



San Bernardino Associated Governments

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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
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AGENDA
Transit Committee Meeting

April 14, 2016

9:00 AM

Location

SANBAG

First Floor Lobby

1170 W. 3rd Street, San Bernardino, CA 92410

Transit Committee Membership

Chair

Supervisor James RAMOS (SCRRRA Alternate)
County of San Bernardino

Mayor L. Dennis Michael
City of Rancho Cucamonga

Vice Chair

Mayor Pro Tem Bill Jahn (Mtn/Desert Board Member)
City of Big Bear Lake

Mayor Pro Tem Jon Harrison
City of Redlands

Supervisor Robert Lovingood (Mtn/Desert Board Member)
County of San Bernardino

Mayor Deborah Robertson
City of Rialto

Mayor Larry McCallon (SCRRRA Primary)
City of Highland

Mayor Ray Musser
City of Upland

Mayor Paul Eaton (SCRRRA Primary)
City of Montclair

Council Member Richard Riddell
City of Yucaipa

Council Member Alan Wapner (SCRRRA Alternate)
City of Ontario

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

AGENDA

Transit Committee Meeting

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SANBAG Office

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

CALL TO ORDER

(Meeting Chaired by James Ramos)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications – Marleana Roman

Possible Conflict of Interest Issues

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.

1. Information Relative to Possible Conflict of Interest

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

This item is prepared monthly for review by SANBAG Board and Committee members.

CONSENT CALENDAR

Items listed on the Consent Calendar are expected to be routine and non-controversial. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Members.

Consent - Transit

2. Construction Contract Change Orders to on-going SANBAG Construction Contract with Shimmick Construction Company, Inc.

Receive and File Change Orders.

Presenter: Carrie Schindler

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

DISCUSSION ITEMS

Discussion - Transit

3. Award Redlands Passenger Rail Project - Maintenance Facility Design

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

A. Approve Contract No. 16-1001336 with STV Inc., for a three year term in an amount not-to-exceed \$842,910 for Maintenance Facility Design Services on the Redlands Passenger Rail Project.

B. Approve contingency of an amount not-to-exceed \$85,000 for Contract No. 16-1001336 and authorize the Executive Director or his designee to release contingency as necessary for the Project.

Presenter: Justin Fornelli

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Procurement Manager have reviewed and approved this item and the contract.

4. Award On-Call Railroad Right-of-Way Consultant Services

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

A. Approve Contract No. 16-1001412 with Epic Land Solutions, Inc. for a five year term in an amount not-to-exceed \$2,550,000.00 for Railroad Right-of-Way Property Management Services. The Commission may extend the original term of the Contract for two (2) one-year option terms at an estimated cost of \$470,000 per year.

B. Approve an allocation of Local Transportation Funds – Rail in the amount of \$2,600,000 for Contract 16-1001412 as well as for Weed Abatement activity notices.

C. Approve a budget amendment to Task 0377 – Commuter Rail Operating in the amount of \$50,000, funded with Local Transportation Funds – Rail.

Presenter: Theresa Armistead

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Procurement Manager have reviewed this item and the draft contract.

5. Award On-Call Railroad Right-of-Way Maintenance Services 16-1001409

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

A. Approve Contract No. 16-1001409 with Joshua Grading & Excavating, Inc. for a five year term in an amount not-to-exceed \$4,000,000 for Railroad Right-of-Way Maintenance Services. The Commission may extend the original term of the Contract for two (2) one-year option terms at an estimated cost of \$800,000 per year.

B. Approve an allocation of Local Transportation Funds – Rail in the amount of \$4,000,000 for Contract 16-1001409.

C. Approve a Fiscal Year 2015/2016 budget amendment in the amount of \$64,000 in Local Transportation Funds – Rail.

Presenter: Theresa Armistead

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Procurement Manager have reviewed this item and the draft contract.

Discussion - Transportation Programming and Fund Administration

6. Revised Unmet Needs Definitions

That the Transit Committee recommend the Board, acting as the San Bernardino County Transportation Commission, adopt new definitions for “Unmet Transit Needs” and “Reasonable to Meet”.

Presenter: Nancy Strickert

This item is not scheduled for review by any other policy committee. This item was reviewed and unanimously approved by PASTACC on March 8, 2016.

Comments from Board Members

Brief comments from Board Members

Public Comment

Brief comments from the General Public

ADJOURNMENT

Additional Information

Attendance
SANBAG Entities
Acronym List
Mission Statement

The next Commuter Rail and Transit Committee Meeting will be May 12, 2016.

Meeting Procedures and Rules of Conduct

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

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

Agendas – All agendas are posted at 1170 W. 3rd Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SANBAG offices located at 1170 W. 3rd Street, 2nd Floor, San Bernardino and our website: www.sanbag.ca.gov.

Agenda Actions – Items listed on both the “Consent Calendar” and “Discussion” contain recommended 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 or unanimous vote of members present as provided in the Ralph M. Brown Act Government Code Sec. 54954.2(b).

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. Members of the public requesting information be distributed to the Board of Directors must provide 40 copies of such information in advance of the meeting, except for noticed public hearings. Information provided as public testimony is not read into the record by the Clerk.

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 applies.

Disruptive or Prohibited 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 or prohibited conduct includes without limitation 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, bringing into the meeting any type of object that could be used as a weapon, including without limitation sticks affixed to signs, or otherwise preventing the Board from conducting its meeting in an orderly manner. Your cooperation is appreciated!

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

Attendance.

- The Chair of the Board or a Policy Committee (Chair) has the option of taking attendance by Roll Call or Self-Introductions. If attendance is taken by Roll Call, the Clerk of the Board will call out by jurisdiction or supervisorial district. The Member or Alternate will respond by stating his/her name. If attendance is by Self-Introduction, the Member or Alternate will state his/her name and jurisdiction or supervisorial district.
- A Member/Alternate, who arrives after attendance is taken, shall announce his/her name prior to voting on any item.
- A Member/Alternate, who wishes to leave the meeting after attendance is taken but before remaining items are voted on, shall announce his/her name and that he/she is leaving the meeting.

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 “aye” votes in favor of the motion shall be made collectively. Any Member who wishes to oppose or abstain from voting on the motion, shall individually and orally state the Member’s “nay” vote or abstention. Members present who do not individually and orally state their “nay” vote or abstention shall be deemed, and reported to the public, to have voted “aye” on the motion.

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/she would like to amend the 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 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
Revised March 2014*

- 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: April 14, 2016

Subject:

Information Relative to Possible Conflict of Interest

Recommendation:

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

Background:

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

Item No.	Contract No.	Principals & Agents	Subcontractors
2	C14001	Shimmick Construction Company Inc. <i>Paul Camaur</i>	Allied Steel Co., Inc. Marina Landscape, Inc. Innovative Concrete & Engineering Giroux Glass Winegardner Masonry Excelsior Elevator Fencecorp Inc. Ellis Excavating Gerdau Eberhard EMC Rutherford Co., Inc. M.B. Herzog Electric Hardy & Harper, Inc.
3	16-1001336	STV Incorporated <i>David Borger</i>	Jacobs Engineering Group J.L. Patterson & Associates, Inc. Coast Survey, Inc. Diaz Yourman & Associates Jacobus & Yuang Nuvis
4	16-1001412	Epic Land Solutions, Inc. <i>Holly Rockwell</i>	Eco & Associates, Inc. Catalyst Consulting Corp. Commonwealth Land Title

Entity: CMA, COG, CTA, CTC, SAFE

Transit Committee Agenda Item

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5	16-1001409	Joshua Grading & Excavating, Inc. <i>Tom Craft</i>	V&E Tree Services A-1 Fence Superior Graffiti Asbury Environmental Services Bills Sweeping Service Joshua Contracting Company
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Financial Impact:

This item has no direct impact on the SANBAG budget.

Reviewed By:

This item is prepared monthly for review by SANBAG Board and Committee members.

Responsible Staff:

Carrie Schindler, Director of Transit and Rail

Approved
Transit Committee
Date: April 14, 2016

Witnessed By:



Minute Action

AGENDA ITEM: 2

Date: April 14, 2016

Subject:

Construction Contract Change Orders to on-going SANBAG Construction Contract with Shimmick Construction Company, Inc.

Recommendation:

Receive and File Change Orders.

Background:

Contract Number C14001 with Shimmick Construction Company, Inc. for construction of the Downtown San Bernardino Passenger Rail Project had two Construction Change Orders approved since the last report to the Commuter Rail and Transit Committee. CCO No. 9 (\$121,000.00 increase required for Railroad Flagging allowance bid item). CCO No. 10 (\$200,000.00 increase required for Unforeseen Utilities allowance bid item).

Financial Impact:

This item is consistent with the SANBAG Fiscal Year 2015/2016 Budget.

Reviewed By:

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

Responsible Staff:

Carrie Schindler, Director of Transit and Rail

Approved
 Transit Committee
 Date: April 14, 2016

Witnessed By:

Entity: CTC

Rail and Transit Construction Contracts

Downtown San Bernardino Passenger Rail Project (C14001)		
Executed Change Orders		
Number	Description	Amount
1	Replace Signals Mast at Depot for Tracks P5 and P6, (CN 5-\$60,761), Remove and Dispose of Debris (CN 6-\$27,000).	\$87,761.00
2	Build Temporary Mini-High (CN 4.1-\$81,320), Removal of Property Owner Debris (CN 6.1-\$52,000). Install Temp Fence adjacent to San Bernardino Transit Center (CN 12-\$5,000).	\$138,320.00
3	Reconstruct CMU block wall trash enclosure at the San Manuel stadium (CN 010-\$34,950), Additional tree removal along railroad right-of-way (CN 16-\$18,000); Relocate equipment and materials at the San Bernardino Transit Center parking lot (CN 17-\$40,000); Construction of temporary platform at Santa Fe Depot (CN 18-\$40,000).	\$132,950.00
4	Additional electrical work for power pedestal, rail lubricator and signal house (CN 2-\$45,179.50). Additional miscellaneous electrical work (CN 14-\$26,476.62).	\$71,656.12
5	Adjustments to the various allowance bid items (CN 26-\$208,142.57).	\$208,142.57
6	Modify various storm drain structures (CN 8-\$89,381). Installation additional parking lot light poles at the Southern California Gas Company parking lot (CN 14.01-\$3,229.87). Increase gauge rubber on crossing panels (CN 21-\$4,102.13)	\$96,713.00
7	Installation of infrastructure for electric vehicle charging stations (CN 7.2-\$24,000). Installation of water line bypass at G St (CN 28-\$84,000).	\$108,000.00
8	Adjustments to the various allowance bid items (CN 26-\$208,142.57).	\$207,000.00
9	Adjustments to allowance bid item 006-Railroad Flagging (CN 35-\$121,000.00).	\$121,000.00
10	Adjustments to allowance bid item 002-Unforeseen Utilities (CN 36-\$200,000.00).	\$200,000.00
CCO TOTAL		\$1,371,542.69
APPROVED CONTINGENCY		\$2,981,464.00
REMAINING CONTINGENCY		\$1,609,921.31

Attachment: Rail and Transit CCOs Matrix_Attachment-For Committee Mtg (2706 : Construction Contracts-CCOs)

Bold-Construction Change Orders approved since the last reporting to the Commuter Rail Transit Committee
 Amounts shown in parentheses represent a credit to the Agency

Minute Action

AGENDA ITEM: 3

Date: *April 14, 2016*

Subject:

Award Redlands Passenger Rail Project - Maintenance Facility Design

Recommendation:

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

A. Approve Contract No. 16-1001336 with STV Inc., for a three year term in an amount not-to-exceed \$842,910 for Maintenance Facility Design Services on the Redlands Passenger Rail Project.

B. Approve contingency of an amount not-to-exceed \$85,000 for Contract No. 16-1001336 and authorize the Executive Director or his designee to release contingency as necessary for the Project.

Background:

With the San Bernardino Associated Governments (SANBAG) Board of Directors identifying the Redlands Passenger Rail Project (RPRP) as one of its priority projects and RPRP having cleared environmental review in March 2015, staff is moving forward with the delivery of the project. The implementation of a new passenger rail service is very complex, thus several types of consultants have been identified that will assist SANBAG staff in implementing the project, including program management, main-line final design, right-of-way legal services, and construction management. In addition, assistance is needed by staff to complete the design of the RPRP Maintenance Facility that will provide over-night storage and maintenance services of the rail vehicles for RPRP.

The Maintenance Facility Design Consultant will assist SANBAG staff with performing project concept definition, design services, securing necessary permits, design services during construction, and support services during outreach and coordination with third parties as required for the construction of the RPRP Maintenance Facility. The firm that the Evaluation Committee recommends for contract award based on technical abilities is STV.

SANBAG staff began the process of procuring a Maintenance Facility Design Consultant in September 2015 by releasing a Request for Proposals (RFP) 16-1001336 and posting a notice on SANBAG's website and via the on-line procurement service PlanetBids.

Firms registered on SANBAG's PlanetBids website were notified of the bid opening through an electronic distribution. The solicitation was issued in accordance with SANBAG's procurement policies and procedures for Architectural and Engineering services.

Entity: CTA

Eighty-seven (87) firms viewed the proposal and of those sixty (60) firms downloaded the RFP Packet from PlanetBids. A Pre-Proposal meeting was held on September 5, 2015 and was attended by twenty-two (22) firms. Addendum No. 1 was issued on September 17, 2015, providing the list of firms attending the pre-proposal conference.

SANBAG received four (4) proposals by the due date and time specified in the RFP. Hatch Mott MacDonald; Lockwood, Andrews, & Newman; Maintenance Design Group; and STV Incorporated (STV) submitted proposals meeting all requirements outlined in the RFP. A responsive review was conducted by the Procurement Analyst and determined that the proposals submitted by all four firms were in accordance with all requirements for the RFP.

Evaluation Committee

The Evaluation Committee was comprised of one technical staff person from SANBAG, Riverside County Transportation Commission, Southern California Regional Rail Authority, and Orange County Transportation Authority. Evaluators concluded their individual reviews of the four (4) proposals and convened to review, discuss, and score the proposals on October 20, 2015. At the completion of discussions the committee members individually scored the proposals based on the following evaluation criteria: Qualifications, Related Experience and References of the Firm – 30 points; Proposed Staffing and Project Organization – 30 points; and Work Plan – 40 points.

As a result of the scoring, two firms were ranked in order of technical merit, and a short-list was developed. The firms short-listed and invited to interviews were:

- STV
- Hatch Mott MacDonald

Minor variances in the criteria scores were noted and discussed. Full detail of the scores is included in the Contract Audit File.

On October 29, 2015, interviews were conducted with the short-listed firms. Interviews were 50 minutes in length, which consisted of a 10-minute opening statement, followed by 40 minutes of questions and answers. At the completion of the interviews, the Evaluation Committee separately scored the interviews. The assigned weighting between the technical proposal and interviews is 40% and 60% respectively.

Evaluation Committee Recommendation Summary:

After consideration of the technical proposal and the interview, the Committee ranked STV first due to demonstrated familiarity with the project, identification of project concerns and providing rational solutions. STV provided innovative ideas and creative suggestions that would help provide a functional facility while maintaining budget goals.

As a result of the scoring, the evaluation committee recommends that the contract to perform the scope of work as outlined in the Request for Proposals 16-1001336, be awarded to STV. The firm ranked first in technical score and overall score. The firm clearly demonstrated a thorough understanding of the scope of work and proposed an overall solid team. Evaluation forms and reference checks are located in the Contract Audit File.

Financial Impact:

This item is consistent with the Adopted Fiscal Year 2015/2016 SANBAG Budget.

Transit Committee Agenda Item
April 14, 2016
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Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Procurement Manager have reviewed and approved this item and the contract.

Responsible Staff:

Justin Fornelli, Chief of Transit and Rail Programs

Approved
Transit Committee
Date: April 14, 2016

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 16-1001336 Amendment No.: N/A Vendor No.: 02120
 Vendor/Customer Name: STV Sole Source? Yes No
 Description: RPRP - Maintenance Facility Design
 Start Date: 05/04/2016 Expiration Date: 06/30/2020 Revised Expiration Date: N/A
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: _____

Dollar Amount			
Original Contract	\$ 842,910.00	Original Contingency	\$ 85,000.00
Revised Contract (Inclusive of Prior Amendments)		Revised Contingency (Inclusive of Prior Amendments)	
Current Amendment		Contingency Amendment	
TOTAL CONTRACT VALUE	\$ 842,910.00	TOTAL CONTINGENCY VALUE	\$ 85,000.00
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 927,910.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 05/04/2016
 Board of Directors Action: Approve Contract No. 16-1001336 for Design of DMU Maint. Facility

Contract Management: Payable/Miscellaneous

Invoice Warning: 20% Renewals: _____ Type: Capital PAA Other
 Retention: % Maximum Retention: \$ -
 Services: Construction Intrgrnt/MOU/COOP A & E Services Other Professional Services
 Disadvantaged Business Enterprise (DBE) Goal _____ %

Contract Management: Receivable

E-76 and/or CTC Date _____ (Attach Copy) Program Supplement No.: _____
 Finance Letter Reversion Date: _____ EA No.: _____

All of the above MUST be submitted to FINANCE including originals, amendments and miscellaneous transaction changes

Additional Information

Project Manager: Justin Fornelli

Attachment: SANBAG Contract Summary Sheet [Revision 2] (1705 : Award RPRP Maintenance Facility Design)

EXHIBIT “A”

15-1001336 - SCOPE OF WORK

FOR

REDLANDS PASSENGER RAIL

MAINTENANCE FACILITY DESIGN

March 23, 2016

STV Incorporated (STV) shall provide professional, technical, managerial, administrative, and other services as required for the design of the Project to serve the RPRP passenger rail revenue vehicle fleet and house vehicle maintenance staff and necessary vehicle maintenance equipment and materials, both hazardous and non-hazardous. The site shall also house operating department staff and include crew locker rooms, daily operating documents delivery, crew briefing space and offices. The STV shall provide all services necessary including, but not limited to conceptual design and facility layout, plan check approvals for Contractor to pull permits, bid support, design services during construction, and coordination with other SANBAG consultants and contractors to complete the Project. Final design and construction documents shall be prepared for delivery via a “Design, Bid, Build” approach.

The Project will be developed on the current site of the SCRRA Inland Empire Maintenance Facility, as owned by SANBAG, and will comprise a two-bay maintenance facility with associated offices and storage, a train yard with storage and fueling tracks, and a welfare and office building to serve site operations and system crews. The design will not include a trainwasher, but will protect for its installation at a future date, providing the appropriate track alignment and utility infrastructure, (including 1 electrical and communications conduits empty with pull cord, water and sewer) to the extent that it can be anticipated. The site will be developed to accommodate at a minimum four DMUs with preference to fit as many vehicles on site as space and budget will permit. A point of connection will be maintained for a vehicle toilet dump utilizing one of the current dump system should SANBAG determine the need for one in the future. The yard lead will likely need to be modified to conform to the new alignment created by the ongoing double track project, but the intent will be to maintain enough length that the yard can be blue flagged to permit vehicle movements within the yard by mechanical crews. The yard will be protected by a power derail at the throat. Accordingly, and from the perspective of signalization, the yard will be dark.

Assumptions

This proposal assumes the property to be developed is owned entirely by SANDAG. Similarly SANDAG will enter into an agreement with the City of San Bernardino via MOU clarifying permit and plan check requirements. Our operating assumption is plan check approval and permits will only be obtained for utility connections; the fire department will review the development plans; FRA and CPUC will review the track drawings for compliance with clearances. In addition to the submittals specified below, STV will coordinate a review of the development drawings with the PMC and the Herzog operating team in Denton County, Texas, and the BNSF Railway. We assume no need to travel to Denton County to facilitate the Herzog review. Recognizing that Omnitrans is the likely maintainer, STV will coordinate with them to keep them apprised of project developments.

Investigations made throughout the preparation of this proposal indicate that the Stadler 2/6 GTW vehicle would be the best match for the Redlands Passenger Rail service. However, recent conversations with the

manufacturer indicate that this vehicle cannot be made Buy America compliant, to meet FTA funding requirements, at a reasonable cost. STV now believes that the Stadler FLIRT vehicle would be the most logical choice, although its extra length may pose a challenge. Accordingly STV's initial studies will focus on accommodating the extra length at the maintenance facility. In order to maintain the projected schedule and engineering cost, SANBAG shall confirm the vehicle manufacturer and model and shall provide sufficient specifications for the vehicle at or before the fifty percent level of design has been attained by STV.

Environmental review may be required to comply with NEPA and CEQA. A categorical or statutory exemption under CEQA and a categorical exemption under NEPA would be the anticipated environmental clearances. This proposal assumes basic services for application using the existing Record of Determination as the basis. It is possible that additional services may be required to quantify noise and air quality impacts. Public controversy may require additional environmental technical analysis for NEPA or CEQA disclosures. This effort and cost, being undetermined, is not included in this proposal.

Services

The STV services include the design of all facility elements including preparation of plans, specifications, and estimates (PS&E) in English units and in conformance with the latest editions of applicable standards and shall create documents for the procurement of the construction of the Project. Major milestone deliverables shall include, but are not limited to:

- Project Concept and Definition (10%);
- 30% PS&E;
- 60% PS&E;
- 90% PS&E;
- PS&E issued for Construction Package;
- Design Support During Bidding and Construction;
- Any required environmental or building permits; and
- Other technical reports and analysis as necessary.

All designs and specifications shall allow the construction to comply with FTA Buy America requirements. All facilities design work (i.e. buildings) will be prepared in 3D modeling software REVIT. All facilities work will be delivered to SANBAG in the latest version of MicroStation. All site and site systems work shall be completed using the latest version of MicroStation. PDF files will be included in all deliverable packages, with the final deliverable including the REVIT model and MicroStation files, along with hard copy sets or the number required for submittals to agencies and local jurisdictions for review as needed.

STV shall perform all design tasks including but not limited to the following:

1.1 Project Management & Administration

The STV shall establish an organizational structure to coordinate the efforts to complete the Project. The roles and responsibilities of key members of the team shall be clearly identified. Management includes, but is not limited to:

- Coordination of the development of the overall work tasks;
- Management of the schedule, budget, and staff resources;
- Reporting work progress and schedule updates to SANBAG;

- Administering a Quality Control/Quality Assurance Plan; and
- Meeting minutes and record of decisions for design phase meetings

The frequency of PDT meetings shall be determined with the SANBAG Project Manager, but at minimum will occur monthly. STV shall provide monthly progress reports in a SANBAG approved format as part of the monthly invoice. The Progress Report shall address activities and progress within the recent billing cycle and provide upcoming deliverables and actions. The STV shall complete and maintain a Project Work Plan (PWP) that clearly identifies the work process, roles and responsibilities, and Project risks. STV will coordinate with the PMC to provide updates the RPRP Risk Register, managed by the PMC. STV shall maintain Project controls including document control, schedule, and budget. A Quality Control / Quality Assurance (QA/QC) Plan shall also be developed and utilized. All deliverables will be reviewed and approved internally per the QA/QC Plan prior to being submitted to SANBAG.

1.2 Project Concept and Definition (10%)

This phase of the Project shall include, but is not limited to:

- Field Survey including existing improvements, utilities, easements, grades, and site boundaries needed for detailed design work;
- Provide site and building area conceptual plans, including track layout based on the passenger rail vehicles selected by SANBAG;
- Complete a preliminary building code analysis;
- Establish a preliminary construction estimate and schedule;
- Conduct 2 to 3 design charrettes with the PDT and any identified stakeholders to set project goals and to identify the project design program parameters
- Provide a Basis of Design Report including a description of the Project and all components. Civil, structural, architectural, mechanical, and electrical systems and materials will be narratively described. Each room and space will be described with design parameters, equipment, utilities, and furniture. Conceptual track work and switches lay out. All design assumptions will be outlined including: staffing, operations and maintenance procedures, vendor interface and deliveries, security and communications requirements, utility loads, emergency power requirements, and sustainability goals.

1.3 30% PS&E

This phase of the Project shall include, but is not limited to:

- Incorporation of SANBAG and other stakeholder's comments from the Project Concept and Definition Phase;
- Civil site plans;
- Demolition plans;
- Preliminary foundation and structural plans;
- Building Code Analysis;
- Architectural Plans, building sections, and elevations;
- Equipment list;
- Mechanical schematic plans;
- Electrical schematic plans;

- Updated track plans;
- Table of Contents of proposed specifications;
- Updated schedule and cost estimate;
- Updated Basis of Design Report;
- Geotechnical/contaminated soils investigation based on approved Project Concept Plans.

1.4 60% PS&E

This phase of the Project shall include, but is not limited to:

- Incorporation of SANBAG and other stakeholder's comments from the 30% PS&E Phase;
- Develop all design disciplines to a 60% level, including civil, architectural, structural, mechanical,
- electrical, track and systems;
- Develop list of technical specifications and develop bid forms;
- Update schedule and cost estimate.

1.5 90% PS&E

This phase of the Project shall include, but is not limited to:

- Incorporation of SANBAG and other stakeholder's comments from the 60% PS&E Phase;
- Complete all drawings;
- Complete all technical specifications, bid forms, and project requirements;
- Update schedule and cost estimate.

1.6 Camera Ready - PS&E issued for Construction Package

This phase of the Project shall include, but is not limited to:

- Incorporation of SANBAG and other stakeholder's comments from the 90% PS&E Phase;
- Finalize all drawings;
- Finalize all technical specifications, general and supplemental conditions, project requirements, and bid forms;
- Provide final cost estimate;
- Provide all documents signed and sealed by a licensed professional in the appropriate discipline.

1.7 Design Support During Bidding and Construction

This phase of the Project shall include, but is not limited to:

- Attend the construction pre-bid conference;
- Provide responses to questions from plan holders and potential construction bidders;
- Prepare amendment documents as required;
- Prepare responses to Request for Information questions;
- Review and approve shop drawings and submittals;
- Participate in periodic site inspections;
- Attend construction field meetings as needed;
- Draft change orders;
- Review Operations and Maintenance Manuals submitted by Contractor;

- Prepare digital Record Drawings from Contractor's as-built mark-ups.

1.8 Design Services

The design phases listed above shall include, but are not limited to the following:

- Research to obtain all records required for the successful completion of the Project;
- Review of existing conditions and as-built drawings of the IEMF;
- Utility coordination, removal and relocation;
- Environmental permitting;
- Stakeholder approval and permitting;
- CPUC & FRA coordination;
- Civil design;
 - Survey control;
 - Plan and profile drawings;
 - Typical sections;
 - Cross sections;
 - Site plans;
 - Drainage design;
 - Fuel spill and contaminated water containment and treatment;
 - Paving and grading plans;
 - Coordinate the location of systems duct banks/manholes and handholes;
 - Coordinate with existing sewer, storm water, and water;
 - Culvert plans;
 - Construction sequencing and staging;
 - Miscellaneous – prepare miscellaneous civil drawings, profiles, sections and details necessary to define construction;
- Track design;
 - Horizontal and vertical alignment data;
 - Track plan and profile;
 - Track details;
 - Special track work;
 - Track material procurement documents;
- Structural design;
 - Foundation plans;
 - Retaining wall plans;
 - Bridge cranes;
 - Building and other framing plans;
 - Structural schedules;
 - Sections and details;
- Architectural design;
 - Site plans;
 - Floor plans;
 - Exterior & interior elevations;
 - Schedules/Tables;
 - Ceiling Plans;
 - Technical specifications;
- Equipment design;

- Equipment plans
- Equipment schedules
- Equipment details and other supporting drawings
- Electrical design;
 - Facility power, including emergency power;
 - Lighting (interior and site);
 - Facility communications including computer and data;
 - Fire and security (including access control and cameras);
- Mechanical;
 - Plumbing and drainage;
 - Fire protection;
 - Heating, ventilation, and air conditioning;
 - Special shop exhaust systems as identified during design;
- Communication systems design;
- DMU vehicle shop requirements coordination
- Geotechnical investigation and design;
- Drainage modifications;
- Security systems;
- Landscape and irrigation;
- Construction Project cost estimates;
- Quality Assurance/Quality Control;
- Assistance with and during bidding and procurement;
- Design support during construction;
- Other services as may be required.

1.9 Specifications

STV shall prepare technical specifications, special provisions, bid schedules, and other required documents for the successful construction of the Project. Specifications will be in standard CSI format and Metrolink Design Standards will be basis of design whenever applicable.

2.10 Project Schedule Requirements

The STV shall submit a Critical Path Method Schedule within 30 days of Notice to Proceed (NTP). This schedule will serve as the basis for monitoring and controlling Project activities and will be reviewed and approved by SANBAG. The schedule shall show the relationship of the Project tasks, expected sequence of design, milestone submittals and decisions, coordination with third parties, and the effect of any impacts to the overall project master schedule maintained by the PMC. Schedules will be developed and maintained in P6.

2.11 Agency/Utility/Third Party Coordination

The STV will work with SANBAG and SANBAG's PMC to coordinate with external agencies, jurisdictions, third parties, stakeholders, operating railroads, and affected utilities and shall maintain coordination documents as part of the reference data utilized during the design. This task shall also include assistance and support in executing agreements with third parties and stakeholders to complete the Project and any potential "betterments" identified by third parties. Assistance shall also be provided for presentations to external parties, stakeholders, or the SANBAG Board of Directors, including providing relevant documents, drawings, or visual presentation materials and attending meetings as required. STV

will be responsible for scheduling and coordinating meetings with stakeholders, including but not limited to operating railroads, utility companies, and the City of San Bernardino to provide updates and gain acceptance of designs throughout the Project development and implementation.

1.12 Railroad Design and Coordination

The Project is located adjacent to an active railroad, with BNSF mainline tracks just north of the facility and the lead track into the IEMF connecting to the Redlands Subdivision. The STV shall be responsible for railroad coordination as it is expected that all rail operations will continue through design and construction. The STV shall be responsible for coordinating the design with the operating railroads to ensure that a clear process is developed to implement and construct the project. This will include establishing designs that limit or avoid impacts to railroad operations during construction and all other coordination issues necessary to design and construct infrastructure improvements adjacent to an active railroad right-of-way. STV Will also coordinate with the operations and maintenance contractors, expected to be Omnitrans and SCRRA respectively.

1.13 Design Surveys

STV shall perform design surveys for boundary, topography, and utilities and shall tie this survey back to survey files for that SANBAG has already completed.

1.14 Geotechnical Design and Support

STV shall review available site geotechnical data, complete geotechnical explorations including boring investigations near proposed buildings, retaining walls, track, pavement, and other facility site improvements; complete engineering evaluations and recommendations for the design of structural foundations, retaining walls, pavements, and other applicable elements.

1.15 Utilities

STV shall identify all utility conflicts with the proposed Project. Conflicts will be identified initially from survey data and as-built drawings provided by SCRRA. Subsurface utility location services shall be provided to determine the horizontal and vertical underground locations of all potential conflicts with utilities. Subsurface utility location services shall be performed on an as needed basis extra to this proposal. Services will be arranged by SANBAG or STV at SANBAG's discretion. The STV shall coordinate with utility owners to design relocations or protection measures needed to accommodate the Project. SANBAG may request STV to complete an advanced utility relocation/protection construction package, consisting of all PS&E documents needed to procure a contractor to complete preliminary construction efforts to relocate or protect utilities to accommodate the Project. STV shall identify, design, and coordinate utility connections for new or relocated facility improvements.

1.16 Drainage

STV shall prepare a hydrology and hydraulics report evaluating surface drainage impacts and making recommendations as to required drainage facilities in compliance with the City of San Bernardino and County of San Bernardino requirements. Improvements shall be designed to adequately convey storm water off and through the Project.

1.17 Environmental Conformance and Permitting

STV shall be responsible for drafting a Storm Water Pollution Prevention Plan (SWPPP) for the construction contractor's reference and monitoring the construction contractor's compliance with the

adopted SWPPP. Any additional studies needed to support or amend the RPRP Final EIS/EIR as directed shall be extra to this proposal. Studies to support the Final EIS/EIR could include noise, vibration, water, and air quality.

1.18 Industrial Engineering Design

STV shall provide equipment lists, cut sheets, and utility requirements for DMU vehicle maintenance and operations. STV will provide specifications for all such equipment as well as a cost estimate. Preliminary design, Basis of Design Report and Schematic Design Report shall establish required shop equipment and materials/work flow analysis.

1.19 Facilities Maintenance Report

STV shall review and critique the facilities maintenance report furnished by the contractor which shall provide information and guidance in the care and maintenance of all materials and equipment incorporated into the facility. The report shall incorporate information provided by the various construction subcontractors and material procurement suppliers including manufacturer's recommendations and all applicable codes and standards. The report shall also include detailed schedules for routine and preventive maintenance.

1.20 Design Services During Bidding and Construction

During the procurement of the construction contractor, STV shall assist SANBAG in responding to bidder questions, prepare contract addendums, review bids for conformance and compliance, provide SANBAG with materials in preparation for the pre-bid conference, and attend pre-bid meetings or site visits. For the purpose of establishing the level of effort and cost associated with reviewing RFIs, STV will review not more than 50 RFIs during the bid period.

During the construction of the Project the STV shall respond to RFIs, review contractor prepared product submittals, samples, and certificates of compliance, complete any required design revisions, attend construction progress and site meetings, provide needed support for agency, stakeholder, or utility coordination, prepare conformed drawings and technical specifications, prepare as-builts, provide railroad signal and communications support, and assist with materials needed for public relations during construction. For the purpose of establishing the level of effort and cost associated with reviewing RFIs, STV will review not more than 100 RFIs during the construction period. STV will also review the number of submittals called for in the technical specifications. It shall be the responsibility of SANBAG or its representative (construction manager) to assure submittals are complete and that RFIs are legitimate and not frivolous. Incomplete submittals will be rejected without review. For the purpose of establishing the level of effort and cost associated with reviewing submittals, they will only be reviewed twice; additional reviews, when required will be extra to our proposed price.

STV will participate in weekly progress meetings for the duration of the proposed construction period, either in person or via conference call as the field conditions warrant. STV will participate in a post construction punch list meeting and a follow up meeting to confirm that incomplete work is completed and shoddy workmanship is corrected. STV will review contractor initiated change order requests and the independent cost estimate as prepared by the SANBAG construction manager.

2.0 ENGINEERING STANDARDS

The engineering and procurement documents shall be prepared in accordance with current state and federal regulations, policies, procedures, manuals, and standards. The PS&E shall be prepared using best

practices and may include requirements to comply with CPUC and FRA standards as well as Metrolink and BNSF as applicable. The technical aspects of the Project shall be designed also utilizing best practices following American Railway Engineering and Maintenance of Way Association (AREMA) and may also require compliance with Metrolink, BNSF, and local municipality requirements in certain areas. In the event that conflicting standards are encountered, the standard to be used shall be as approved by SANBAG. All designs shall allow the construction to comply with FTA Buy America requirements.

STV shall perform all services in conformance and in compliance with the latest edition of the following documents:

- AREMA recommended practices;
- BNSF Engineering Standards;
- SCRRA Engineering Standards;
- City of San Bernardino Standard Drawings and Specifications;
- Greenbook Standard Specifications for Public Works Construction;
- Caltrans Design Standards and Specifications;
- FTA Buy America Guidelines; and
- Other applicable standards.

Minute Action

AGENDA ITEM: 4

Date: *April 14, 2016*

Subject:

Award On-Call Railroad Right-of-Way Consultant Services

Recommendation:

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

- A. Approve Contract No. 16-1001412 with Epic Land Solutions, Inc. for a five year term in an amount not-to-exceed \$2,550,000.00 for Railroad Right-of-Way Property Management Services. The Commission may extend the original term of the Contract for two (2) one-year option terms at an estimated cost of \$470,000 per year.
- B. Approve an allocation of Local Transportation Funds – Rail in the amount of \$2,600,000 for Contract 16-1001412 as well as for Weed Abatement activity notices.
- C. Approve a budget amendment to Task 0377 – Commuter Rail Operating in the amount of \$50,000, funded with Local Transportation Funds – Rail.

Background:

San Bernardino Associated Governments (SANBAG), acting in its capacities as the San Bernardino County Transportation Commission and the San Bernardino County Transportation Authority acquired 58.8 miles of railroad right-of-way and has over 1,300 grants-of-use agreements. Recently, at Board direction and under advice from the General Counsel, title to all rail right-of-way has been transferred to and consolidated in the Commission. Following the acquisition of the railroad right-of-way in 1994 SANBAG contracted with the Los Angeles County Metropolitan Transportation Authority to provide property management services. As SANBAG's rail program grew it became necessary to expand and more closely manage the SANBAG railroad right-of-way. As a result in September 2010 the SANBAG Board approved the release of a Request for Proposal for the selection of a Railroad Right-of-Way Property Management Consultant. The current contract for this work, which includes both property management and maintenance, expires on May 31, 2016. As approved by the Board in December 2015, staff released two requests for proposals, one for On-Call Railroad Right-of-Way Consultant Services and a separate one for On-Call Railroad Right-of-Way Maintenance Services. Contract No. 16-1001412 pertains to the On-Call Railroad Right-of-Way Consultant Services.

In an effort to manage the properties within the right-of-way in a comprehensive manner, the SANBAG Board approved the issuance of a Notice of Request for Proposals 16-1001412 to provide on-call railroad right-of-way property management services in support of SANBAG and in compliance with SANBAG Rail Property Policy No. 31602. The scope of railroad right-of-way property management services includes the monitoring of uses and any risk assessment of

Entity: *CTA, CTC*

the right-of-way to maintain safe conditions for all operating and non-operating rail corridors. The selected consultant would provide support to SANBAG's administrative procedures to manage the issuance of various land use instruments that include, but are not limited to: licenses, leases, franchises, easements, and permits. This scope includes all of the accounting and computer programming relating to the collection of rents and fees. At present, a consultant has sole responsibility for the control and maintenance of the property management software systems. The recent creation of a right-of-way staff position will analyze alternative methods of operating an independent property management system in an effort to control costs and increase efficiencies in operation. The consultant shall conduct periodic physical inspections of the right-of-way to remove any encroachments and aid with the maintenance requirements of various government entities. In addition, the existing inventory of surplus properties will be under the consultant's duties to appraise and recommend appropriate methods of disposition.

Summary of Evaluation Process:

The Request for Proposal (RFP) 16-1001412 was released on Friday, January 15, 2016, and was sent electronically to consultants registered on PlanetBids. The solicitation was issued in accordance with current SANBAG policies and procedures for professional services.

The RFP was posted on SANBAG's website in response to a request from the Director of Transit and Rail to engage a firm to provide Railroad Right-of-Way Property Management Services. A Pre-Proposal meeting was held on January 21, 2016, with only one firm in attendance.

Addendum No. 1 was issued on Thursday, January 21, 2016, with the list of attendees from the pre-proposal meeting. Addendum No. 2 was issued on February 3, 2016, responding to questions submitted by the due date specified, with SANBAG's answers. Addendum No. 3 was issued on February 04, 2016, notifying firms that the proposal interview date was changed to Tuesday, March 22, 2016.

Only one (1) proposal was received by the date and time specified in the RFP. The activity report from PlanetBids showed thirteen (13) consultants downloaded the RFP. Nine (9) out of the thirteen (13) who downloaded the proposal packet are service agencies providing employment services, leaving four (4) other firms. The Procurement Analyst reached out to the three (3) firms who downloaded the RFP packet but did not submit a proposal. One firm stated that they weren't in a position to submit, they wanted to have a better understanding of SANBAG and did not feel they had a strong enough presence in the Inland Empire. The second firm stated that they only provide appraisals and help with right-of-way acquisitions and land service and the third stated they are a railroad track installation firm and reviewed the RFP because Railroad was in the project title but do not provide property management services.

The Procurement Analyst conducted a responsiveness review of the proposal and found that the proposal complies with all requirements outlined in the RFP.

Thursday, February 18, 2016, the proposal was received and disseminated to the evaluation committee members. A copy of the Score Sheets and the Declaration of Impartiality and Confidentiality form was also distributed to the committee members. The Evaluation Committee was comprised of two employees from SANBAG and one from Riverside County Transportation Commission.

Tuesday, March 1, 2016 - Evaluators concluded their individual review of the proposal and convened to review, discuss and score the proposal. The Evaluation Committee members met on Tuesday, March 1, 2016, to discuss the proposal according to the evaluation criteria, including

Transit Committee Agenda Item

April 14, 2016

Page 3

the proposal's strengths and weaknesses. The Procurement Analyst provided information regarding the reference checks of the firm indicating they had a positive experience with the firm. At the completion of discussions the committee members individually scored the proposal based on the following evaluation criteria: Qualifications, Related Experience and References - 30%, Proposed Staffing and Project Organization - 30%, Work Plan - 25%, and Price 15%.

Overall, the evaluation committee scored the firm two hundred and sixty three (263) points out of a possible three hundred (300) points. The proposal was well written, very clear and concise, making it easy to read and follow. The committee engaged in discussion addressing minor variances in the evaluation scores for a consensus from the committee to recommend awarding the contract to Epic Land Solutions, Inc. Full details of the scores are included in the Contract Audit File.

Financial Impact:

This item is not consistent with the SANBAG Fiscal Year 2015/2016 Budget. A budget amendment is requested under Recommendation C.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Procurement Manager have reviewed this item and the draft contract.

Responsible Staff:

Theresa Armistead, Management Analyst II

Approved
Transit Committee
Date: April 14, 2016

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 16-1001412 Amendment No.: _____ Vendor No.: 02727
 Vendor/Customer Name: Epic Land Solutions, Inc. Sole Source? Yes No
 Description: Right of Way Property Management
 Start Date: 06/01/2016 Expiration Date: 05/31/2021 Revised Expiration Date: _____
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: _____

Dollar Amount			
Original Contract	\$ 2,550,000.00	Original Contingency	\$ -
Revised Contract (Inclusive of Prior Amendments)	\$ -	Revised Contingency (Inclusive of Prior Amendments)	\$ -
Current Amendment	\$ -	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 2,550,000.00	TOTAL CONTINGENCY VALUE	\$ -
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 2,550,000.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 05/06/2016
 Board of Directors Action: _____

Contract Management: Payable/Miscellaneous

Invoice Warning: 20% Renewals: _____ Type: Capital PAA Other
 Retention: _____ % Maximum Retention: \$ _____
 Services: Construction Intrgrnt/MOU/COOP A & E Services Other Professional Services
 Disadvantaged Business Enterprise (DBE) Goal _____ %

Contract Management: Receivable

E-76 and/or CTC Date _____ (Attach Copy) Program Supplement No.: _____
 Finance Letter Reversion Date: _____ EA No.: _____

All of the above MUST be submitted to FINANCE including originals, amendments and miscellaneous transaction changes

Additional Information

Project Manager: Theresa Armistead

Attachment: Copy of 16-1001412 CSS (2643 : Award On-Call Railroad Right-of-Way Consultant Services)

Exhibit “A”
16-1001412
Scope of Services

On-Call Railroad Right-of-Way Property Management

Provide railroad right-of-way property management services on an as needed basis in support of the San Bernardino County Transportation Commission (“COMMISSION”) Transit and Rail Programs and in compliance with SANBAG Rail Property Policy 31602. Such railroad right-of-way property management services shall include monitoring, risk management and financial procedures for the maintenance of railroad right-of-way properties, maintaining existing databases and property management files, assess and report deficiencies, make recommendations to COMMISSION, implement corrections, establish a comprehensive property management program and any property related tasks as may be requested by COMMISSION. The Consultant will then assist in the management of property interests including licenses, leases, franchises, easements, permits, and other related agreements on an ongoing basis. In addition, the consultant shall continually inspect the right-of-way and remove or cause to be removed encroachments or negotiate leases, licenses or other appropriate agreements with the encroaching entities. The consultant shall aid in maintaining the property to the extent that COMMISSION is in compliance with government requirements. To date COMMISSION owns 58.8 miles of railroad right-of-way and has over 1,300 approved grants-of-use agreements with various entities along the right-of-way.

Railroad right-of-way property management services to be provided include, but are not limited to the following:

I. Evaluate, Organize, and Maintain Property Management Files

1. At the initiation of the assignment, Consultant shall meet with COMMISSION staff to discuss the specific scope of work and approach of all task items including those listed below. All work shall be under sole direction of COMMISSION.
2. The Consultant shall assist in maintaining the established database and filing system, per COMMISSION standards, for all documents that will emphasize organization and accessibility. The database and necessary software shall be stored on the COMMISSION computer network with the Consultant having remote access. At any time this contract is completed or cancelled, the consultant shall make available the software to be licensed by COMMISSION for ongoing use.
3. The Consultant shall perform a site visit for each property, including all properties under lease or license, to ensure property use is consistent with that which is identified in agreements, evaluate potential encumbrances, assure tenant compliance with required insurance coverage and obtain photographs for the files as needed.

4. The Consultant shall prepare and submit for review to COMMISSION staff, monthly reports that describe: rental revenue collected, files reviewed to date, identified deficiencies in those files, identified encroachments, and recommendations for resolution.
5. As necessary with prior clearance by COMMISSION, the Consultant shall interview existing tenants or licensees to resolve deficiencies in leases and licenses.
6. The Consultant shall assist COMMISSION in order to collect back rents and enforce all existing lease and license provisions, utilizing legal procedures as necessary (3-day notices, unlawful detainers, judgments, etc.).
7. Assisting COMMISSION, the Consultant shall draft and negotiate new agreements or revisions to existing agreements with tenants, licensees, and acceptable encroachments in conformity with COMMISSION's standards and procedures.
8. Assisting COMMISSION, the Consultant shall negotiate and prepare master and sub-agreements with utility and pipeline companies. COMMISSION shall execute these through its Board of Directors.
9. Under close coordination and oversight by COMMISSION, the Consultant shall coordinate and review all new leases, licenses and other agreements with Southern California Regional Rail Authority, and Burlington Northern Santa Fe Railroad, and Union Pacific Railroad to ensure that there are no conflicts with existing and future rail operations.
10. The Consultant shall develop procedures to remove unacceptable encroachments.

II. Implement Property Management Procedures

1. The Consultant shall maintain a property management database that will incorporate the current COMMISSION data. The system shall be capable of generating reports on inventory, property status, nature of title, identification and location of all contracts (leases, licenses, permits, etc.) and easements, rents, market value, lease and license expiration dates, encumbrances, encroachments, environmental and/or hazardous conditions, insurance coverage, etc. Any specialized software/license for the database will be purchased by COMMISSION with all data stored on the COMMISSION computer network. The Consultant shall have remote access to said data and software to perform the necessary tasks.
2. The Consultant shall develop and implement a schedule for periodic property inspections.
3. The Consultant shall determine an initial market rent and value for properties.
4. The Consultant shall establish rent collection procedures and maintain related appropriate financial records for COMMISSION. At some point it is COMMISSION's intention to begin receiving fees directly, the Consultant shall assist in this transition when it occurs.

5. The Consultant shall become familiar with COMMISSION master, index and detailed maps for the subject properties, and make a recommendation as to potential programs and/or procedural changes.
6. The Consultant shall develop and maintain a Geographic Information System (GIS) to track information relevant to property management or implement use of the established GIS. The software necessary to perform this task shall be the same as in use by COMMISSION. Maps displaying property status and other valuable information will be generated from the GIS at the request of COMMISSION. All data shall be stored on the COMMISSION computer network and be compatible for use by COMMISSION staff. The Consultant shall have access to existing data to perform the necessary tasks. The Consultant shall work with COMMISSION's GIS/Data management department to establish an information sharing process to regularly update and exchange the GIS files.

III. Manage and Maintain Property Services

1. The Consultant shall screen all proposed new lessees and licensees to ensure creditworthiness prior to entering into an agreement.
2. The Consultant shall assist in the management and maintenance of the licenses, leases, franchises, easements, permits, and other operating agreements related to these properties. Rents and other income from the property contracts shall be maximized to the highest market rental levels consistent with existing economic conditions and in accordance to COMMISSION policy.
3. Through the COMMISSION Transit and Rail staff, the Consultant shall liaise with COMMISSION accounting and legal departments, provide all rents, forms and financial information required and collect delinquencies.
4. Through the COMMISSION Transit and Rail Staff, the Consultant shall liaise with the risk management department to ensure conformity with all applicable requirements, provide requisite property information and review insurance coverage of lessees and licensees to ensure compliance with agreements.
5. The Consultant shall update property value and market rent information on a periodic basis and perform specialized appraisals as requested by COMMISSION and in accordance with COMMISSION policy.
6. Consultant shall perform site visits on a periodic basis to review for encumbrances and encroachments, and assess property conditions.
7. Under close coordination and oversight by COMMISSION, the Consultant shall oversee property maintenance and management functions, including environmental investigations and appropriate remediations.

8. Consultant shall perform all communication necessary, both verbal and written, to carry out the activities identified under this task.
9. Assisting or directed by COMMISSION, the Consultant shall attend meetings, make public presentations to individuals and organizations and represent COMMISSION in presentations and public hearings on all matters pertaining to property management.

IV. Identify and Dispose of Excess Property

1. The Consultant shall review COMMISSION's existing inventory of properties to assess which are needed for current and future projects.
2. The Consultant shall become familiar with existing reports on surplus properties, prepare a list of any additional properties that are recommended to be disposed of and how.
3. With COMMISSION's approval, the Consultant shall coordinate a minimum value appraisal for each property that has been determined to be surplus.
4. Upon COMMISSION's approval, the Consultant working with COMMISSION Transit and Rail Programs staff, shall sell surplus properties, following mandatory government procedures pertaining to the sale of real property by a public agency.

V. Other Services

1. The Consultant shall provide other services required by COMMISSION including acquisitions, budget preparation, security and special studies.
2. The Consultant shall develop a marketing program for all COMMISSION properties to maximize license and lease revenues and reduce costs.
3. The Consultant shall respond in a timely manner to emergency matters, including hazardous materials issues which impact COMMISSION properties.

EPIC LAND SOLUTIONS, INC.
SANBAG Contract 16-1001412
Exhibit "B" - Fee Schedule
Date: March 23, 2016

Project Job Function	Hourly Rate
Project Manager	\$248.36
Property Manager	\$137.08
Principal in Charge	\$232.62
Property Management Advisor	\$170.56
Chief Appraiser	\$255.87
GIS/IT Manager	\$158.95
Principal Advisor	\$232.62
Budget & Financial Controls	\$170.56
Special Projects Manager	\$142.66
Contract Administrator	\$111.28
Real Property Agent/Utility Specialist	\$94.60
Database Analyst	\$89.92
Real Property Agent	\$85.28
GIS & Database Analyst	\$85.28
Project & Admin Support	\$74.80

Rates to be increased annually from the effective date of the contract based on the Los Angeles-Riverside-Orange County CPI-U issued by the U.S. Bureau of Labor Statistics.

OTHER DIRECT COSTS

TYPE	DESCRIPTION	Cost
Mileage	Travel to sites along ROW, team meetings, etc.	IRS Rate
Postage	Delivery of documents, including overnight	At cost
Skyline Property Management Accounting Software	Software to maintain record of rental invoices, rent collections, etc.	\$200 - \$600/Mo (Taking into consideration potential s/w upgrades and
EPMA Property Management Database	Database to maintain full record of lease agreements, insurance records, etc. including GIS map data.	\$500/mo. software license fee \$110/hr for new development (subject to annual CPI increase)
Title Reports	As needed under direction of SANBAG for special projects (e.g., Shortway ROW acquisitions)	\$1,000 to \$1,500 per report
Appraisals	ATF reports, plus special project appraisals as directed by SANBAG	\$5,000 to \$15,000 per report
Phase 1 environmental reports	Estimated cost range for a standard report, performed as needed	\$5,000 - \$10,000 per report
Phase 2 environmental reports		TBD based on complexity
Property Surveys	Estimated cost range for a standard survey, performed as needed	\$5,000 to \$10,000 per report

Minute Action

AGENDA ITEM: 5

Date: *April 14, 2016*

Subject:

Award On-Call Railroad Right-of-Way Maintenance Services 16-1001409

Recommendation:

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

A. Approve Contract No. 16-1001409 with Joshua Grading & Excavating, Inc. for a five year term in an amount not-to-exceed \$4,000,000 for Railroad Right-of-Way Maintenance Services. The Commission may extend the original term of the Contract for two (2) one-year option terms at an estimated cost of \$800,000 per year.

B. Approve an allocation of Local Transportation Funds – Rail in the amount of \$4,000,000 for Contract 16-1001409.

C. Approve a Fiscal Year 2015/2016 budget amendment in the amount of \$64,000 in Local Transportation Funds – Rail.

Background:

San Bernardino Associated Governments (SANBAG), acting in its capacities as the San Bernardino County Transportation Commission and San Bernardino County Transportation Authority acquired approximately 58.8 miles of the operating railroad right-of-way within the County of San Bernardino in the early 1990s. Recently, at Board direction and under advice from the General Counsel, title to all rail right-of-way has been transferred to and consolidated in the Commission. To allow for the safe and efficient operation of passenger and freight trains, the maintenance of the railroad right-of-way needs to comply with Federal, State, and local regulations regarding weed abatement, fire prevention, fencing/barricades, graffiti abatement and nuisance liability standards. Following the acquisition of the railroad right-of-way in 1994, SANBAG contracted with the Los Angeles County Metropolitan Transportation Authority to provide property management services. As SANBAG's rail program grew it became necessary to expand and more closely manage the SANBAG railroad right-of-way. As a result in September 2010, the SANBAG Board approved the release of a Request for Proposal (RFP) for the selection of an On-Call Railroad Right-of-Way Property Management Consultant which included both property management and maintenance tasks. In May 2011 the Board approved the award to Epic Land Solutions, Incorporated. The current contract expires on May 31, 2016.

As approved by the Board on December 2, 2015, staff released two requests for proposals, one for On-Call Railroad Right-of-Way Consultant Services and a separate one for On-Call Railroad Right-of-Way Maintenance Services. Contract No. 16-1001409 pertains to the On-Call Railroad Right-of-Way Maintenance Services. The purpose of SANBAG's interest to directly manage On-Call Railroad Right-of-Way Maintenance Services is to help prioritize work assignments

Entity: CTA, CTC

along the corridor and help manage limited financial resources to accomplish the necessary scope of work. There are many external factors that contribute to the need for maintenance activities within the right-of-way. Many are posed by inclement weather conditions, e.g. flooding, excessive vegetation and many are caused by human interaction, e.g. graffiti, dumping, destruction of fencing, etc. Southern California Regional Rail Authority (SCRRA) is primarily responsible for maintenance of right-of-way that is within 20-feet of the track centerline. However, in accordance with Memorandum of Understanding 01021 approved by the SANBAG Board in October 2000, SCRRA does provide some maintenance beyond the 20-foot operating envelope along the active Metrolink corridor. In order to supplement the maintenance activities of SCRRA and address the needs along the non-operating railroad right-of-way, SANBAG issued Request for Proposal 16-1001409 on February 5, 2016 for Railroad Right-of-Way Maintenance Services.

Summary of Evaluation Process:

The Request for Proposal (RFP) 16-1001409 was released on February 05, 2016, and was sent electronically to vendors registered on PlanetBids. The solicitation was issued in accordance with current SANBAG policies and procedures for Consulting Services. Twenty (20) firms downloaded the RFP Packet from PlanetBids and showed interest in the project.

The RFP was posted on SANBAG's website in response to a request from Director of Transit and Rail to engage a firm to assist SANBAG with Right of Way Maintenance of Way Services for the San Gabriel, Baldwin Park and Redlands Subdivisions. The Contractor shall maintain the appearance of the property, facilities and structures (bridges, retaining walls and signs); in compliance with Federal Railroad Administration (FRA), California Public Utilities Commission, and the various municipal code requirements of the local agencies within the County of San Bernardino.

On February 16, 2016, SANBAG held the Pre-Proposal Conference for the RFP and was attended by four (4) firms and the list of attendees was disseminated as Addendum No. 1. On January 22, 2016, SANBAG responding to questions received by the RFP due date and provided answers disseminated as Addendum No. 2.

Two (2) proposals were received by the date and time specified in the RFP. The following is a summary of the events that transpired in the evaluation and selection process. A responsiveness review was conducted by the Procurement Analyst finding that both proposals met the requirements outlined in the RFP.

March 08, 2016 - The proposals were disseminated to all evaluation committee members along with a copy of the Score Sheets, the Declaration of Impartiality, and Confidentiality form. The Evaluation Committee consisted of two SANBAG staff members as well as a staff member from Riverside County Transportation Commission.

March 15, 2016 - Evaluators concluded their individual review of the proposals and convened to review, discuss and score the proposals. The Evaluation Committee members met on March 15, 2016 and discussed each proposal according to the evaluation criteria, including the proposal's strengths and weaknesses. At the completion of discussions the committee members individually scored the proposals based on the following evaluation criteria; Qualifications of the Firm – 30 Points, Management Approach – 25 Points, Technical Approach/Work Plan – 25 Points, and Price Proposal – 15 Points. Both firms were shortlisted and selected for interviews.

Transit Committee Agenda Item

April 14, 2016

Page 3

Minor variances in the criteria scores were noted and discussed. Full detail of the scores is included in the Contract Audit File.

March 23, 2016 - Interviews were conducted with the short-listed firms. Interviews were 50 minutes in length, which consisted of a 10-minute 'opening statement' by the firms, followed by 40 minutes of questions and answers. At the completion of the interviews, the Evaluation Committee separately scored the interviews. The assigned weighting between the technical and interviews, is 40% for the technical submission or proposal and 60% for interviews.

The Committee considered both Offerors qualified to perform the work specified in the Request for Proposals. The highest ranked firm selected for the RFP is Joshua Grading & Excavating based on the following reasons: The firm was able to demonstrate their familiarity with the project, identifying concerns, and giving rationale solutions. The firm understood the objective and importance of properly maintaining the right-of-way corridor. The firm ensures a dedicated staff to fulfill the needs of this contract with the willingness to work closely with SANBAG to establish an efficient and effective work plan to maintaining budget goals.

As a result of the scoring, the evaluation committee recommends that the contract to perform the scope of work as outlined in the Request for Proposals 16-1001409, be awarded to Joshua Grading & Excavating, Inc., the firm ranked first in technical score and overall score. The firm clearly demonstrated a thorough understanding of the scope of work and proposed an overall solid team. Evaluation forms and reference checks are located in the Contract Audit File.

The Commission's rail assets include a portion of the Pasadena Subdivision formerly owned by the Atchison, Topeka and Santa Fe Railway (Santa Fe Railway) now operated by SCRRA as the San Gabriel Subdivision, and the Redlands Subdivision also formerly owned by the Santa Fe Railway. This Corridor is operated by SCRRA, for the Metrolink commuter trains, the National Railroad Passenger Corporation's (Amtrak) passenger trains and freight trains by the Burlington Northern Santa Fe Railway (BNSF), and the Union Pacific Railroad (UPRR). Additionally, the Commission owns the Baldwin Park Subdivision formerly owned by Southern Pacific (now UPRR), which at this time has active rail only on approximately two and a half miles of the Rialto Industrial Spur between UPRR's Colton Cut-Off near UPRR MP 537.9 and Cactus Ave. in Rialto near MP 535.4. Much of the remaining Baldwin Park Subdivision is licensed for the Pacific Electric Trail by the various cities adjacent to the right-of-way. The width of this right-of-way varies from 80 feet to 100 feet and most of the maintenance is done by the cities under their licenses with SANBAG. In addition, the Commission recently purchased Main Track #4, line segment 7202 of the San Bernardino Subdivision approximately from MP 0.09 to MP 2.2, and its associated land and appurtenances from BNSF. This section of track is commonly referred to as the "Shortway".

Financial Impact:

This item is not consistent with the SANBAG Fiscal Year 2015/2016 Budget. A budget amendment is requested under Recommendation C.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Procurement Manager have reviewed this item and the draft contract.

Responsible Staff:

Theresa Armistead, Management Analyst II

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Approved
Transit Committee
Date: April 14, 2016
Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 16-1001409 Amendment No.: _____ Vendor No.: 01121
 Vendor/Customer Name: Joshua Grading & Excavating Inc. Sole Source? Yes No
 Description: Right of Way Maintenance Services
 Start Date: 06/01/2016 Expiration Date: 05/31/2021 Revised Expiration Date: _____
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: _____

Dollar Amount			
Original Contract	\$ 4,000,000.00	Original Contingency	\$ -
Revised Contract (Inclusive of Prior Amendments)	\$ -	Revised Contingency (Inclusive of Prior Amendments)	\$ -
Current Amendment	\$ -	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 4,000,000.00	TOTAL CONTINGENCY VALUE	\$ -
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 4,000,000.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 05/06/2016
 Board of Directors Action: _____

Contract Management: Payable/Miscellaneous

Invoice Warning: 20% Renewals: _____ Type: Capital PAA Other
 Retention: _____ % Maximum Retention: \$ _____
 Services: Construction Intrgrnt/MOU/COOP A & E Services Other Professional Services
 Disadvantaged Business Enterprise (DBE) Goal _____ %

Contract Management: Receivable

E-76 and/or CTC Date _____ (Attach Copy) Program Supplement No.: _____
 Finance Letter Reversion Date: _____ EA No.: _____

All of the above MUST be submitted to FINANCE including originals, amendments and miscellaneous transaction changes

Additional Information

Project Manager: Theresa Armistead

Attachment: Copy of 16-1001409 CSS (2644 : Award On-Call Railroad Right-of-Way Maintenance Services)

**EXHIBIT “A”
“SCOPE OF WORK”**

SCOPE OF WORK

RAILROAD RIGHT OF WAY MAINTENANCE SERVICES

1. BACKGROUND

The San Bernardino County Transportation Commission (COMMISSION) owns and maintains approximately 62 miles of the operating railroad right-of-way, within the County of San Bernardino. Refer to the attached COMMISSION ROW Map. These rail assets include a portion of the Pasadena Subdivision formerly owned by the Santa Fe Railroad now operated by Southern California Rail Authority (SCRRA) as the San Gabriel Subdivision, and the Redlands Subdivision also formerly owned by the Santa Fe Railroad. This Corridor is operated by the Southern California Regional Rail Authority (SCRRA), for the Metrolink commuter trains, the National Railroad Passenger Corporation's (Amtrak) passenger trains and freight trains by the Burlington Northern Railway (BNSF), and the Union Pacific Railroad (UPRR).

Additionally, COMMISSION owns the Baldwin Park Subdivision formerly owned by Southern Pacific (now UPRR), which at this time has active rail only on approximately two and half miles of the Rialto Industrial Spur between UPRR's Colton Cut-Off near UPRR MP 537.9 and Cactus Ave in Rialto near MP 535.4. Maintenance activities for this active rail 2.5 mile segment shall be performed under the direction of UPRR and/or SCRRA. Much of the remaining Baldwin Park Subdivision is licensed for the Pacific Electric Trail by the various cities adjacent to this ROW. The width of this ROW varies from 80 feet to 100 feet and most of the maintenance of this ROW is done by the cities under their licenses with COMMISSION.

COMMISSION also has recently purchased Main Track #4, line segment 7202 of the San Bernardino Subdivision approximately from MP 0.09 to MP 2.2, and its associated right of way land and appurtenances from BNSF. This length of ROW is commonly and hereinafter referred to as the "Shortway".

To allow for the safe and efficient operation of passenger and freight trains, the railroad ROW needs to comply with Federal, State, and local regulations regarding weed abatement, fire prevention, and nuisance liability standards.

The awarded firm will need to meet all SCRRA's training and certification requirements within 45 days after the execution of the contract.

The COMMISSION Project Manager (PM) will coordinate work within the San Gabriel Subdivision and Redlands Subdivision (from the San Bernardino Depot to the San Bernardino Transit Center (SBTC) with Metrolink. The CONSULTANT is responsible to maintain the right-of-way from milepost (MP) 4 eastward to MP 13.5 plus approximately 9 acres of surplus parcels northerly of the end of the ROW. The

CONSULTANT is responsible as well to maintain the Baldwin Park Subdivision where applicable. At the PM's discretion a Task Order maybe issued to the CONSULTANT to monitor progress on specific tasks.

San Gabriel Subdivision:

The Metrolink San Gabriel Subdivision runs from downtown Los Angeles east to San Bernardino. It starts at control point (CP) Pasadena Junction, SCRRA MP 0.9 (from Union Station) and ends at the Metrolink San Bernardino Station at SCRRA MP 56.2. With train speeds up to 90 mph, this active, operating rail line is utilized by Metrolink, Amtrak, BNSF Railway and Union Pacific Railroad trains. COMMISSION owns the right-of-way beginning at SCRRA Mile Post 34.0 at the Los Angeles/San Bernardino County line in Montclair.

The COMMISSION PM will coordinate work along this subdivision with Metrolink as the primary point of contact. If work needs to be performed by the CONSULTANT per this agreement; the COMMISSION PM will notify the CONSULTANT and provide the required documents.

The average width of the railroad right-of-way (ROW) is 100 feet from property line to property line. Per this agreement, the CONSULTANT will be responsible for ROW maintenance outside of the active Metrolink right-of-way, which is within 20 feet of center line of track.

Redlands Subdivision

The Redlands Subdivision starts at the San Bernardino Santa Fe Depot and runs 13.2 miles to the east. It currently supports BNSF freight service from MP 0 to MP 4 which is maintained by SCRRA. There is an ongoing construction project on from MP 0 to MP 1 to support implementation of Metrolink commuter trains starting at the end of 2016. The track is out of service between MP 4 and MP 13.2.

The width of the railroad right-of-way varies from 50 feet to 100 feet from property line to property line.

- From MP 0 to MP 4 the COMMISSION Project Manager will coordinate work with SCRRA for work within twenty feet of center line of track. The on-call services will be responsible for right-of-way maintenance 20 feet outside centerline of track.
- From MP 4 east to MP 13.2 the contractor is responsible for all right-of-way maintenance as stated in this agreement
- The on-call services will be responsible for maintenance of the approximately 9 acres of fragmented surplus parcels along the historical alignment in the City of San Bernardino, City of Highland and unincorporated areas adjacent to the cities.

Shortway

The Shortway runs from the Metrolink San Bernardino Station (San Bernardino's Santa Fe Depot) approximately 2.1 miles southwest toward the Metrolink Eastern Maintenance Facility located in Colton, California. The CONSULTANT is responsible for all ROW maintenance as stated in this agreement.

2. **WORK TO BE PERFORMED**

CONSULTANT shall provide right of way maintenance services for the San Gabriel, Baldwin Park and Redlands Subdivisions. The CONSULTANT shall maintain the appearance of the property, facilities and structures (bridges, retaining walls and signs); in compliance with Federal Railroad Administration (FRA), California Public Utilities Commission, and the various municipal code requirements of the local agencies within the County of San Bernardino.

Services shall consist of weed abatement & vegetation control (fire hazard prevention), herbicide & pesticide applications, removal of debris & trash, fencing and barricade installation and/or repairs, drainage repairs, graffiti abatement & control, tree trimming & removals, installation/maintenance/repair of railroad signage, and abatement of illegal structures and shelters and related items, materials and substances associated with transient or homeless persons trespassing upon the ROW, which shall be carried out in coordination with applicable local law enforcement and in accordance with direction from COMMISSION and its legal counsel, which may require consultation and coordination with recognized service agencies and/or advocacy organizations serving the homeless population in appropriate cases. The removal of hazardous materials shall be coordinated with a licensed hazardous materials CONSULTANT.

In cases where the cost of work covered by public works contracting requirements under the Public Contracts Code or other state law (including, without limitation, installation or repair fencing, work on drainage and/or drainage facilities, and/or construction or demolition of structures within the ROW) would equal or exceed \$25,000, state law requires such a project to be performed pursuant to a public works contract awarded to the lowest responsive and responsible bidder. CONSULTANT shall promptly notify COMMISSION whenever CONSULTANT believes that any potential such instances, CONSULTANT shall cooperate fully with COMMISSION, shall assist in preparing specifications and other bid documents at COMMISSION's request, and shall cooperate and coordinate with the selected contractor. CONSULTANT acknowledges that if CONSULTANT assists COMMISSION in such pre-bid matters, CONSULTANT shall not be eligible to bid on that project. CONSULTANT shall consult with and follow COMMISSION's instructions with respect to the determination of when a project will or may be subject to such a separate bidding process. If COMMISSION determines that the project in question

Except to the extent public works are separately bid and awarded to third parties as provided above, the CONSULTANT shall provide all materials and equipment for the services specified above.

2.1 Weed Abatement & Vegetation Control

Weed abatement and vegetation control, shall be performed in accordance with California Health and Safety Codes and municipal code requirements of the County of San Bernardino. The purpose of this service is to prevent fire hazards posed by vegetative growth and accumulation of combustible materials. Except as noted below, vegetation and weeds should be regulated and cut so as to not exceed 6 inches in height within the right-of-ways, and shall be kept at 3 inches when 0 to 100 feet from structures. Weed abatement shall be by mowing, gas powered weed trimmers or by use of hand tools, to augment the herbicide program. CONSULTANT shall dispose of vegetation and/or weeds (including cut brush).

Decorative landscaping, erosion control, vegetation, and natural vegetation in open space areas, which is more than 20 ft. from centerline of track, will be removed at the direction of COMMISSION's Project Manager.

2.2 Herbicide and Pesticide Application

Herbicide application will be a pre-emergent application in the fall and spot treatments of contact herbicides on an as necessary basis during the Summer and late Fall. Herbicide application shall be completed by a Certified Pest Control Applicator, under the supervision of a Pest Control Advisor. All personnel shall be licensed, by the State of California and all work will have written Pest Control Recommendations - submitted to the County Agricultural Commissioner in accordance with applicable regulations. COMMISSION's Project Manager will confer with the Pest Control Advisor to determine the best chemical and rate of application on an individual parcel basis. This work is supplemental to herbicide control currently performed by SCRRA's Track, Structures and Right-of-Way Maintenance CONSULTANT, under separate contract. The COMMISSION will identify areas that require Herbicide Control.

IV. COMMISSION's Project Manager shall be notified at least one week in advance of the time set for application of any chemicals so that an COMMISSION representative may witness the application.

The notification shall include all related MSDS certifications for all herbicides, pest control, and other chemical materials.

2.3 Clean-Up of Debris and Trash (non-hazardous waste)

CONSULTANT shall pick-up all debris and trash, on the right-of-ways, and will remove and dispose of vegetation and refuse at specified dump sites within San Bernardino

County. Materials to be removed may include, but are not limited to, broken concrete, asphalt, construction debris, scrap metal, furniture, appliances, automobile parts, shopping carts, tires, trees, dead vegetation, dead animals, bagged or loose trash. Individual items will be handled manually within Occupational Safety and Health Administration (OSHA) guidelines. Items removed which may be potentially hazardous, must be done so appropriately, under such guidelines

All dump fees associated with maintenance services on the right-of-ways will be reimbursed at cost.

2.4 Fence and Barricade Installation, Repairs and Minor Upgrades

Work shall consist of new fence installation, repair to existing, and incidental upgrades to: welded wire mesh, chain link, post and cable, and any other fencing or barrier repairs as may be required. The frequency of fence repair is dependent upon vandalism and/or accidents which occur along the right-of-way. New fence material shall be chain link, welded wire mesh, or an COMMISSION approved equal. New fence installation will be at the direction of COMMISSION's Project Manager.

2.5 Drainage System and Maintenance Repairs

CONSULTANT shall remove silt, drift, and/or obstructions, from drainage channels, and restore erosion damage, upon direction of COMMISSION's Project Manager. The removal of vegetation and/or debris will be done in a manner which preserves the functional performance of all drainage facilities and in a manner that does not create depressions in the ground capable of ponding water. CONSULTANT will also be required to maintain COMMISSION's railroad right-of-way vehicular access roads, removing any obstructions and repairing erosion damage.

CONSULTANT shall place erosion prevention materials (i.e. sandbags, silt fence, fiber rolls, etc.) along areas of ROW where potential flooding of adjacent properties may occur at COMMISSION's Project Managers direction. This shall be done prior to any inclement weather, if possible. COMMISSION's Project Manager may request CONSULTANT's crew work outside of normal scheduled days during times of excessive inclement weather.

2.6 Graffiti Abatement & Control

CONSULTANT shall control graffiti through painting or cleaning on structures, walls, fences, signs, bridges and abutments, under the direction of COMMISSION's Project Manager. Paint shall be applied by roller, brush, or spray apparatus, (including extension arms from 10' to 25'), when requested. CONSULTANT shall use water-based paint, except on roadway signs, where chemical cleaners will be used. (CONSULTANT will consult with COMMISSION's Project Manager for situations where cleaning is

ineffective, and may be directed to utilize other cleaners or to apply aluminum paint.) Application of paint or cleaning of graffiti will be performed so as to preserve railroad operating information on signs, and structures (only as directed) (e.g. speed signs, milepost signs, and roadway signs). Graffiti removal on aluminum signal houses and apparatus' will be handled by SCRRA Signal forces.

Photos and Documentation:

CONSULTANT shall photograph graffiti prior to removal. Photos are to be entered into the San Bernardino County Sheriff's Dept., Tracking Automated and Graffiti Reporting System (T.A.G.R.S.) Program database. This can either be done immediately, through the use of a Smartphone with GPS software or manually once at a computer with internet access. The T.A.G.R.S Program was created and is used by law enforcement as well as outside agencies in order to have one centralized location for tracking all areas (input into system) and costs associated with each area/time of removal.

2.7 Tree Trimming and Removals

CONSULTANT shall trim and/or remove trees in order to maintain clear visibility of railroad signals and grade crossings, as well as those on COMMISSION's property causing harm to adjacent property/facilities/etc. CONSULTANT shall provide labor and equipment necessary to clear areas where required in order to maintain the right-of-ways and railroad signals, unobstructed. Work will consist of tree trimming and/or removals, occasional tree replanting, pole line removal and transport and brush removal. Due to the inaccessibility of certain properties, some trees may need to be climbed with the aid of ropes and others may require use of boom truck with a standard bucket lift, in order to be trimmed. Fall Protection shall be used where required.

V. Tree Work Safety:

The CONSULTANT shall perform their work method in compliance with federal standards, local city ordinances and requirements, and CCR Title 8 (Cal/OSHA), Article 12. Tree Work, Maintenance or Removal Standards, and Subchapter 13, Logging and Sawmill Safety Orders, Article 5. Falling and Bucking as applicable to scope. The CONSULTANT shall fully understand and comply with the applicable Cal/OSHA standards and maintain required documentation available at the scope task site for review by the Authority's representative.

2.8 Maintenance, Repair and/or New Installation of Property and No-Trespassing Signs

Maintenance of existing property and no-trespassing signs within the COMMISSION's owned property shall consist of cleaning (wiping clean, or by chemical cleaner) signs to remove graffiti or other substance hindering visibility of words. Repair will consist of correcting bent or broken posts and replace missing hardware (anti-vandalism type).

Repair to existing signage is required prior to replacing with new. CONSULTANT shall provide necessary chemicals for removal of graffiti from signs, as well as other materials required to perform this task.

2.9 Pest/Insect Control

CONSULTANT shall perform, on a case by case basis, reasonable pest/insect control to maintain the railroad right-of-way free of pests/insects.

2.10 Flagging

CONSULTANT will have available an Employee in Charge (EIC)/Flagman as needed, to provide protection for other municipalities or COMMISSION staff that may need access to the operating right-of-way.

3. LABOR SKILLS AND STANDARDS OF PERFORMANCE

These performance standards shall apply to CONSULTANT in the performance of any subsequent work or specialized trades herein, including any Sub CONSULTANT(S) that may be employed by the CONSULTANT.

Failure to begin and diligently prosecute the services as further described herein may be considered grounds for termination of the contract. It will be the CONSULTANT's responsibility to obtain the necessary labor, materials, and/or sub-CONSULTANT resources to complete the assignment(s)

If any person employed by the CONSULTANT, or employed as a sub-CONSULTANT, should fail or refuse to carry out the work or shall appear to be incompetent or to act in a disorderly manner, he/she shall be discharged immediately upon the request of the COMMISSION and such person shall not again be employed for any of the services required for the COMMISSION.

The CONSULTANT is responsible for determining the correct number of personnel (estimated at 4 plus a foreman), labor classifications, and equipment necessary to complete the work.

3.1 Key Personnel

The CONSULTANT shall provide resumes of proposed qualified staff and references, as indicated.

3.2 Project Manager

Duties:

Plans, directs, and coordinates the activities of the CONSULTANT (including all sub-CONSULTANTS) in performance of the Services to assure compliance with Agreement

terms and conditions, applicable regulations, COMMISSION standards, and budgets. Serves as the point of contact for COMMISSION staff for all matters relating to the Agreement. Reviews, annual budget and work plan, training schedule, invoices. Supervises, promotes, manages, transfers, and disciplines CONSULTANT staff and arranges with COMMISSION for replacement personnel in the event of vacancies.

Minimum Requirements:

- Desire 10 years' experience in supervising or directing the work of others engaged in railroad right of way maintenance and five years' experience in managing construction and/or maintenance.
- Knowledge of 49 CFR 214 Subpart C- Roadway Worker Protection and SCRRRA'S MAINTENANCE OF WAY OPERATING RULES and INSTRUCTIONS and all safety requirements.
- Knowledge of the safe and proper procedures for maintenance within operating railroad environment.
- Knowledge of the safe and proper procedures hand and power tools maintenance equipment.
- Must be able to demonstrate ability to communicate in written and verbal English language with prior record keeping experience.

3.3 Supervisor/Foreman

Duties:

CONSULTANT shall designate an employee (supervisor/foreman) as a primary point of contact and have the authority to act for the CONSULTANT. Foreman is required to assist and coordinate the activities of the right-of-way maintenance crew on the San Bernardino and Olive Subdivisions, that is in active use by passenger and freight trains by arranging for the materials, tools, and equipment required for the maintenance services, arranging for protection of workplace, coordinating with other SCRRRA CONSULTANT's, Metrolink Operation Center(MOC), and affected public agencies, training employees in proper work methods, communicating with trains and MOC regarding train movements through the work area, inspecting work methods and site conditions for safety conditions and efficiency of use of labor and material, and preparing documentation of work performed and resources (labor, material, equipment, and supplies) used.

Minimum Requirements:

- Desire three to five years of railroad right-of-way maintenance experience and/or construction including at least two years of experience in supervising or directing the work of others engaged in railroad right of way maintenance. SCRRA approval may be required.
- Must demonstrate previous experience and certification of 49 CRF 214 Subpart C-Roadway Worker Protection, 214.353 — Training and qualification of roadway workers who provide on-track safety for roadway work groups.
- Must be able to meet the requirements of 49 CFR 214 Subpart C- Roadway Worker Protection, as well as SCRRA'S MAINTENANCE OF WAY OPERATING RULES and INSTRUCTIONS. Must be able to qualify (under all SCRRA applicable rules and regulations) as an Employee-in -Charge (EIC). (Not required at time of proposal submission).
- Must be able to demonstrate ability to communicate in written and verbal English language with prior record keeping experience.
- Ability to work outdoors in all weather conditions, to lift objects weighing a minimum of 50 lbs and must have the ability to distinguish colors and to hear warning signals and radio and telephone devices.
- Knowledge of the safe and proper procedures for operating maintenance hand and power tools.

3.4 Equipment OperatorDuties:

Operates and performs operator-level duties of smaller equipment and rubber tired off-equipment such as a backhoe, skip loaders, and skid steers. May work as a member of a crew or independently.

Minimum Requirements:

- Desire one to three years' experience in the operation of rubber tired equipment used in the course of railroad maintenance and/or construction. SCRRA approval may be required.

- Must be able to meet the requirements of 49 CFR 214 Subpart C- Roadway Worker Protection, as well as SCRRA'S MAINTENANCE OF WAY OPERATING RULES and INSTRUCTIONS. Must be able to qualify (under all SCRRA applicable rules and regulations) as an EIC. (Not required at time of proposal submission).
- Knowledge of safe and proper procedures for operating this equipment
- Ability to work outdoors in all weather conditions, to lift objects weighing a minimum of 50 lbs. and must have the ability to distinguish colors and to hear warning signals and radio and telephone devices.
- Ability to communicate in the written and verbal English language.

3.5 EIC/Flagman

Duties:

Provides protection for the work activities of other parties engaged in work on the railroad right-of-way by performing safety briefings and issuing instructions to these parties, coordinating this work with the MOC, communicating by radio with train operators to authorize train movement through work area, observing railroad tracks for approaching trains, issuing audible warnings to workers concerning the approach of trains, directing the discontinuance of specific work practices until after train(s) have passed work location, observing work practices of the other parties, observing the workplace for unsafe conditions, and installing and removing temporary signs for the control of train movements. Railroad Worker Protection Safety trained under SCRRA requirements.

Minimum Requirements:

- Preferred one year experience providing on-track safety for roadway work groups.
- Must demonstrate previous experience and certification of 49 CFR 214 Subpart C-Roadway Worker Protection, 214.353 — Training and qualification of roadway workers who provide on-track safety for roadway work groups.
- Must be able to meet the requirements of 49 CFR 214 Subpart C- Roadway Worker Protection, as well as SCRRA'S MAINTENANCE OF WAY OPERATING RULES and INSTRUCTIONS. Must be able to qualify (under all SCRRA applicable rules and regulations) as an EIC. (Not required at time of proposal submission).
- Ability to work outdoors in all weather conditions, to lift objects weighing a minimum of 50 lbs. and must have the ability to distinguish colors and to hear

warning signals and radio and telephone devices.

- Ability to communicate in the written and verbal English language.

3.6 **Qualifications applicable to all positions**

Minimum Requirements:

- Must meet all SCRRA's safety training requirements and maintain certifications.
- Able to communicate in written and verbal English language. Required to pass pre-employment physical examination which includes blood and/or urine testing.
- Ability to work outdoors in all weather conditions, to lift objects weighing a minimum of 50 lbs. and must have the ability to distinguish colors and to hear warning signals and radio and telephone devices.
- The appropriate licensing; professional experience, academic training, and technical skills for the assigned work

Training;

All CONSULTANT and sub-CONSULTANT employees, working on the ROW, are required to complete railroad safety training, (to be provided by COMMISSION 1 time annually) wear all applicable, personal protection safety equipment, and at all times follow all railroad safety rules.

COMMISSION will provide initial SCRRA required safety training for staff identified in the proposal. Any employee that fails to meet the standards shall not be approved for work on COMMISSION owned operating right-of-ways, under this contract.

4.0 **Work Plan**

The CONSULTANT shall establish, develop, maintain and implement a work plan that; provides an organizational chart of the project team and identifies their respective responsibilities; identifies all resources necessary to complete the work; identifies any resources provided by sub-CONSULTANTS; and any outlines management tools that will be utilized to manage the work.

4.1 **Quality Control Plan (QCP)**

The Quality Control Plan should include management's role and commitment to quality work, while optimizing cost and schedule performance. It shall describe implementation of policies, procedures and processes that ensure work is performed to the specifications, including a corrective action plan should corrections be necessary, and the methods in place to ensure non-recurrence.

4.2 Workmanship

CONSULTANT shall provide workers who are fully trained to the skill level necessary to complete a given job in a satisfactory manner. CONSULTANT warrants that employees shall have all appropriate training needed for the work; have sufficient skill, knowledge and experience to perform such work; have tools and equipment appropriate for the given work; and that all contract work is performed in a safe, professional and workmanlike manner.

CONSULTANT will not substitute any employee for another unless both have been trained equally, and at such time still current within such training. Training costs due to employee changes, requested by CONSULTANT, will be at the CONSULTANT's expense.

4.3 Non-Conforming Work

The Authority may reduce payment for any of the following; non-compliant work, noncompliant work left in place; corrective work or unauthorized work.

4.4 Emergency Work

CONSULTANT and sub-CONSULTANTS must have 24-hour contact number(s) and an acceptable means of emergency "on-call" communication with the COMMISSION's Project Manager.

Four (4) hour response time may be required in cases of emergency and within one (1) hour in cases where train operations are halted.

4.5 Unsafe Conditions

CONSULTANT and or its Sub-CONSULTANT are to immediately notify the COMMISSION's Project Manager of any unsafe or questionable condition that exists on the right-of-way. Project Manager will then notify the necessary parties.

If the condition poses immediate danger to rail operations, the CONSULTANT shall notify the MOC, then COMMISSION's Project Manager.

5.0 Schedule

The CONSULTANT shall submit a weekly schedule each Friday, for anticipated work to be performed by following week including location by mile post (MP). Any deviations must be discussed and approved by COMMISSION's Project Manager.

CONSULTANT and/or sub-CONSULTANT shall respond and perform non-emergency as-needed work request from the COMMISSION's Project Manager within one (1) working day, except in cases of emergency, where an immediate response may be

requested.

5.1 Daily Report

CONSULTANT will email COMMISSION's Project Manager a daily progress report. This report will include type of work completed by location, personnel and equipment used, and other direct cost.

5.2 Monthly Report

In addition to the terms of the Agreement, CONSULTANT shall submit a monthly report to include;

Provide daily work reports as back-up to invoices submitted for payment;

- Itemization of the materials used and corresponding vendor's invoice copies;
- Direct cost of labor;
- Equipment rental charges;
- Workers' certified payrolls;
- Equipment used; size, type and identification no.

Attach a summary sheet for the hours expended for each task for each month and total project to date

6. Equipment

The CONSULTANT's equipment shall be in good repair and able to operate efficiently and safely. All equipment used in the performance of this contract shall be in operable condition and meet the local, state and federal safety requirements. All equipment used shall be inspected and serviced regularly. The inspection and service records shall be available upon request. All vehicles shall be registered, licensed, insured and operated by a licensed driver. All vehicles shall follow laws regarding parking, driving, and licensing.

The CONSULTANT's equipment shall have the proper safety devices maintained at all times while in use. If equipment does not contain proper safety devices and/or is being operated in an unsafe manner, the COMMISSION Project Manager shall direct the CONSULTANT to remove such Equipment and/or operation until the deficiency is corrected to the satisfaction of the COMMISSION Project Manager.

The COMMISSION Project Manager may inspect the CONSULTANT's equipment and tools at any time. The daily anticipated equipment necessary to perform this work, but not limited to;

- One (1) Foreman/supervisor pick-up truck.
- One (1) Crew truck.
- One (1) truck with automatic dumping capability with a minimum hauling capacity of 6 cubic yards.
- Hand and power tools consisting of weed trimmers, chain and pole saws, hedge trimmer, but not limited to; with a value of \$500.00, shall be considered part of the CONSULTANT s overhead cost.
- The anticipated heavy equipment necessary to perform this work including, but not limited to the following;
 - Backhoe
 - Dozer-D4 or equal
 - Skip loader with a 4 in 1 bucket
 - Street sweeper, and skid steer with attachments

VI. Unless equipment rates are specifically identified in the Agreement, reimbursement for equipment rental will be either at the CALTRANS published rates within “Labor Surcharge and Equipment Rental Rates” or the actual rental rate, whichever is less. Equipment rental payment is full compensation for rental equipment costs, including moving rental equipment to and from the site using its own power.

VII. For rental equipment that cannot be transported economically using its own power, no transport cost will be paid.



**Price List – Attachment B for: RFP No. 16-1001409
(Time and Materials)**

Key Personnel

Name	Classification/Title	Job Function	Hourly Rate	
	Project Manager	plan & direct project	\$	75.85
	Foreman	coordinate project activities	\$	75.14
	Operator group 2	operate equipment	\$	93.23
	EIC	provide protection for work activities	\$	72.30
	Contract Administrator	billing, document work, administrative	\$	46.86
			\$	
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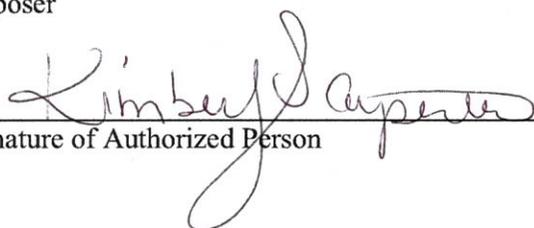
Other Direct Cost Schedule (ODC)

All ODC's are to be proposed at cost-without mark-ups.

Type of ODC	Unit Cost		Estimated Budget Amount	
5 gal concrete paint	\$	42	\$	13,104 / yr
fence posts	\$	3.10/ft	\$	1,612 / yr
chain link mesh	\$	8.28/ft	\$	1,291 / yr
herbicide 1.67gal	\$	77.91	\$	9,993 / yr
dump fees/ avg price per load	\$	70	\$	12,480 / yr

Joshua Grading & Excavating

Proposer

Signature of Authorized Person 

4/5/16

Date

Attachment: 16-1001409 Fee without names (2644 : Award On-Call Railroad Right-of-Way Maintenance Services)

Minute Action

AGENDA ITEM: 6

Date: *April 14, 2016*

Subject:

Revised Unmet Needs Definitions

Recommendation:

That the Transit Committee recommend the Board, acting as the San Bernardino County Transportation Commission, adopt new definitions for “Unmet Transit Needs” and “Reasonable to Meet”.

Background:

Each year San Bernardino Associated Governments (SANBAG), acting as the San Bernardino County Transportation Commission, is required by Public Utilities Code Sections 99238.5 and 99401.5 to hold public hearings for obtaining testimony regarding unmet transit needs that can be reasonably met and must adopt findings prior to making an allocation of local transportation funds (LTF) for street purposes.

Annually as part of the Unmet Needs Hearing process, the SANBAG Board of Directors adopts definitions of “unmet needs” and “reasonable to meet,” which are used to evaluate testimony that is received by consumers of public transit and or social service agencies. The last review, update, and approval of these definitions occurred in January 2003. Since it has been well over a decade since these definitions were updated, staff thought it was in the best interest of the transit operators as well as SANBAG to review and revise these definitions as necessary.

At the September 8, 2015, Public and Specialized Transit Advisory and Coordinating Council (PASTACC) meeting, an Ad Hoc Committee was formed to discuss and recommend changes. The committee consisted of staff from Morongo Basin Transit Authority, Victor Valley Transit Authority, and United Way. On October 14, 2015, the committee met and the recommendations and changes are as shown, in Attachment A.

These revised definitions were presented to PASTACC on March 8, 2016, and were unanimously approved. Staff is recommending the approval of these definitions, which will be effective beginning with the Fiscal Year 2016/2017 Unmet Needs Hearing process.

Financial Impact:

This item is consistent with the Fiscal Year 2015/2016 SANBAG Budget

Reviewed By:

This item is not scheduled for review by any other policy committee. This item was reviewed and unanimously approved by PASTACC on March 8, 2016.

Responsible Staff:

Nancy Strickert, Management Analyst III

Entity: CTC

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Approved
Transit Committee
Date: April 14, 2016
Witnessed By:

As ~~approved~~ revised by PASTACC's Ad Hoc Committee
March 8~~October 14~~, 20165

Attachment A

San Bernardino County Definitions of "Unmet Transit Needs" and "Reasonable to Meet"

As recommended by the
Public and Specialized Transportation Advisory and Coordination Council (PASTACC)

Adopted
 by the San Bernardino Associated Governments Board of Directors acting as the
San Bernardino County Transportation Commission Board of Directors

Unmet Transit Needs: Unmet transit needs are any deficiency in the provision of public transit services, specialized transit service or private for-profit and non-profit transportation.

Reasonable to Meet: Reasonable to meet is a determination to be made based upon the following guidelines, performance and financial standards in accordance with federal Title VI Non Discrimination regulations and recognizing the following components:

A. **Community acceptance** – The proposed service has community acceptance and support as determined by the Unmet Transit Needs public hearing record, the inclusion of or as a component of adopted programs and plans, ~~the adoption of governing board positions and other existing information.~~

B. **Timing Implementation -**

The proposed service shall:

1. ~~The proposed service shall be~~Be in response to an existing rather than future need.

2. ~~The proposed service shall be~~Be implemented consistent with the timing offor federal and state grant approval ~~if such a grant is the most appropriate primary method of funding~~ availability.

3. Be implemented safely and in accordance with local, state, and federal laws and regulations

4. Not cause the operator to incur expenditures in excess of the maximum amount of Local Transportation Funds (LTF), State Transportation Assistance funds (STA), Federal Transit Administration (FTA) funds, fare revenues, and local support.

~~C. Equity~~ – the proposed service shall:

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- ~~1. Not unreasonably discriminate against or in favor of any particular segment of the community.~~
- ~~2. Not result in reduced service levels for other parts of the transit system that have equal or higher priority.~~
- ~~3. Require a subsidy per passenger generally equivalent to a 120% of similar services being operated within the first two full Fiscal Years of operation unless overriding reasons so justify.~~

CD. Cost effectiveness – the proposed service shall:

- 1. ~~Not Minimize~~ duplication ~~one other of~~ existing transportation services or resources.
- 2. Consider opportunities for coordinating among ~~ngumt~~ adjoining public entities or with private transportation providers and/or funding agencies in order to maximize existing resources (including financial) as well as legal or customary responsibilities of other entities such as social service agencies, religious organizations, and schools.
- 3. ~~Excluding the first three years, the proposed or new transit will n~~Not adversely affect ~~systemwide performance standards including the operator's ability to meet the required farebox recovery, ratio of fare~~ revenue to operating cost after two full Fiscal Years of operations.
- 4. ~~Meet a productivity level of 80% of the average number of passengers per hour for similar services being operated within the first two full Fiscal Years of operation unless overriding reasons so justify. The proposed or new transit service shall s~~Show continued progress in key performance indicators over the pilot period.

E. Operational feasibility – ~~The proposed service must be safe to operate, including the operation of vehicles on adequately maintained roadways~~

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TRANSIT POLICY COMMITTEE ATTENDANCE RECORD – 2016

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Paul Eaton City of Montclair	X	X	X									
James Ramos County of San Bernardino	X	X	X									
Jon Harrison City of Redlands	X	X	X									
Bill Jahn City of Big Bear Lake	X	X	X									
Robert Lovingood County of San Bernardino	X	X	X									
Larry McCallon City of Highland	X											
L. Dennis Michael City of Rancho Cucamonga		X	X									
Ray Musser City of Upland	X	X	X									
Richard Riddell City of Yucaipa	X	X	X									
Alan Wapner City of Ontario	X	X	X									
Deborah Robertson City of Rialto		X										

X = Member attended meeting.

* = Alternate member attended meeting

Empty box = Member did not attend meeting.

Crossed out box = Not a member at the time.

CRTC-ATT16

Communication: Attendance (Additional Information)

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.

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

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

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

San Bernardino Associated Governments



MISSION STATEMENT

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

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

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

Approved June 2, 1993
Reaffirmed March 6, 1996