shall be used for street purposes.
- c. Segregation must be maintained within the Special Measure I Transportation Sales Tax Fund to show separate balances for each subarea (County only).
- d. If other revenues are commingled in the Special Measure I Transportation Sales Tax Fund, it is the responsibility of the jurisdiction to provide accurate and adequate documentation to support revenue and expenditure allocation, as well as segregated balances.
- e. It is allowable to fund prior year expenditures with current year revenues and/or fund balance as long as funded projects are included in the adopted Five-Year Capital Improvement Program and accounting clearly identifies the project and other pertinent data to establish a clear audit trail.
- f. If a project is deemed ineligible in the annual Compliance Audit, the Measure I funds used on that project must be repaid to the Special Measure I Transportation Sales Tax Fund in accordance with Policy VVLS-23.

**Policy VVLS-20:** Any interest earned on investment of Measure I Transportation Sales Tax Funds must be deposited in the Special Measure I Transportation Sales Tax Fund. Any jurisdiction not electing to invest its Measure I funds but at the same time investing most of its other available funds should deposit the Measure I funds in a separate account to clearly indicate that no such monies were invested. If Measure I Transportation Sales Tax funds are invested, they must receive their equitable proration of interest earned on the total funds invested. Several methods are available to determine an equitable distribution of interest earned. Whatever method is employed, it will be analyzed during audit to determine reasonableness and confirm distribution to the Special Measure I Transportation Sales Tax Fund. It is recommended that a distribution based on average monthend cash balances be employed. In addition, if the interest distribution methodology allows for negative distributions, they will be disallowed. No interest charges based on negative cash and fund balances will be allowed.

**Policy VVLS-21:** Reimbursements of Measure I Transportation Sales Tax Funds previously expended for street and road construction or right-of-way purposes, from whatever source, must be deposited in the Special Measure I Transportation Sales Tax Fund. This includes but is not limited to:

- Federal Aid Urban projects
- Redevelopment agencies
- Cooperative agreements
- Right-of-way dispositions
- Federal and safety projects

**Policy VVLS-22:** Records

- a. Source Documentation - On construction or purchase of right-of-way, all expenditures charged to the Measure I Transportation Sales Tax Fund must be supported by a warrant or other source document (invoice, requisition, time sheet, equipment rental charge, engineering plans, specifications and other pertinent data) clearly identifying the project and other pertinent data to establish a clear audit trail.
- b. Retention Period - All source documents, together with the accounting records, are deemed to be the official records of the jurisdiction and must be retained by the jurisdiction for five (5) years.

Policy VVLS-23: If Measure I Transportation Sales Tax Funds are determined through the annual audit to have been used for ineligible expenses, the jurisdiction must repay those funds within six months of completion of the audit that discovered the ineligible use. If the jurisdiction is unable to repay those expenses through an internal transfer to the Measure I Transportation Sales Tax Fund from another source, then a Repayment Agreement must be approved by both the Jurisdiction and the SANBAG Board of Directors.

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**V. REVISION HISTORY**

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors.	04/01/2009
1	Revisions adopted by the Board of Directors	Mo/Dy/Year

San Bernardino Associated Governments	<b>Policy</b>	<b>40016</b>
Adopted by the Board of Directors	April 1, 2009	Revised
<b>Rural Mountain/Desert Subareas Local Streets Program (MDLS) Measure I 2010-2040 Strategic Plan</b>		Revision No.
		1

**Important Notice: A hardcopy of this document may not be the document currently in effect. The current version is always the version on the SANBAG Intranet.**

Note: This notice is only in effect when policy is posted to the SANBAG website.

**Table of Contents**

| Purpose | References | Definitions | Revision History |

Note: This area is used to link to bookmarks inserted in the main paragraph headings.

## I. PURPOSE

The purpose of this policy is to establish requirements for the Local Streets Programs for the Colorado River, Morongo Basin, Mountains, and North Desert subareas, including project eligibility, adoption of Five Year Plans by local jurisdictions, accounting requirements, and development mitigation requirements.

## II. REFERENCES

Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan

## III. DEFINITIONS

**Local Street Program:** Measure I program in all subareas that provides funds through a pass-through mechanism directly to local jurisdictions for expenditure on street and road construction, repair, maintenance and other eligible local transportation priorities. Local Street Program funds can be used flexibly for any eligible transportation purpose determined to be a local priority, including local streets, major highways, state highway improvements, freeway interchanges, transit, and other improvements/programs to maximize use of transportation facilities.

**Allocation:** An action by the SANBAG Board of Directors to assign a specific amount of Measure I funds from a Measure I program to a project. The allocation decision is made annually by the Board of Directors by March of each year. Allocation of Local Street Program funds occur monthly as a direct pass-through to local jurisdictions.

**Five Year Plan:** A plan of projected local jurisdiction expenditures for the next five years on Local Street Projects eligible for Local Streets Program funds, updated annually and submitted to SANBAG by local jurisdictions.

## IV. POLICIES FOR THE RURAL MOUNTAIN/DESERT SUBAREAS LOCAL STREETS PROGRAM

### A. Local Streets Allocation

Policy MDLS-1: Each jurisdiction shall receive an allocation from 70% of the Measure I revenue, after reservation of 2% collected in the subarea for Project Development and Traffic Management Systems. The allocation methodology is determined based on:

- 50% population. The population estimate for making the per capita calculation shall be determined by SANBAG each year based on the State Department of Finance population estimate. Annual adjustments to the population estimates are made mid-year, based on availability of DOF estimates. Following approval of the population estimates by the Board, adjustments will be made to the local pass through fund allocations retroactive to January 1 of the year.
- 50% return to source. The sales tax estimates provided by the State Board of Equalization, updated quarterly based on the prior quarter's financial data, shall be used as the basis for making the return to source calculations.

Policy MDLS-2: Local jurisdictions shall not receive their Local Streets allocation until they have submitted their annual update of their Five Year Plan.

Policy MDLS-3: The Local Streets Allocation shall be remitted to local jurisdictions monthly.

Policy MDLS-4: Local Streets Allocations remitted from January 1 until such time as the State Department of Finance has issued their population figures and SANBAG has made the per capita calculation, shall be based on the prior year's calculation. Once the per capita calculation has been made, the calculation will be applied retroactively to January 1 and amounts received by local jurisdictions will be adjusted to account for the difference in the amount remitted during the retroactive period and the amount that should have been remitted adjusted for the new per capita calculation.

Policy MDLS-5: Local Streets Allocations sales tax generation portion will be based on the prior quarter's data. Because of the lag in receiving sales tax data from the Board of Equalization, the Sales Tax Generation calculations for that portion of the Local Streets Allocation will be calculated using the data from the prior quarter. (Example: During the months of January, February and March SANBAG will use the local sales tax generation figure derived from the fourth quarter of the previous calendar year.)

Policy MDLS-6: SANBAG will make the monthly allocations using the following procedure:

- a. Determine total amount of Measure I Sales Tax generated in the subarea from information submitted by the State Board of Equalization.
- b. Multiply the total Measure I Sales Tax received for the month by 0.68 to arrive at the total subarea Local Streets Allocation.
- c. Divide the Local Streets Program fund into two 50% pools of funding: Allocate the two pools of funding based on:
  - 1) a jurisdiction's population share of the entire subarea population.
  - 2) jurisdiction's share of sales tax generation within the total subarea.
- d. Add the population based component and the sales tax based component of each jurisdiction's allocation to arrive at the total Local Streets Allocation for each jurisdiction.
- e. Remit payment of Local Streets Program fund to local jurisdiction.

Policy MDLS-7: Upon each jurisdiction in a particular subarea making a finding that an increase in Senior and Disabled Transit Service is needed to meet the unmet transit needs of senior and disabled users, the Local Streets allocation may be reduced and that allocation may be shifted to the Senior and Disabled Transit Service Program for that subarea.

## **B. Development Fair Share Contribution**

Policy MDLS-8: Development mitigation for Local Street projects in the Rural Mountain/Desert is required by Measure I 2010-2040 for all capacity improvement projects for transportation facilities as identified by a Traffic Impact Analysis (TIA) report as required by the Congestion Management

Program. The amount of the development mitigation for each project is defined by the traffic mitigation measures identified in the related TIA reports.

Policy MDLS-9: Annually as part of its audit of each jurisdictions' use of Measure I funds, SANBAG will specifically look to make sure that the development mitigation towards capacity improvements identified in TIAs is accounted for. If a material finding is made in the audit showing that a contribution of development mitigation was not made as identified by a TIA, then SANBAG may, as the Congestion Management Authority, withhold Section 2105 Gas Tax funds or Measure I Local Street Allocations until the jurisdiction shows that they are in compliance with the Congestion Management Plan.

### **C. Five Year Plan**

Policy MDLS-10: Each local jurisdiction is required to annually adopt a Five Year Capital Improvement Plan which details the specific projects to be funded using Measure I Local Pass-Through Funds. Expenditures of Measure I Local Pass Through Funds must be detailed in the Five Year Capital Improvement Plan and adopted by resolution of the governing body.

Policy MDLS-11: Five Year Capital Improvement Plans shall:

- a. Specifically identify improvements to be funded by Measure I by street name, boundaries, and project type, subject to eligibility requirements listed in Section D below.
- b. Constrain the total annual amount of planned expenditures to 150% of SANBAG's forecasted revenue for Measure I Local Pass-Through Funds, revenue resulting from bonds secured by Measure I revenue, and remaining balances from previous year allocations.
- c. Include no more than 50% of estimated annual new revenue to general program categories for pavement management programs, system improvements, and general maintenance or other miscellaneous categorical expenditures. Carryover fund balance shall not be used for general program categories.

A general program category is a program of work without any identified streets. If a line item in the Five Year Capital Improvement Plan includes a list of the streets to which it will apply, then it does not have to count as a general program category (i.e. a city-wide AC overlay program that lists the streets to be included in the program).

Policy MDLS-12: Any single project expenditure in excess of \$100,000 shall be listed as an individual project and shall not be included in a general program category. A project is defined as an eligible specific road improvement.

Policy MDLS-13: The Five Year Capital Improvement Plan shall be the basis for the annual audit. Jurisdictions will have flexibility in moving projects around in their Five Year Capital Improvement Plan based on the necessities of the jurisdiction. However, in order for a project to be eligible for expenditure of Local Streets funds, the project must be included in the Five Year Capital Improvement plan. A revised Capital Improvement Plan must be provided to SANBAG by the end of each fiscal year if the project list has been changed in order for the projects to be eligible for expenditures of Local Streets funds.

### **D. Eligible Expenditures**

Policy MDLS-14: Eligible expenditures include construction, maintenance, and overhead. Included below are definitions and types of eligible expenditures by category.

- a. Construction shall be defined as the building or rebuilding of streets, roads, bridges, and acquisition of rights-of-way or their component parts to a degree that improved traffic service

is provided and geometric or structural improvements are effected including allocated administration and engineering necessarily incurred and directly related to the above.

- 1) Removal of old street and roadbeds and structures, and detour costs when connected with a construction project.
- 2) Change of alignment, profile, and cross-section.
- 3) Addition of a frontage street or road.
- 4) Original surfacing of shoulders.
- 5) Installation of original traffic signs and markers on routes.
- 6) Earthwork protective structures within or adjacent to the right-of-way area.
- 7) Complete reconstruction or addition to a culvert.
- 8) Reconstruction of an existing bridge or installation of a new bridge.
- 9) Widening of a bridge.
- 10) Installations or extensions of curb, gutter, sidewalks or underdrain (including improvements to handicap ramps to make them ADA compliant).
- 11) Extensions and new installation of walls.
- 12) Reconstruction of an intersection and its approximate approaches to a substantially higher type involving a change in its character and layout including changes from a plain intersection to a major channelized intersection or to grade separation and ramps.
- 13) Placing sufficient new material on soil surface, gravel street or road to substantially improve the quality of the original surface.
- 14) Improvement of a surface to a higher type.
- 15) Bituminous material of 1" or more placed on bituminous or concrete material. A lesser thickness may be considered construction provided the engineer shall certify that the resulting pavement is structurally adequate to serve anticipated traffic.
- 16) Remix existing bituminous surfacing with added materials to provide a total thickness of 1" or more. A lesser thickness may be considered construction provided the engineer shall certify that the resulting pavement is structurally adequate to serve anticipated traffic.
- 17) Stabilization of street or road base by additive, such as cement, lime or asphaltic material.
- 18) Widening of existing street, roadbed or pavement, with or without resurfacing.
- 19) Addition of auxiliary lanes such as speed change, storage, or climbing lanes.
- 20) Resurfacing, stabilizing or widening of shoulders including necessary connections to side streets or road approaches.
- 21) Installation or addition to landscape treatment such as sod, shrubs, trees, irrigation, etc.
- 22) Extending old culverts and drains and replacing headwalls.
- 23) Replacement of bridge rails and floors to a higher standard.
- 24) Replacement of retaining walls to a higher standard.
- 25) Replacement of all major signs or traffic control devices on a street or road.
- 26) The installation of a new sign or the replacement of an old sign with one of superior design such as increased size, illumination, or overhead installations.
- 27) Installation or improvement of traffic signal controls at intersections and protective devices at railroad grade crossings.
- 28) Installation or expansion of street or road lighting system.
- 29) Replacement in kind, when legally required, of structures which are required to be relocated for street and road purposes.
- 30) Construction of bikeways when they are an integral part of the Public Streets and Highways System.
- 31) Extension or new installation of guardrails, fences, raised medians or barriers for traffic safety.
- 32) Painting or rearrangement of pavement striping and markings, or repainting to a higher standard.

- 33) Construction of pedestrian underpasses or overhead crossing for the general public use.
  - 34) Purchase and installation of traffic signal control equipment including traffic actuated equipment, radio or other remote control devices and related computers, software and that portion of preemption equipment not mounted on motor vehicles.
  - 35) Maintenance or construction on alleys that have been formally accepted into the city or county street system.
- b. Maintenance shall be defined as the preservation and upkeep of a street or road to its constructed condition and the operation of a street or road facility and its integral services to provide safe, convenient and economical highway transportation. Examples of Maintenance include:
- 1) Scarifying, reshaping and restoring material losses.
  - 2) Applying dust palliatives.
  - 3) Patching, repairing, surface treating, and joint filling on bituminous or concrete surfaces.
  - 4) Jacking concrete pavements.
  - 5) Repair of traveled way and shoulders.
  - 6) Bituminous material of less than 1" added to bituminous material including seal coats.
  - 7) Remix existing bituminous surfacing with added materials to provide a total thickness of less than 1". (See exception under Construction, example 16.)
  - 8) Patching operations including base restoration.
  - 9) Resealing street or road shoulders and side street and road approaches.
  - 10) Reseeding and resodding shoulders and approaches.
  - 11) Reshaping of drainage channels and side slopes.
  - 12) Restoration of erosion controls.
  - 13) Cleaning culverts and drains.
  - 14) Removing slides and restoring facilities damaged by slides. (Additional new facilities shall be considered construction.)
  - 15) Mowing, tree trimming and watering.
  - 16) Replacing top soil, sod, shrubs, trees, irrigation facilities, etc. on street and roadside.
  - 17) Repairing curb, gutter, rip-rap, underdrain, culverts and drains.
  - 18) Cleaning, painting and repairing bridges and structures.
  - 19) All snow control operations such as the erection of snow fences and the actual removal of snow and ice from the traveled way.
  - 20) Repainting of pavements, striping and marking to the same standards.
  - 21) Repainting and repairing of signs, guardrails, traffic signals, lighting standards, etc.
  - 22) Servicing lighting systems and street or road traffic control devices.
  - 23) Furnishing of power for street and road lighting and traffic control devices.
  - 24) Developing and maintaining programs which enhance management of transportation facilities such as travel demand models and pavement management programs.
  - 25) Purchase of equipment used exclusively for road maintenance.
- c. Overhead shall be defined as those elements of cost necessary in the production of an article or performance of a service which are of such a nature that the amount applicable to the functions are not readily discernible. Usually they relate to those objects of expenditure which do not become an integral part of the finished product or service. Examples of overhead components are shown below and are comprised of costs which cannot be identified or charged to a project, unless an arbitrary allocation basis is used. Overhead will only be allowed via an approved cost allocation plan or an equitable and auditable distribution of overhead among all departments.
- 1) Payroll
  - 2) Facilities
  - 3) Advertising
  - 4) General Government

- 5) Department Accounts/Finance
- 6) Procurement
- 7) Top Management
- 8) General Accounting/Finance
- 9) Personnel
- 10) Data Processing
- 11) Legal Costs

#### **E. Ineligible Expenditures**

Policy MDLS-15: Although many types of work may be classified as "construction," this does not make them automatically eligible for expenditures of Measure I funds. To be eligible, the work must be for street and road purposes.

a. Following is a list of the types of expenditures which are not eligible for financing with Measure funds:

- 1) Costs of rearranging non-highway facilities, including utility relocation, when not a legal road or street obligation.
- 2) New (first installation of) utilities, including water mains, sanitary sewers and other nonstreet facilities.
- 3) Costs of leasing property or right-of-way, except when required for construction work purposes on a temporary basis.
- 4) The costs of constructing or improving a street or area for parking purposes, except for the width normally required for parking adjacent to the traveled way and within the right-of-way, or when off-street parking facilities are constructed in lieu of widening a street to improve the flow of traffic.
- 5) Decorative lighting.
- 6) Park features such as benches, playground equipment, and rest rooms.
- 7) Work outside the right-of-way which is not a specific right-of-way obligation.
- 8) Equestrian under and overpasses or other similar structures for any other special interest group unless as a part of a right-of-way obligation.
- 9) Construction, installation or maintenance of cattle guards.
- 10) Acquisition of buses or other mass transit vehicles or maintenance and operating costs for mass transit power systems or passenger facilities, other than to specifically serve elderly and handicapped persons.
- 11) Maintenance or construction on alleys that have not been formally accepted into the city or county street system. Non-street related salaries and benefits.
- 12) Driveways outside of the street and road right-of-way.
- 13) Electronic speed control devices or other non-highway related safety expenditures.

#### **F. Accounting Requirements**

Policy MDLS-16: Each local jurisdiction shall establish a Special Measure I 2010-2040 Transportation Sales Tax Fund. This fund is a special revenue fund utilized to account for proceeds of specific revenue sources that are legally restricted to expenditures for street purposes. Jurisdictions should use the modified accrual basis of accounting.

Policy MDLS-17: The following requirements are to provide guidance on the specific accounting treatment as it relates to the Special Measure I Transportation Sales Tax Fund.

- a. All apportionments shall be deposited directly into the Special Measure I Transportation Sales Tax Fund.
- b. Interest received by a jurisdiction from the investment of money in its Special Measure I Sales Tax Fund shall be deposited in the fund and shall be used for street purposes.
- c. Segregation must be maintained within the Special Measure I Transportation Sales Tax Fund to show separate balances for each subarea (County only).

- d. If other revenues are commingled in the Special Measure I Transportation Sales Tax Fund, it is the responsibility of the jurisdiction to provide accurate and adequate documentation to support revenue and expenditure allocation, as well as segregated balances.
- e. It is allowable to fund prior year expenditures with current year revenues and/or fund balance as long as funded projects are included in the adopted Five-Year Capital Improvement Program and accounting clearly identifies the project and other pertinent data to establish a clear audit trail.
- f. If a project is deemed ineligible in the annual Compliance Audit, the Measure I funds used on that project must be repaid to the Special Measure I Transportation Sales Tax Fund in accordance with Policy MDLS-21.

**Policy MDLS-18:** Any interest earned on investment of Measure I Transportation Sales Tax Funds must be deposited in the Special Measure I Transportation Sales Tax Fund. Any jurisdiction not electing to invest its Measure I funds but at the same time investing most of its other available funds should deposit the Measure I funds in a separate account to clearly indicate that no such monies were invested. If Measure I Transportation Sales Tax funds are invested, they must receive their equitable proration of interest earned on the total funds invested. Several methods are available to determine an equitable distribution of interest earned. Whatever method is employed, it will be analyzed during audit to determine reasonableness and confirm distribution to the Special Measure I Transportation Sales Tax Fund. It is recommended that a distribution based on average monthend cash balances be employed. In addition, if the interest distribution methodology allows for negative distributions, they will be disallowed. No interest charges based on negative cash and fund balances will be allowed.

**Policy MDLS-19:** Reimbursements of Measure I Transportation Sales Tax Funds previously expended for street and road construction or right-of-way purposes, from whatever source, must be deposited in the Special Measure I Transportation Sales Tax Fund. This includes but is not limited to:

- Federal Aid Urban projects
- Redevelopment agencies
- Cooperative agreements
- Right-of-way dispositions
- Federal and safety projects

**Policy MDLS-20: Records**

- a. **Source Documentation** - On construction or purchase of right-of-way, all expenditures charged to the Measure I Transportation Sales Tax Fund must be supported by a warrant or other source document (invoice, requisition, time sheet, equipment rental charge, engineering plans, specifications and other pertinent data) clearly identifying the project and other pertinent data to establish a clear audit trail.
- b. **Retention Period** - All source documents, together with the accounting records, are deemed to be the official records of the jurisdiction and must be retained by the jurisdiction for five (5) years.

**Policy MDLS-21:** If Measure I Transportation Sales Tax Funds are determined through the annual audit to have been used for ineligible expenses, the jurisdiction must repay those funds within six months of completion of the audit that discovered the ineligible use. If the jurisdiction is unable to repay those expenses through an internal transfer to the Measure I Transportation Sales Tax Fund from another source, then a Repayment Agreement must be approved by both the Jurisdiction and the SANBAG Board of Directors.

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## V. REVISION HISTORY

Revision	Revisions	Adopted
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No.		
0	Adopted by the Board of Directors.	04/01/2009
1	Revisions adopted by the Board of Directors	Mn/Dy/Year



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

**Minute Action**

AGENDA ITEM:   11  

**Date:** December 11, 2013

**Subject:** Development of a Countywide Habitat Preservation/Conservation Framework

**Recommendation:** \* That the Committee recommend the Board, acting as the San Bernardino County Council of Governments:

1. Approve the attached scope of work for Development of a Countywide Habitat Preservation/Conservation Framework.
2. Authorize the release of Request for Proposals No. 14113 for consultant support to complete the study of a Countywide Habitat Preservation/Conservation Framework consistent with the approved scope of work.

**Background:** The proposed development of a Countywide Habitat Preservation/Conservation Framework is an outgrowth of the San Bernardino Countywide Vision, initiated in 2010, driven by community input, and endorsed by the County of San Bernardino and the 24 cities in the County. This Request for Proposal (RFP) seeks assistance to build on these efforts by structuring a more comprehensive countywide framework for habitat preservation/conservation going forward. The objective is to structure this comprehensive approach in a way that is a “win-win” for the environment, the economy, and the citizens of San Bernardino County.

This project will support one of the initiatives of the Environment Element Group of the Countywide Vision by structuring a more comprehensive approach to

\*

*Approved  
 General Policy Committee*

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

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

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

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

COG	X	CTC		CTA		SAFE		CMA	
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Check all that apply.

GPC1312a-jl

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1312/AgendaItems/GPC1312a1-jl.doc>

habitat preservation/conservation. Much has already been done for habitat preservation and conservation in San Bernardino County, but more needs to be done in certain geographic areas, and the jurisdictions within the county seek to accomplish this in a comprehensive way. This project will help guide the Environment Element Group to achieve a set of possible approaches for the next step.

For Fiscal Year 2013-2014 (FY 13/14), a budget of \$300,000 was allocated to the Task No. 0404 for "Contributions/Sponsorships" in anticipation of providing the local match portion of grants awarded under the Southern California Association of Governments (SCAG) Sustainability Program and the Caltrans Transportation Planning Grant program. SANBAG submitted five proposals for the SCAG Sustainability Program and one proposal for the Caltrans Planning Grant program. SANBAG was informed that four out of the five SCAG proposals have been selected to receive funding in FY 13/14. In addition, SANBAG was successful in receiving the Caltrans Planning Grant for the project Vision and Implementation Strategy for Sustainability in the San Bernardino Metrolink Corridor. However, to streamline the procurement and budgeting process, SCAG staff proposed a funding swap that would allow SCAG to fund almost all the local match portion of the Caltrans Planning Grant and allow SANBAG to fully fund and administer the Countywide Habitat Preservation/Conservation Framework, with a \$70,000 budget. As a result, SANBAG will be administering the procurement process for this project, which had been previously awarded under the SCAG Sustainability Program. The project work effort and the FY 13/14 budget will not be affected by the proposed changes in the procurement process.

SANBAG will seek consultant support to complete the study based on the approved scope of work. Based on SANBAG policy, the Executive Director has the authority to release the Request for Proposals for this transportation study. However, the project was not explicitly listed in the Fiscal Year 13/14 budget, as it was originally expected to be a SCAG RFP. Staff recommends that Request for Proposals No. 14113 and the associated scope of work be approved for release. Per SANBAG Contracting and Procurement Policy 11000, revised May 1, 2013, the Executive Director will execute a contract with the consultant selected by the procurement evaluation panel.

**Financial Impact:** Although not directly referenced as an expenditure item under Task No. 0404 Subregional Transportation Planning, this item is consistent with the proposed Fiscal Year 2013/2014 as described above.

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

**Responsible Staff:** Josh Lee, Transportation Planning Analyst

**DEVELOPMENT OF A SAN BERNARDINO COUNTYWIDE HABITAT  
PRESERVATION/CONSERVATION FRAMEWORK  
Scope of Work**

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**SUMMARY OF PROJECT**

This project to develop a Countywide Habitat Preservation/Conservation Framework is an outgrowth of the San Bernardino Countywide Vision, initiated in 2010, driven by community input and endorsed by the County of San Bernardino and the 24 cities in the County. Much has already been accomplished for habitat preservation and conservation in San Bernardino County. This RFP requests assistance to build on these efforts by structuring a more comprehensive countywide framework for habitat preservation/conservation going forward. The objective is to structure this comprehensive approach in a way that is a “win-win” for the health of the environment, the economy, and the citizens of San Bernardino County.

**CONTEXT OF THE HABITAT PRESERVATION/CONSERVATION  
FRAMEWORK: THE COUNTYWIDE VISION**

The San Bernardino Countywide Vision has been endorsed by the County of San Bernardino and the cities in the County and was adopted by the SANBAG Board of Directors in June 2011.

The Countywide Vision Statement is:

“We envision a complete county that capitalizes on the diversity of its people, its geography, and its economy to create a broad range of choices for its residents in how they live, work, and play.

“We envision a vibrant economy with a skilled workforce that attracts employers who seize the opportunities presented by the county’s unique advantages and provide the jobs that create countywide prosperity.

“We envision a sustainable system of high-quality education, community health, public safety, housing, retail, recreation, arts and culture, and infrastructure, in which development complements our natural resources and environment.

“We envision a model community which is governed in an open and ethical manner, where great ideas are replicated and brought to scale, and all sectors work collaboratively to reach shared goals.

“From our valleys, across our mountains, and into our deserts, we envision a county that is a destination for visitors and a home for anyone seeking a sense of community and the best life has to offer.”

The Countywide Vision identified the following elements of a complete, sustainable community: jobs/economy, education, housing, public safety, infrastructure, quality of life, environment, wellness, and image. The community's input on the Environment Element was summarized as follows:

- “Our location and natural environment are two of our great strengths. We must protect and preserve the terrain and natural amenities with which we are blessed. We shall strive to intelligently manage our resources for habitat preservation, recreation opportunities, resource extraction, alternative energy, future growth, water quality, air quality all within a regulatory framework that does not impede the creation of a sustainable economy.
- “We have the opportunity to improve our region's self-reliance in meeting the needs of our own population, utilizing alternative and renewable energy sources; enhancing water management; encouraging green manufacturing; rewarding sustainable building, and conserving natural resources – all leading to a healthy population with a high quality of life.”

Following the adoption of the Countywide Vision, community stakeholders were convened to identify priorities and action items for the elements of complete and sustainable communities. These stakeholders formed Countywide Vision Element Groups. Two initiatives have been identified by the Environment Element Group. The first initiative is to compile an inventory of “best practices” that can be used by local governments, special districts, and resource agencies to better facilitate the development review process of proposed projects. That activity is underway.

The second initiative is to develop a more comprehensive approach to the preservation/conservation of habitat and open space throughout the county. Although some areas of the county already have vast open space/conservation land, conservation planning traditionally has taken place on a more isolated basis, without a comprehensive view of habitat preservation opportunities and priorities countywide.

This project will support the Environment Element Group's second initiative by structuring a more comprehensive approach to habitat preservation/conservation. Much has already been done for habitat preservation and conservation in San Bernardino County, as illustrated in our recently completed environmental survey provided to SCAG. But more needs to be done in certain geographic areas, and the jurisdictions within the county seek to accomplish this in a more comprehensive way. It may or may not be appropriate to achieve this in a large initiative similar to the multi-species habitat conservation planning effort such as in Riverside County. Alternatively, a series of smaller, more focused efforts in the context of a set of overall strategic principles could be the most effective approach. This project will help guide the Countywide Vision Environment Element Group to an achievable set of next steps within this broad spectrum of possible approaches.

## **STUDY OBJECTIVES**

The objectives of this project are to:

- Work with the stakeholder group established for the Environment Element of the Vision to develop a countywide habitat preservation/ conservation framework. The framework will include principles that guide habitat conservation/preservation within logical subareas of the county.
- Build on conservation/preservation initiatives already established or in progress, beginning with an inventory of those initiatives.
- Develop the framework in a way that meets regulatory and legal requirements and provides balance among the various environmental, lifestyle, and economic needs and interests represented in the county.
- Identify subsequent steps and commitments that would be necessary to proceed with further development of the framework, including identification of gaps and processes for establishment, restoration, and maintenance of preserves and habitat conservation areas.

It is anticipated that this study will be completed in 9 months from Notice to Proceed. However, this needs to be coordinated with mapping that will be performed by SCAG and SANBAG, and further conversations with SCAG staff will be necessary.

## **STUDY TASKS**

Work tasks to be performed as part of the study include:

1. Project management
2. Document existing preservation/conservation efforts and gaps therein
3. Establish geographical subareas around which to organize the habitat preservation/conservation framework
4. Establish habitat preservation/conservation principles applicable countywide and by subarea
5. Define next steps and commitments necessary to implement the framework
6. Document the study results

Each task is described in more detail below.

### **1. Project management**

#### **Task 1.1: Project Kick-off Meeting**

- SANBAG, County of San Bernardino, Environment Element Group, and the consultant will hold a kick-off meeting to discuss project scope, outreach, and expected project outcomes. A meeting summary confirming project goals, objectives, data collection needs, and outreach approaches will be developed and documented.

#### **Task 1.2: Staff Coordination**

- Monthly face-to-face project team meetings with consultants to ensure good communication on upcoming tasks and to ensure that the project remains on time and within budget. It is anticipated that meetings of the Environment Element Group will be held up to four times throughout the project process. The Environment Element Group consists of a cross-section of staff from local agencies, state and federal resource agencies, environmental stakeholder groups, and the private sector.

**Task 1.3: Invoicing and project reporting**

- The consultant may bill SANBAG monthly for project expenses incurred. A brief progress report shall be provided together with each invoice.

**2. Document Existing Preservation/Conservation Efforts and Identify Gaps**

As indicated earlier, a substantial amount of land has already been devoted to open space and conservation in San Bernardino County. With a few exceptions, agencies have largely worked independently on these initiatives. One of purposes of this task is to document existing open space/conservation areas, conservation/mitigation activities underway, and opportunities identified by San Bernardino County agencies for additional open space/conservation efforts. The focus of this effort is on areas with habitat value, although recreational value is a consideration.

The consultant shall conduct an inventory of these activities through the following:

- Examination of mapping and auxiliary information available at SCAG, SANBAG, County of San Bernardino, and state/federal resource agencies documenting existing conservation lands, conservation easements, critical habitat, mitigation banks, and related designations intended to preserve habitat for endangered and threatened species.
- Surveys and interviews with local jurisdictions, water and flood control districts, the development community, and other entities identifying the following:
  - Conservation/mitigation activities and documents underway including habitat conservation plans, preserve management/monitoring plans, and general plan open space elements
  - Mapping and documentation of conservation lands not otherwise identified above
  - Quantify habitat conservation lands sequestered/protected through various tools to date in the county in relations to the goals identified in the plans
  - Anticipated future mitigation needs and gaps by species type
  - Based on currently identified gaps and mitigation tools used in the county, estimate future habitat conservation and preservation needs in developable areas
  - Estimates and quantification of the projected conserved and preserved lands should be coordinated with the SCAG habitat mapping project (referenced below) and organized by logical subareas.
  - Maintenance and monitoring of existing conservation areas

- Summary of relevant best practices from other regional entities
- Identification of issues, opportunities, gaps, and concerns associated with current approaches to habitat conservation including current regulatory framework related to the Endangered Species Act (ESA) and its permitting process.

Although the proposed study is not scoped to be data-intensive, it will assemble relevant information that is readily available. This will be done in partnership with SCAG and its environmental consultant working on mapping for the region under the contract “Regional Habitat Conservation – Assessment Methodology & Database for 2016 RTP Development.” A substantial amount of information is available through prior efforts and existing GIS coverages maintained by SCAG, the County, SANBAG, and State/Federal resource agencies. The selected consultant will be responsible for identifying data that can be assembled within the available project resources. No new field data collection or data analysis is being requested.

SCAG’s existing contract noted above is expected to be a vehicle for mapping the following:

- Existing open space/preservation/conservation areas
- Existing and potential mitigation banks
- Aquatic and biological resources
- Federally designated critical habitat
- Other geographically definable biological initiatives

To the extent possible, covenants and conditions governing preserved habitat and conservation areas will be collected and linked with the mapping. SCAG’s consultant will be responsible for the GIS mapping, but the SANBAG study consultant will need to coordinate closely with SCAG to identify appropriate data for inclusion and to provide quality assurance. The nature and extent of mapping available from SCAG will need to be negotiated as part of the definition of the final consultant scope of work, and the full extent of SCAG’s mapping may not be available within the timeframe of the proposed study. However, SCAG and SANBAG will collaborate on both efforts to make as much of the mapping available to the consultant as possible.

The consultant for this study will be responsible for distributing and/or presenting the SCAG mapping to the Environment Element stakeholder group and to the SANBAG Planning and Development Technical Forum (PDTF), which consists of local jurisdiction planning/community development directors.

**Deliverables:**

- Inventory report on existing conservation lands, gaps, and documentation of local and private sector perspectives on habitat conservation
- Regulatory overview of ESA and its permit structures related to San Bernardino County and local jurisdictions responsible for administering various development and transportation projects

- Environmental GIS coverages coordinated through SCAG and designed to inform subsequent tasks.

### **3. Establish subareas around which to organize the habitat preservation/conservation framework**

The geography and environmental settings of San Bernardino County are highly diverse. Part of the development of the framework will include the structuring of this geography into logical subareas based on environmental and habitat characteristics. Factors to consider include climate, level of existing and planned urbanization, and subarea biology, among others. The consultant will assist the Environment Element stakeholder group and PDTF with the subarea designations and will work with SANBAG and SCAG to provide mapping of those areas. The consultant will provide written descriptions of the characteristics of each area based on existing conditions research from task 2. The consultant will estimate build-out of currently known habitat conservation plans and other habitat mitigation efforts. The consultant will qualitatively identify habitat types that are most critical, sensitive, and in need of set-asides for the future.

Key issues within each subarea will then be defined. This will be done through one or more working sessions with the Environment Element stakeholder group and with the PDTF. The key issues will be documented in a technical memorandum.

Deliverable:

- Technical Memorandum defining the subareas and the characteristics of and key issues/opportunities within each subarea.

### **4. Establish open space/conservation principles applicable countywide and by subarea**

The consultant will work with the Environment Element stakeholder group and PDTF to craft a set of open space/conservation principles at both a countywide and subarea level. The principles will constitute the foundation of a framework for moving forward on a more comprehensive approach to habitat preservation/conservation. The principles will take into consideration existing and ongoing initiatives, with a view to establishing a path forward for preservation/conservation at both a subarea level and countywide. The consultant will conduct a qualitative survey of cities and County to identify interest in supporting alternative habitat conservation and preservation strategies.

It is recognized that each subarea may require a different approach and that each approach cannot be fully vetted in this planning study. However, the desire is to structure these principles as a basic framework for moving forward in a way that is appropriate for each subarea. Stakeholders specific to each subarea may need to be convened to develop the subarea-specific principles, and the consultant will help facilitate those discussions, as appropriate.

The conservation/preservation principles identified in this section should reflect the objective of identifying "potential tools" for future conservation. Future tools could include mitigation banking, project review under CEQA, HCPs, MSHCPs, NCCPs, density transfers, coordinated City-County-Special District mitigation planning, land acquisition, and others.

Deliverable:

- Technical memorandum on countywide and subarea habitat preservation/conservation principles

## **5. Define next steps and commitments necessary to implement the framework**

It will be important to conclude this planning study with momentum to proceed to the next level, however that next level may be defined. Next steps will be identified at both the countywide and subarea level, and associated agency responsibilities and schedule will be outlined. Financial and personnel resources believed to be needed will be outlined as well. This needs to be a feasible path forward, and consultation will be needed with elected officials, local agency staff, resource agencies, environmental stakeholders, and the development community to ensure that the direction can be supported. Draft next steps will be presented to the Environment Element stakeholder group, PDTF, and SANBAG policy committees. Comments from these groups will be considered as the study report is prepared.

Deliverable:

- Notes on next steps defined by stakeholder groups, to be included in the final report.

## **6. Document the study results**

A draft report will be prepared documenting the results of Tasks 1-5 in the form of a habitat preservation/conservation framework and next steps. The report will reference the inventory, data, and mapping assembled in the course of the study, but the actual mapping products will be prepared as part of the SCAG environmental mapping effort. The timing of this proposed study and the SCAG study will need to be coordinated. The SANBAG GIS Department will also be available to assist in preparing mapping products. A draft of the report will be made available to the Environment Element stakeholder group for review and comment, following which a final report will be prepared.

Deliverable:

- Draft and final study reports

## **COST AND SCHEDULE**

Cost of consultant contract:                      \$70,000

The target schedule for completion is 9 months, with a February 2014 start date for the consultant contract. This relatively aggressive schedule will help the Environment Element stakeholder group to focus its efforts with a specific end result in mind. The target for completion of the draft report will be 6 months. The schedule for intermediate study milestones is identified below:

1. Project management - Initiation in month 1, with ongoing project management
2. Document Existing Preservation/Conservation Efforts - completion by month 3
3. Establish subareas and identify countywide and subarea issues - Completion by month 4
4. Establish habitat/conservation principles applicable countywide and by subarea - Completion by month 5
5. Define next steps and commitments necessary to implement the framework - completion by month 6
6. Document the study results - Draft final report completion by month 6, followed by stakeholder review and delivery of final report by month 9

Three months are being allowed between the draft and final reports for circulation and review/comment by a broad range of stakeholders and for presentations to elected officials at SANBAG committees.

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist SANBAG Board Members and partners as they participate in deliberations at SANBAG Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. SANBAG staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

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