



San Bernardino Associated Governments

1170 W. 3rd Street, 2nd Floor, San Bernardino, CA 92410
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Web: www.sanbag.ca.gov



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

AGENDA

Board of Directors Meeting

January 6, 2016

*******Start Time: 10:00 a.m. (CLOSED SESSION)*******
1170 W. 3rd Street, San Bernardino, CA 92410, 2nd Fl. (The Super Chief)

*****Convvene Regular Meeting at 10:30 a.m.*****
1st Floor Lobby

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

Board of Directors

President

Ryan McEachron, Council Member
City of Victorville

Vice-President

Robert Lovingood, Supervisor
County of San Bernardino

Rich Kerr, Mayor
City of Adelanto

Curt Emick, Council Member
Town of Apple Valley

Julie McIntyre, Mayor
City of Barstow

Bill Jahn, Mayor Pro Tem
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Ed Graham, Council Member
City of Chino Hills

Frank Navarro, Mayor Pro Tem
City of Colton

Michael Tahan, Council Member
City of Fontana

Darcy McNaboe, Mayor
City of Grand Terrace

Mike Leonard, Council Member
City of Hesperia

Larry McCallon, Mayor
City of Highland

Rhodes "Dusty" Rigsby, Mayor
City of Loma Linda

Paul Eaton, Mayor
City of Montclair

Edward Paget, Mayor
City of Needles

Alan Wapner, Council Member
City of Ontario

L. Dennis Michael, Mayor
City of Rancho Cucamonga

Jon Harrison, Mayor Pro Tem
City of Redlands

Deborah Robertson, Mayor
City of Rialto

R. Carey Davis, Mayor
City of San Bernardino

Joel Klink, Council Member
City of Twentynine Palms

Ray Musser, Mayor
City of Upland

Dick Riddell, Council Member
City of Yucaipa

George Huntington, Mayor
Town of Yucca Valley

Janice Rutherford, Supervisor
County of San Bernardino

James Ramos, Supervisor
County of San Bernardino

Curt Hagman, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

John Bulinski, Caltrans
Ex-Officio Member

Ray Wolfe, *Executive Director*

Eileen Teichert, *SANBAG Counsel*

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

AGENDA

**Board of Directors
January 6, 2016**

*****10:00 a.m. (CLOSED SESSION)***
1170 W. 3rd St., 2nd Fl. (The Super Chief)
San Bernardino, CA**

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)—2 cases

a. *In re: City of San Bernardino*

U.S. Bankruptcy Court, Central District of California, Case No.: 6.12-bk-28006-MJ

b. *Maria de Lourdes Reyes, etal. v. SANBAG, Co. of San Bernardino, etal.,*

San Bernardino Superior Court Case No. CIVDS1503543

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

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

(Meeting Chaired by Ryan McEachron)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
Calendar of Events
- iv. Agenda Notices/Modifications

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. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up immediately following the vote on the Consent Calendar.

Consent - Administrative Matters

2. September, October and November 2015 Procurement Report

Receive the September, October and November 2015 Procurement Report.

Presenter: William Stawarski

This item was received by the General Policy Committee on December 9, 2015.

3. Budget Fiscal Year 2016/2017 Assessment Dues

Adopt the San Bernardino Associated Government's Fiscal Year 2016/2017 Assessment Dues.

Presenter: William Stawarski

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

4. SANBAG Fiscal Year 2016/2017 Budget Schedule

Approve the Fiscal Year 2016/2017 Budget Schedule.

Presenter: William Stawarski

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

5. Compliance Audit for Proposition 1B Transit Security Grant Program

Review and receive the Compliance Audit Report for Proposition 1B Transit Security Grant Program for Fiscal Year 2012/2013.

Presenter: William Stawarski

This item was reviewed and received by the General Policy Committee on December 9, 2015.

6. Funding request for the operation, maintenance, and tenant improvements of the San Bernardino Santa Fe Depot

A. Approve amendment to the Fiscal Year 2015/2016 budget to increase Task No. 0805 in the amount of \$118,343 for a new task total of \$176,016.

B. Approve an expenditure in an amount not-to-exceed \$50,843 for building improvements required by the Health Department in order to lease the space to caterers or other food service tenants.

Presenter: Duane Baker

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

7. SANBAG Conflict of Interest Code Amendment

A. Adopt an amended Conflict of Interest Code, set forth in Policy No. 10102, updating the list of designated employees and disclosure categories; and

B. Direct the SANBAG Clerk of the Board to submit the amended Conflict of Interest Code to the San Bernardino County Board of Supervisors for approval.

Presenter: Vicki Watson

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015. This item and amended Appendix A to Policy No. 10102 have been reviewed by SANBAG General Counsel.

8. Fiscal Year 2015/2016 Work Goals and Objectives First Quarter Report

Receive update on the Fiscal Year 2015/2016 Work Goals and Objectives.

Presenter: Raymond Wolfe

This item was received by the General Policy Committee on December 9, 2015.

9. 2016 SANBAG Board of Directors and Policy Committee Meeting Schedule

Approve the 2016 Board of Directors and Policy Committee meeting schedules in Attachment A.

Presenter: Vicki Watson

The individual policy committee schedules were approved by the respective policy committees during the month of November and December.

Consent - Project Delivery

10. Metrolink Active Transportation Program - CEQA Environmental Approval and Authorize Release of Design Request for Proposals

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

A. Determine that the Metrolink Station Active Transportation Program, Federal Aid Project No. ATPL 6053(116) qualifies as a Categorical Exemption under the California Environmental Quality Act and authorize the Director of Project Delivery to sign the required Notice of Exemption Documentation on SANBAG's behalf upon Caltrans approval of the corresponding National Environmental Policy Act document.

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

B. Authorize the release of Request for Proposals No. 15-1001122 for the preparation of Plans, Specifications and Estimate, Right-of-Way Engineering and Support, and Design Support during Construction for the Metrolink Station Active Transportation Program at various Metrolink Stations in San Bernardino County.

Presenter: Garry Cohoe

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the draft RFP scope of work.

11. Award of a New Program Project Management and Other Technical Services Contract

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

Approve Contract 15-1001195 with Parsons Transportation Group, Inc. to provide Program Project Management and other Technical Services for a five year term in an amount not to exceed \$29,681,835.00. **Presenter: Garry Cohoe**

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and a draft of the contract.

12. Construction Management Services for the Monte Vista Avenue Grade Separation Project

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

A. Approve award of Contract No. 15-1001298 with Kleinfelder/Simon Wong Engineering for Construction Management services for the Monte Vista Avenue Grade Separation Project in an amount not-to-exceed \$2,968,200.00 after receipt of Pre-Award audit and correction of any deficiencies noted therein, as required by the Caltrans Local Assistance Procedures Manual.

B. Approve a contingency amount for Contract No. 15-1001298 of \$296,820.00 and authorize the Executive Director or designee to release contingency as necessary for the project. **Presenter: Garry Cohoe**

This item was reviewed and recommended for approval (16-0-1; Abstained: Tahan) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the draft contract.

Consent - Regional/Subregional Planning

13. Development of a Regional Safe Routes to School Plan Phase II

That the Board, acting as the San Bernardino County Transportation Commission, approve Contract No. 15-1001193 with KOA Corporation for the Safe Routes to School Plan in an amount not-to-exceed \$380,824.

Presenter: Steve Smith

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015. SANBAG General Counsel and Contract Administrator have reviewed this item and the draft agreement.

14. Transportation Development Act Article 3 Phase 2 Pedestrian and Bicycle Facilities and Transit Stop Access Improvement Call for Projects

Authorize the release of Transportation Development Act (TDA) Article 3 Call for Projects for the following two programs:

A. Pedestrian and Bicycle Facility Projects (\$887,977)

B. Transit Stop Access Improvement Projects (\$634,287)

Presenter: Steve Smith

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

Consent - Transit/Rail

15. Amendment to Contract C11206 with Epic Land Solutions, Incorporated for Additional Graffiti Removal Services

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

A. Allocate \$175,000 of Valley Local Transportation Funds for graffiti removal along SANBAG railroad right-of-way.

That the Board of Directors, acting as the San Bernardino County Transportation Authority:

B. Approve Amendment No. 2 to Contract No. C11206 with Epic Land Solutions, Incorporated in the amount of \$175,000 for Maintenance of Way Services – Graffiti Removal.

C. Approve an expense budget amendment to the SANBAG Fiscal Year 2015/2016 Budget to increase Task No. 0377 Commuter Rail Operating by \$175,000 in Valley Local Transportation Funds – Rail for a new task total of \$16,961,597.

Presenter: Carrie Schindler

This item was reviewed and recommended for approval (14-0-3; Abstained: Rutherford, Hagman, and Wapner) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the contract amendment.

Consent - Transportation Programming and Fund Administration

16. Summary of Measure I Capital Improvement Plans of Member Agencies

That the Board, acting in its capacity as the San Bernardino County Transportation Authority, accept the Measure I Summary Report of the Five-Year Capital Improvement Plans for Local Pass-Through Funds for Fiscal Year 2015/2016 through Fiscal Year 2019/2020.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

17. Loan Concept for Green Tree Boulevard

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

A. Approve in concept a loan to the City of Victorville toward the required development share contribution for the Yucca Loma Corridor – Green Tree Boulevard Extension Project.

B. Direct staff to examine options for a development share loan for the Yucca Loma Corridor – Green Tree Boulevard Extension Project in development of the 2016 update to the Ten-Year Delivery Plan.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on December 11, 2015.

18. Amendment to Victor Valley Major Local Highways Program Policy 400013

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

A. Amend the San Bernardino Associated Governments Measure I 2010-2040 Strategic Plan Policy 40013 (Victor Valley Major Local Highways Program) to establish a development share loan program.

B. Direct staff to develop term loan agreement templates for use in the Victor Valley Major Local Highways Program.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on December 11, 2015.

19. Major Local Highway Program Subarea Project Lists for Colorado River and Mountains Subareas

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

Approve the 2016 Summary of Major Local Highway Program Funding Needs for the Colorado River and Mountains Subareas of the Mountain/Desert.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on December 11, 2015.

20. Allocation to Park Boulevard Reconstruction Project and Project Funding Agreement

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

A. Allocate \$1,411,000 in Morongo Basin Major Local Highway Program funds to the County of San Bernardino for the Park Boulevard Reconstruction Project.

B. Approve Funding Agreement No. 16-1001374 in the amount of \$1,411,000 with the County of San Bernardino for the Park Boulevard Reconstruction Project.

C. Approve a Fiscal Year 2015/2016 budget amendment to increase Task 0516 Measure I Mountain Desert Apportionment and Allocation by \$161,000 from Fund 4530 MSI Morongo Basin Fund-Major Local Highway.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on December 11, 2015. This item and the draft agreement have been reviewed by General Counsel and the Contract Administrator.

21. Fiscal Year 2015/2016 Low Carbon Transit Operations Program - Population Share

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

A. Approve a Low Carbon Transit Operations Program – Population Share Apportionment for Fiscal Year 2015/2016 of \$2,038,266 million to be apportioned to the Valley and the Mountain/Desert Areas based on the 2015 California Department of Finance Population Data as follows:

i. Valley Fiscal Year 2015/2016 Apportionment: \$1,480,800

ii. Mountain/Desert Fiscal Year 2015/2016 Apportionment: \$557,466

B. Allocate \$2,038,266 million of Low Carbon Transit Operations Program – Population Share funding to the following projects:

- i. Transit Marketing and Fare Subsidies for Mountain/Desert Transit Operators - \$461,683
- ii. Victor Valley Transit Authority Bus Stop and Transfer Center Enhancements and Improvements - \$282,148
- iii. Omnitrans Route 290 Pilot Program Expansion - \$440,000
- iv. Omnitrans Freeway Express Pilot Program serving Yucaipa, Redlands, Hospitality Lane and San Bernardino Transit Center - \$300,000
- v. Omnitrans Ontario Airport Shuttle Service Pilot Program - \$554,435

C. Adopt Resolution No. 16-004 Authorizing the Execution of the Certifications and Assurances and related documents for the Low Carbon Transit Operations Program.

Presenter: Andrea Zureick

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on September 10, 2015. The final allocation amounts have been updated to reflect the final Fiscal Year 2015/2016 apportionment, as detailed in the agenda item background. SANBAG General Counsel has reviewed this item and the Resolution.

Consent Calendar Items Pulled for Discussion

Items removed from the Consent Calendar shall be taken under this item in the order they were presented on the agenda.

DISCUSSION ITEMS

Discussion - Project Delivery

22. Hearings to Consider Resolutions of Necessity for Parcels for the Interstate 215 (I-215) Barton Road Interchange Improvement Project in the City of Grand Terrace

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

A. Conduct public hearings to consider condemnation of real property required for the I-215 Barton Road Interchange Improvement Project in the City of Grand Terrace; and

B. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No.16-010 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring necessary right-of-way and real property interests from: Robert T. Tilley and Susan A. Tilley (Assessor's Parcel Number [APN] 1167-121-02; Caltrans Parcel Number [CPN] 23367). The Resolution must be approved by at least a two-thirds majority of the Board; and

C. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No.16-011 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring necessary right-of-way and real property interests from: Woodrow A. Hughes and Famou L. Hughes (APN 0275-223-27; CPN 23370). The Resolution must be approved by at least a two-thirds majority of the Board. **Presenter: Paula Beauchamp**

This item was reviewed and recommended (17-0-0) to proceed to Hearings of Resolutions of Necessity by the Board of Directors with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel has reviewed this item and drafts of the Resolutions.

23. Financial Advisor Services for the I-10 and I-15 Corridor Projects

That the Board, acting as the San Bernardino County Transportation Authority approve:

A. Contract 16-1001369, for Financial Advisor Services for the I-10 and I-15 Corridor Projects with Ernst & Young Infrastructure Advisors, LLC for an amount not to exceed \$1,980,000.

B. A Contract contingency amount of \$198,000 and authorize the Executive Director or designee to release contingency as necessary for the project.

Presenter: John Meier

This item was reviewed and recommended for approval (12-5-0; Opposed: Yates, Tahan, Rutherford, Hagman, and Gonzales) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and a draft of the contract.

24. Construction Contract No. 15-1001238 for the Interstate 10 (I-10) Pepper Avenue Bridge Replacement Project

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

A. Award Construction Contract No. 15-1001238 based on the competitive low bid process for the I-10 Pepper Avenue Bridge Replacement Project to MCM Construction, Inc. in an amount of \$6,846,810.00.

B. Approve Allowances/Contingency for the construction phase of the I-10 Pepper Avenue Bridge Replacement Project totaling \$955,511.70.

C. Approve a budget amendment to increase Task 0896 in the amount of \$200,000.00 to be funded by local West Valley Water District funds (6010) for the 2015/2016 Fiscal Year.

Presenter: Garry Cohoe

At the May 6, 2015, Board meeting, approval was given to take award of Contract No. 15-1001238 directly to the Board without prior Policy Committee review. SANBAG General Counsel and Procurement Manager have reviewed this item and a draft of the contract.

Discussion - Administrative Matters

25. Status of San Bernardino Associated Governments (SANBAG) Financial Audit

Receive SANBAG's Comprehensive Annual Financial Report (CAFR), Audit of the State Transit Assistance Fund of the County of San Bernardino, Audit of the Local Transportation Fund of the County of San Bernardino, and Single Audit Compliance Report for Fiscal Year 2014/2015.

Presenter: William Stawarski

This item has not received prior policy committee review. This item was reviewed by the Executive Board on December 9, 2015.

Discussion - Council of Governments

26. State Legislative Update - End of Session Report

Receive the End of Session State Legislative Report

Presenter: Wendy Strack

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

Comments from Board Members

Brief Comments from Board Members

Executive Directors Comments

Brief Comments from the Executive Director

Public Comment

Brief Comments from the General Public

ADJOURNMENT

Additional Information

Attendance
SANBAG Entities
Acronym List

Agency Reports

South Coast Air Quality Management District Agency Report (*Report Not Available This Month*)
Mobile Source Air Pollution Reduction Review Committee Agency Report

Committee Membership

Representatives on SCAG Committees
Appointments to External Agencies
SANBAG Committee Membership

Mission Statement

Mission Statement

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*



Important Dates to Remember...

January 2016

SANBAG Meetings – Scheduled:			
General Policy Committee	Jan 13	9:00 am	SANBAG Lobby, 1 st Floor
Commuter Rail/Transit Committee	Jan 14	9:00 am	SANBAG Lobby, 1 st Floor
Metro Valley Study Session	Jan 14	9:30 am	SANBAG Lobby, 1 st Floor
I-10/I-15 Corridor Joint Sub-Committee	Jan 14	10:00 am	SANBAG Lobby, 1 st Floor
Mountain/Desert Committee	Jan 15	9:30 am	Town of Apple Valley

Communication: Calendar of Events (Announcements)

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



Minute Action

AGENDA ITEM: 1

Date: *January 6, 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
11	15-1001195	Parsons Transportation Group <i>Kevin Havoian</i>	Arellano Associates Ecosys LAE Associates, Inc. S2 Engineering VMS
12	15-1001298	Kleinfelder/Simon Wong Engineering <i>Marc McIntyre</i>	DHS Consulting, Inc. ZT Consulting Group, Inc. Psomas Kleinfelder, Inc. Dynamic Engineering Services, Inc. CLM Professional Services, Inc. SYRUSA Engineering, Inc.
13	15-1001193	KOA Corporation <i>Min Zhou</i>	None

Board of Directors Agenda Item

January 6, 2016

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15	C11206	Epic Land Solution, Inc. <i>Holly Rockwell</i>	<p>Psomas Coast Surveying David Evans Assoc. Lawyers Title Corporation First American Title Company Riggs & Riggs Valentine & Assoc. Reinhart-Fontes Integra Realty Resources Norris Advisors Mason & Mason Warren Neville Crockett & Assoc. Hodges Lacey Assoc. Adorno, Ross & Alvarado Security Max, Inc. Avalon Protective Security All American Private - Security Group Delta Consultants, Inc. Resource Environmental, Inc. Eco & Associates Burrtec Got Junk? Inland Empire Property Services We Do Lots for Less Zaminski Construction Inland Empire Properties</p>
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22	Principals & Agents	
	Robert T. Tilley & Susan A. Tilley	
	Woodrow A. Hughes & Famou L. Hughes	

23	16-1001369	Ernst & young Infrastructures Advisors, LLC <i>Tom Rousakis</i>	Fieldman, Rolapp & Associates, Inc. Montague DeRose and Associates, LLC
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Board of Directors Agenda Item

January 6, 2016

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24	15-1001238	MCM Construction, Inc. <i>James A Carter</i>	Alcorn Fence BC Traffic Bithell, Inc. Cal-Stripe Griffith Company Hardy & Harper Integrity Rebar Placers Marina Landscape Surina Construction Co. Schwager Davis, Inc. VT Electric, Inc.
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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:

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Minute Action

AGENDA ITEM: 2

Date: *January 6, 2016*

Subject:

September, October and November 2015 Procurement Report

Recommendation:

Receive the September, October and November 2015 Procurement Report.

Background:

The Board of Directors adopted the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997, and approved the last revision on March 12, 2014. On February 6, 2013, the Board of Directors authorized the Executive Director, or designee, to approve: a) contracts and purchase orders up to \$100,000 and for purchase orders originally \$100,000 or more, increasing the purchase order amount up to 10% of the original purchase order value, not-to-exceed \$25,000; b) amendments with a zero dollar value; c) amendments to exercise the option term if the option term was approved by the Board of Directors in the original contract; and d) amendments that cumulatively do not exceed 50% of the original contract value or \$100,000, whichever is less and to release Request for Proposal (RFP), Request for Quote (RFQ) and Invitation for Bid (IFB) for proposed contracts from which funding has been approved in San Bernardino Associated Governments (SANBAG's) Annual Budget, and which are estimated not-to-exceed \$1,000,000. SANBAG staff has compiled this report that summarizes all contract actions approved by the Executive Director, or designee.

On July 11, 2012, the Board of Directors authorized SANBAG's General Counsel to award and execute legal services contracts up to \$50,000 with outside counsel as needed on behalf of SANBAG and its authorities organized under the umbrella of the Council of Governments. Also, periodically notify the Board after exercising such authority. A list of all Contracts and Purchase Orders that were executed by the Executive Director and/or General Counsel during the months of September, October and November is presented herein as Attachment A, and all RFPs and IFBs are presented in Attachment B.

Financial Impact:

This item imposes no impact on the Fiscal Year 2015/2016 budget. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy.

Reviewed By:

This item was received by the General Policy Committee on December 9, 2015.

Responsible Staff:

William Stawarski, Chief Financial Officer

Board of Directors Agenda Item
January 6, 2016
Page 2

Approved
Board of Directors
Date: January 6, 2016
Witnessed By:

Attachment A

September/October/November Contract Actions

New Contracts Executed:

Contract No.	Description of Specific Services	Vendor Name	Dollar Amount	Description of Overall Program
15-1001310	Consultant Services for Preparation of Air Quality Reports	PCR Service Corporation	\$50,000.00	Consultant Services for On-Call Assistance in Preparation of Air Quality Reports
15-1001265	Sub-recipient Funding Agreement for FTA CMAQ Funds for the SANBAG County-wide Vanpool Program	Omnitrans	\$160,000.00	Sub-recipient Funding Agreement for the SANBAG County wide Vanpool Program
16-1001405	Agreement for venue of 2016 Business 2 Business Expo	Inland Regional Center	\$838.00	2016 Business 2 Business Expo

Attachment: Attachment A (2447 : Procurement Report)

Attachment A September/October/November Contract Amendment Actions

Contract Amendments Executed:

Contract No. & Amendment No.	Reason for Amendment (include a description of the amendment)	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended Contract Total
15-1001288 Amendment 1	Amendment 1 modifies the user agreement title. Project: Call Box Cellular Services NASPO Value Point Authorized User Agreement.	Verizon Wireless	Original \$0.00 Amendment 1 \$0.00	\$0.00	\$0.00
C13148 Amendment 1	Amendment 1 includes language to permit partial Relief of Maintenance for completed segments of the project. Project: I-15 Baseline Interchange Construction Cooperative Agreement.	Caltrans	Original \$559,808.00 Amendment 1 \$0.00	\$0.00	\$559,808.00

Attachment: Attachment A (2447 : Procurement Report)

Attachment A

September/October/November Contract Task Order Actions

Contract Task Order (CTO) Executed:

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
C12244 CTO 14	Utility for Bi-County Signal Project.	Overland, Pacific, & Cutler	\$6,000,000.00 Share with Epic Land (C12242) and HDR Inc (C12243)	CTO 1 \$1,902,168.31 CTO 3 \$21,811.68 CTO 6 \$21,833.00 CTO 7 \$111,780.14 CTO 9 \$12,995.00 CTO 11 \$23,200.00 CTO 13 \$5,588.51 CTO 12 \$10,896.00 CTO 13 \$5,588.51	\$18,893.40
C12244 CTO 13 Amendment 1	Additional support for additional properties on the Laurel Street Grade Separation project.	Overland, Pacific, & Cutler	\$6,000,000.00 Share with Epic Land (C12242) and HDR Inc (C12243)	CTO 1 \$1,902,168.31 CTO 3 \$21,811.68 CTO 6 \$21,833.00 CTO 7 \$111,780.14 CTO 9 \$12,995.00 CTO 11 \$23,200.00 CTO 13 \$5,588.51 CTO 12 \$10,896.00 CTO 14 \$18,893.40	Original: \$5,588.51 Amend 1: \$6,280.00 Total: \$11,868.51

Attachment: Attachment A (2447 : Procurement Report)

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
C14086 CTO 1 Amendment 2	Miscellaneous Activities for General Support services.	Parsons Brinkerhoff	\$20,000,000.00 Shared with Hatch Mott MacDonald (C14003)	CTO 1 \$42,500.00 CTO 2 \$520,105.00 CTO 3 \$20,000.00 CTO 5 \$388,136.00 CTO 9 \$29,917.00 CTO 6 \$222,223.00 CTO 21 \$3,014.70 CTO 12B \$276,230.96 CTO 27 \$13,774.98 CTO 33 \$377,893.00 CTO 36 \$14,762.07 CTO 37 \$209,788.00	Original: \$42,500.00 Amend 1: \$50,000.00 Amend 2: \$0.00 Total: \$92,500.00
C14144 CTO 3	CEQA: Air Resources Board Grant Application	Vandermost Consulting Services	\$3,000,000.00	CTO 1 \$39,155.00 CTO 2 \$57,306.00	\$3,365.20
15-1001226 CTO 1	Audit Services of Accounts Payable and Internal Control Procedures	Conrad LLP	\$500,000.00	None	\$33,569.00

Attachment: Attachment A (2447 : Procurement Report)

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
C14086 CTO 37	On-Call Engineering Plan Review	Parsons Brinkerhoff	\$20,000,000.00 Shared with Hatch Mott MacDonald (C14003)	CTO 8 \$525,255.00 CTO 10 \$114,162.00 CTO 11 \$1,579,358.00 CTO 12A \$267,034.56 CTO 15 \$759,580.00 CTO 17 \$125,539.00 CTO 19 \$498,324.00 CTO 20 \$299,836.00 CTO 22 \$249,729.00 CTO 23 \$1,134.55 CTO 25 \$78,441.00 CTO 26 \$21,581.00 CTO 31 \$31,542.00 CTO 32 \$498,593.00 CTO 33 \$377,893.00 CTO 35 \$62,321.00	\$50,000.00

Attachment: Attachment A (2447 : Procurement Report)

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
C14086 CTO 39	Project Management Services for Lilac to Rancho Double Track	Parsons Brinkerhoff	\$20,000,000.00 Shared with Hatch Mott MacDonald (C14003)	CTO 1 \$42,500.00 CTO 2 \$520,105.00 CTO 3 \$20,000.00 CTO 5 \$388,136.00 CTO 9 \$29,917.00 CTO 6 \$222,223.00 CTO 21 \$3,014.70 CTO 12B \$276,230.96 CTO 27 \$13,774.98 CTO 33 \$377,893.00 CTO 36 \$14,762.07 CTO 37 \$50,000.00	\$209,788.00

Attachment: Attachment A (2447 : Procurement Report)

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
C14003 CTO 15 Amendment 3	Time Extension to Staff Augmentation to provide General Support.	Hatch Mott MacDonald	\$20,000,000.00 Shared with Parsons Brinkerhoff (C14086)	CTO 8 \$525,255.00 CTO 10 \$114,162.00 CTO 11 \$1,579,358.00 CTO 12A \$267,034.56 CTO 17 \$125,539.00 CTO 19 \$498,324.00 CTO 20 \$299,836.00 CTO 22 \$249,729.00 CTO 23 \$1,134.55 CTO 25 \$78,441.00 CTO 26 \$21,581.00 CTO 31 \$31,542.00 CTO 32 \$498,593.00 CTO 33 \$377,893.00 CTO 35 \$62,321.00	Original: \$498,609.00 Amend 1: \$260,971.00 Amend 2: \$0.00 Amend 3: \$0.00 Total: \$759,580.00

Attachment: Attachment A (2447 : Procurement Report)

Attachment A

September/October/November Purchase Order Actions

Purchase Orders:

PO No.	PO Issue Date	Vendor Name	Description of Services	PO Dollar Amount
4001340	07/30/2015	Mailfinance, Inc.	Postage for meter equipment.	\$9,449.46
4001341	07/30/2015	Southern California Regional Rail Authority	Provide flagging for the Eastern Maintenance Facility and San Bernardino Passenger Rail project.	\$502,686.75
4001343	07/30/2015	Southern California Edison (SCE)	Relocation of existing SCE facilities for the Downtown San Bernardino Passenger Rail project.	\$31,380.32
4001344	07/30/2015	City of Colton	Laurel grade separation project for road way stripping.	\$41,140.00
4001346	08/03/2015	San Gabriel Valley Water Co., Fontana Water Company	Provide water supply for the Citrus interchange project.	\$109,032.83
4001348	08/03/2015	Xerox Corporation	Rental fee for copier Xerox D110	\$7,289.48
4001350	08/03/2015	Xerox Corporation	Rental fee for copier Xerox WC7775	\$7,124.87
4001351	08/03/2015	Xerox Corporation	Rental fee for copier Xerox 5855	\$7,443.99

Attachment: Attachment A (2447 : Procurement Report)

4001357	08/03/2015	Tyler Technologies, Inc.	GASB 34 module in EDEN, accounting software.	\$5,972.08
4001364	08/04/2015	Union Bank of California, Trust Fee Group	Account administration for investment holding.	\$8,700.00
4001372	08/11/2015	Vali Cooper & Associates, Inc.	Constructability review for I-215, segment 3.	\$13,566.36
4001373	08/11/2015	Vali Cooper & Associates, Inc.	Constructability review for I-215, segment 3.	\$8,713.23
4001395	09/10/2015	Katherine Padilla & Associates	Cost for facilitation for SANBAG Board strategic retreat in September 2015.	\$15,340.00
4001397	09/16/2015	Hinderliter, De Llamas, and Associates	HDL audit services for Measure I sales tax.	\$50,000.00
4001398	09/16/2015	Sigmanet, Inc.	Software renewal for Double Take, disaster recovery software.	\$6,118.00
4001400	10/01/2015	Environmental System Research	Annual maintenance fee for GIS system.	\$12,294.00
4001401	10/01/2015	MUFG Union Bank, N.A.	Trustee services for investment holdings.	\$25,000.00
4001402	10/13/2015	Economics & Politics, Inc.	Economic forecast for sales tax.	\$8,500.00
4001404	10/14/2015	Xerox Corporation	Rental fee for copier Xerox 5875	\$7,873.40

Attachment: Attachment A (2447 : Procurement Report)

4001405	10/20/2015	Agiline, LLC	Support for SharePoint software.	\$4,800.00
4001407	10/21/2015	Apple One	Temporary receptionist services.	\$11,000.00
4001408	10/21/2015	Verizon Wireless	Call box cellular service.	\$50,000.00
4001410	11/02/2015	Citycom real estate services	Property maintenance for the Depot, including guard and janitorial services.	\$18,000.00
4001412	11/10/2015	WTS – Inland Empire	Consultant to plan the 2016 General Assembly.	\$20,000.00
Total				\$981,424.77

Attachment: Attachment A (2447 : Procurement Report)

Attachment A

September/October/November Purchase Order Amendment Actions

Purchase Order Amendments Executed:

Purchase Order No. & Amendment No.	Description of Services and Reason for Amendment	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended PO Total
4001346/No. 1	Additional water supply needed for Citrus interchange project for two additional years.	San Gabriel Valley Water co.	\$29,032.83	\$80,000.00	\$109,032.83
4001398/No.1	Additional annual software renewals pertaining to security and backup processes.	Sigmanet, Inc.	\$4,278.00	\$1,840.00	\$6,118.00

Attachment: Attachment A (2447 : Procurement Report)

Attachment B

September/November RFP's and IFB's

Release of RFP's and IFB's

Release Date	RFP/IFB No.	Description of Services	Anticipated Dollar Amount	Anticipated Award Date	Description of Overall Program and Program Budget
9/30/15	16-1001371	On-Call Graphic Design Services	\$200.00-\$5,000.00 per projects	December 2015	On-Call Graphic Design Services for Public Affairs staff
10/7/15	16-1001379	Grant Writing Services	\$50,000	February 2016	Grant Writing Services for Management Services staff
10/7/15	16-1001356	On-Call Public Outreach Services	\$797,800	January 2016	On-Call Public Outreach Services for Major Projects Program
				Total	\$852,800.00

Minute Action

AGENDA ITEM: 3

Date: *January 6, 2016*

Subject:

Budget Fiscal Year 2016/2017 Assessment Dues

Recommendation:

Adopt the San Bernardino Associated Government's Fiscal Year 2016/2017 Assessment Dues.

Background:

San Bernardino Associated Governments (SANBAG) has collected general membership dues since its inception. The dues are assessed according to a formula based on 50% on population and 50% on assessed valuation of each member jurisdiction.

Since Fiscal Year 1999/2000, \$28,653 of general assessment dues has been budgeted in Task No. 0104, Intergovernmental Relations, which has been reassigned as Task No. 0501, Intergovernmental Relations, as established by the Board of Directors. The remaining amount of dues collected is budgeted in the same task to support new Council of Governments (COG) activities as approved by the Board. One such new initiative is the Forest Management Plan for Cucamonga Canyon and Lytle Creek, this Board approved project is partially funded with assessment dues.

Total assessment dues of \$108,074 budgeted for Fiscal Year 2016/2017 represent an increase of \$3,128 or 2.98% from the prior year, as shown in the Attachment.

Financial Impact:

This item establishes the Fiscal Year 2016/2017 Budget for Assessment Dues and related budgeted expenditures which will be included in the proposed budget for Fiscal Year 2016/2017.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

Responsible Staff:

William Stawarski, Chief Financial Officer

Approved
 Board of Directors
 Date: January 6, 2016

Witnessed By:

Entity: CMA, COG, CTA, CTC, SAFE

**San Bernardino Associated Governments
General Assessment Dues Calculation
Fiscal Year 2016/2017**

<u>JURISDICTION:</u>	<u>POP.</u> <u>2015</u>	<u>% OF</u> <u>TOTAL</u> <u>POP.</u>	<u>ASSESSED VALUE</u> <u>BEFORE RDA</u> <u>2015/2016</u>	<u>% OF</u> <u>TOTAL</u> <u>VALUE</u>	<u>AVG. %</u> <u>POP. &</u> <u>VALUE</u>	<u>FY2016</u> <u>AMOUNT</u>	<u>FY2017</u> <u>AMOUNT</u>	<u>VAR.</u>
Adelanto	33,084	1.572%	\$1,764,956,787	0.940%	1.256%	1,318	1,358	\$40
Apple Valley	71,396	3.393%	\$5,105,813,094	2.721%	3.057%	3,208	3,304	\$96
Barstow	23,407	1.112%	\$1,176,842,092	0.627%	0.870%	913	940	\$27
Big Bear Lake	5,165	0.245%	\$3,139,391,376	1.673%	0.959%	1,007	1,037	\$30
Chino	84,465	4.014%	\$10,603,541,516	5.650%	4.832%	5,071	5,222	\$151
Chino Hills	77,596	3.688%	\$10,378,039,272	5.530%	4.609%	4,837	4,981	\$144
Colton	53,384	2.537%	\$2,896,553,546	1.543%	2.040%	2,141	2,205	\$64
Fontana	204,312	9.709%	\$15,982,106,642	8.516%	9.113%	9,563	9,848	\$285
Grand Terrace	12,352	0.587%	\$878,405,522	0.468%	0.528%	554	570	\$16
Hesperia	92,177	4.380%	\$5,091,195,305	2.713%	3.547%	3,722	3,833	\$111
Highland	54,332	2.582%	\$3,125,363,744	1.665%	2.124%	2,229	2,295	\$66
Loma Linda	23,751	1.129%	\$1,794,965,074	0.956%	1.043%	1,094	1,127	\$33
Montclair	38,458	1.828%	\$2,826,590,834	1.506%	1.667%	1,749	1,801	\$52
Needles	4,940	0.235%	\$304,053,101	0.162%	0.198%	208	214	\$6
Ontario	168,777	8.021%	\$20,910,674,024	11.142%	9.581%	10,055	10,355	\$300
Rancho Cucamonga	174,064	8.272%	\$22,718,904,838	12.106%	10.189%	10,693	11,011	\$318
Redlands	70,398	3.345%	\$8,367,084,920	4.458%	3.902%	4,095	4,217	\$122
Rialto	102,092	4.852%	\$6,937,570,867	3.697%	4.274%	4,486	4,619	\$133
San Bernardino	213,933	10.167%	\$11,913,719,765	6.348%	8.257%	8,666	8,924	\$258
Twentynine Palms	25,846	1.228%	\$841,518,828	0.448%	0.838%	880	906	\$26
Upland	75,787	3.602%	\$8,067,152,634	4.299%	3.950%	4,145	4,269	\$124
Victorville	121,168	5.758%	\$7,737,387,532	4.123%	4.940%	5,185	5,339	\$154
Yucaipa	52,942	2.516%	\$3,867,364,597	2.061%	2.288%	2,401	2,473	\$72
Yuca Valley	21,355	1.015%	\$1,501,520,440	0.800%	0.907%	952	981	\$29
County	299,110	14.214%	\$29,741,507,246	15.848%	15.031%	15,774	16,245	\$471
	2,104,291	100.000%	\$ 187,672,223,596	100.00%	100.00%	104,946	108,074	\$3,128

NOTES:

- 1) Population Source: Most recent Measure I population data, which is the Department of Finance estimate as of January 1 reconciled to the total population for San Bernardino County.
- 2) Net Assessed Value Source: Property Tax Section, County Auditor/Controller, 2015/2016.
- 3) These calculations are based on the most recent data received from the County of San Bernardino.
- 4) Assessed valuation of jurisdiction includes properties within redevelopment areas.

Minute Action

AGENDA ITEM: 4

Date: *January 6, 2016*

Subject:

SANBAG Fiscal Year 2016/2017 Budget Schedule

Recommendation:

Approve the Fiscal Year 2016/2017 Budget Schedule.

Background:

The preparation of the Fiscal Year 2016/2017 Budget requires a schedule for development, consideration and adoption of the final budget appropriations. The General Policy Committee is primarily responsible for policy input for the development and review of the budget. Other policy committees are also scheduled to consider proposed tasks under their review.

A full Board of Directors Budget Workshop will be scheduled in conjunction with the May 2016 Board of Directors meeting for consideration of the proposed budget. Final budget adoption for Fiscal Year 2016/2017 is scheduled for the June Board of Directors meeting. The schedule is similar to the prior year.

Financial Impact:

This item has no immediate budgetary impact.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

Responsible Staff:

William Stawarski, Chief Financial Officer

Approved
 Board of Directors
 Date: January 6, 2016

Witnessed By:

Entity: CMA, COG, CTA, CTC, SAFE

<u>DATE</u>	<u>ACTIVITY</u>
December 9, 2015	General Policy Committee Review and Discussion of 2016/2017 Budget Schedule
January 6, 2016	Board Approval of 2016/2017 Budget Schedule
February 11, 2016	Metro Valley Study Session General Overview by Region
February 19, 2016	Mountain/Desert Committee General Overview by Region
March 9, 2016	General Policy Committee Review of Tasks
March 10, 2016	Metro Valley Study Session Review of Tasks
March 10, 2016	Commuter Rail & Transit Committee Review of Tasks
March 18, 2016	Mountain/Desert Committee Review of Tasks
April 13, 2016	General Policy Committee Further Review of Tasks, if Required
April 14, 2016	Metro Valley Study Session Further Review of Tasks, if Required
April 14, 2016	Commuter Rail & Transit Committee Further Review of Tasks, if Required
April 15, 2016	Mountain/Desert Committee Further Review of Tasks, if Required
May 4, 2016	Budget Presentation and Workshop of the Proposed Budget in Conjunction with Board of Director's Meeting
June 1, 2016	Board of Directors Adoption of the SANBAG Fiscal Year 2016/2017 Budget



Minute Action

AGENDA ITEM: 5

Date: *January 6, 2016*

Subject:

Compliance Audit for Proposition 1B Transit Security Grant Program

Recommendation:

Review and receive the Compliance Audit Report for Proposition 1B Transit Security Grant Program for Fiscal Year 2012/2013.

Background:

The California Governor's Office of Emergency Services (Cal OES) conducted a compliance field review of the Fiscal Year 2012/2013 Proposition 1B Transit Security Grant Program. The review includes verification of compliance with applicable laws, regulation, guidelines, policies, and administrative and fiscal requirements. The audit noted no instances of non-compliance.

The audit resulted in three recommendations:

- Cal OES requirements include retention policy to include maintaining records for thirty-five (35) years. The cost to create a retention policy is included in SANBAG's current year budget to comply with federal and state requirements.
- SANBAG currently includes debarment and suspension provision in all construction contracts to ensure compliance with federal and state regulations.
- Procurement verifies compliance with suspension and debarment and documents it.

Financial Impact:

This item has no impact on the adopted SANBAG Fiscal Year 2015/2016 Budget.

Reviewed By:

This item was reviewed and received by the General Policy Committee on December 9, 2015.

Responsible Staff:

William Stawarski, Chief Financial Officer

Approved
 Board of Directors
 Date: January 6, 2016

Witnessed By:

Entity: CTA

EDMUND G. BROWN, JR.
GOVERNOR

MARK S. GHILARDUCCI
DIRECTOR



RECEIVED

SEP 21 2015

SAN BERNARDINO
ASSOCIATED GOVTS

September 14, 2015

Raymond W. Wolfe
Executive Director
San Bernardino Associated Governments
1170 W. 3rd Street, Second Floor
San Bernardino, California 92410

SUBJECT: COMPLIANCE REVIEW REPORT # 15-2249
FY12-13 PROP 1B TRANSIT SECURITY GRANT PROGRAM
GRANT #6561-0002, FIPS # 071-91170

Dear Mr. Wolfe:

The California Governor's Office of Emergency Services (Cal OES) conducted a compliance field review on June 1 - 4, 2015 for the above-referenced grant.

The purpose of the review was to determine if your organization complied with applicable laws, regulations, guidelines and policies. The grant was reviewed for compliance with the administrative and fiscal requirements as outlined applicable state and federal regulations. Our scope included reviewing the *Cash Request Form* and all supporting documentation for the period noted below. We found no instances of non-compliance. In general, the Cal OES monitor was pleased with the San Bernardino Associated Governments documentation and record keeping for this grant, and would like to also commend Hilda Flores for her preparedness, and quick and accurate response to all of the monitors' requests.

Executive Summary:

Grant Type: Proposition 1B Transit Security Grant Program
Review Type: Compliance Field Review
Scope: Fiscal and Administrative
Grants Monitor: Mark Fagan
Review Period: April 1, 2013 – May 31, 2015

Findings Summary:

No Findings

3650 SCHRIEVER AVENUE • MATHER, CA 95655
ATTN: GRANTS MONITORING
(916) 845-8120 • (916) 845-8397 FAX

Attachment: CAL OES audit report (2446 : Compliance Audit for Proposition 1B Transit Security Grant Program)

Mr. Wolfe
 September 14, 2015
 Page 2

Advisory Recommendations

Advisory #1: Per CalEMA Grant Management Memorandum (GMM) 2011-09 dated August 23, 2011, in consultation with the State of California's Treasurer's Office, "...all grantees who receive Proposition 1B funding shall maintain records for thirty-five (35) years upon project closeout..."

"The documents listed are required but are not limited to the following:

- *Documents evidencing the granting of all bond funds, including copies of invoices, bills, draw/disbursement requests and claim schedules.*
- *Accounting records and reports for the bonds funds accounts from which the funds were deposited.*
- *Grant Agreements, award letters, Letter(s) of No Prejudice, Notice of Project Eligibility, workbooks, approved/denied grant award Modifications, Investment Justifications, contracts, MOU's, Governing Body Resolution for each grant year, Grant Assurances, Monitoring/Site Visit findings letter, etc.*
- *List or schedule of the facilities and equipment being financed by the disbursement of bond funds and the exported useful-life of such facilities and equipment."*

During the review, the Monitor requested a copy of the agency record retention policy. Staff indicated they did not have one, but they included it as a project for their upcoming budget for the new fiscal year. Please ensure the plan includes how your agency will ensure all records related to grant funds, both federal and state, are retained for the required amount of time.

Advisory #2: Per 44 CFR, Part 13, Subpart C, Section 13.36 (i) it states, "*A grantee's and subgrantee's contracts must contain provisions in paragraph (i) of this section,*" and goes on to detail the required provisions.

During the review, the monitor reviewed a contract with Kemp Brothers Construction Inc. for the building of the Transit Center, in the amount of \$12,623,494; the following specific compliance provisions were missing from the contract:

13.35: Subawards to debarred and suspended parties

13.36(i)(8): Notice of agency patent rights

Please ensure all contracts that involve Federal funds have the required provisions in the contract to ensure compliance with these regulations.

Mr. Wolfe
September 14, 2015
Page 3

Advisory #3: Per 44 CFR, Part 13, Subpart C, Section 13.35 states, "*Grantees and subgrantees must not make any award or permit any award (subgrant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, 'Debarment and Suspension.'*"

During our review of the Kemp Brothers Construction Inc. contract, we noted verification of suspension and debarment was not conducted. Please ensure verification of suspension and debarment is conducted on all procurements/contracts greater than \$25,000 that are funded by federal awards. Suspension and debarment may be verified by using the EPLS website at www.sam.gov or www.epls.gov.

Thank you for the courtesy and cooperation you extended Cal OES in completing this review. If you have any questions about this letter or the enclosures, please contact Mark Fagan at (916) 845-8134, or mark.fagan@caloes.ca.gov, or my supervisor, Mary Wilshire at (916) 845-8288 or by e-mail at mary.wilshire@caloes.ca.gov.

Sincerely,



HELEN LOPEZ, Assistant Director
Financial Accountability and Compliance

cc: Catherine Lewis, Homeland Security and Proposition 1B Division Chief, Cal OES
Subgrantee File 6561-0002

Minute Action

AGENDA ITEM: 6

Date: *January 6, 2016*

Subject:

Funding request for the operation, maintenance, and tenant improvements of the San Bernardino Santa Fe Depot

Recommendation:

A. Approve amendment to the Fiscal Year 2015/2016 budget to increase Task No. 0805 in the amount of \$118,343 for a new task total of \$176,016.

B. Approve an expenditure in an amount not-to-exceed \$50,843 for building improvements required by the Health Department in order to lease the space to caterers or other food service tenants.

Background:

SANBAG and the City of San Bernardino, as co-owners of the Depot as Tenants-in-Common, share the responsibilities for the Depot as spelled out in Cooperative Agreement A04040. One of those responsibilities is the retention of a property and facility management firm.

After a competitive bid process, CityCom Real Estate Services (CityCom) was awarded the contract and has provided services to the Depot since SANBAG's initial occupancy of the building in 2004. Since that time, CityCom has worked diligently to balance expenses with revenue. On occasion, CityCom has issued funding requests to assist with the maintenance, operation and/or necessary improvements in cases where needed maintenance and operations exceeds revenues. As co-owners, both the City and SANBAG contribute equally for all funding requests pertaining to the owner share of the maintenance, operation, and improvements of the Depot.

Due to decreased lease revenues resulting from the loss of the Iron Horse Café, coupled with increased costs of building maintenance, such as the recent roof repairs which became apparent during a recent storm, it has again become necessary to request additional funds.

Staff recommends that the current request for additional funding be approved which will provide the necessary funds required for continued operation and maintenance of the Depot. Staff also request that approval be granted for the funds requested to improve the vacant unit previously occupied by the Iron Horse Café. These improvements are being requested to address deficiencies noted by the Department of Public Health Division of Environmental Health Services such as three new water heaters, food prep sink, shatter guards on existing light fixtures, commercial grade linoleum flooring, and associated costs related to these improvements such as design, construction contingency, insurance and bonds, permits, etcetera. The completion of

Entity: CMA, COG, CTA, CTC, SAFE

Board of Directors Agenda Item

January 6, 2016

Page 2

these improvements will make the space more marketable for prospective tenants and increase the likelihood of attracting a tenant and the associated lease revenue.

Financial Impact:

Approval of this item will increase Task No. 0805, Building Operations, in the amount of \$118,343 for a new task total of \$176,016. Funding source is Indirect Fund 7130.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

Responsible Staff:

Duane Baker, Director of Management Services

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Minute Action

AGENDA ITEM: 7

Date: *January 6, 2016*

Subject:

SANBAG Conflict of Interest Code Amendment

Recommendation:

A. Adopt an amended Conflict of Interest Code, set forth in Policy No. 10102, updating the list of designated employees and disclosure categories; and

B. Direct the SANBAG Clerk of the Board to submit the amended Conflict of Interest Code to the San Bernardino County Board of Supervisors for approval.

Background:

The Political Reform Act (Act) requires every local government agency that takes actions that foreseeably may materially affect economic interests to adopt a Conflict of Interest Code for its employees. SANBAG has adopted a Conflict of Interest Code and it is set forth in SANBAG Policy No. 10102. The Conflict of Interest Code lists those employees or officers who are required to file a statement of economic interests (“designated employees”) and prescribes the types of interests which must be disclosed by such officials (“disclosure categories”).

In order to ensure the agency’s designated employees and disclosure categories are reflective of the current organization and ability to affect economic interests, the Act requires agencies to review their conflict of interest codes at least biennially. SANBAG recently amended its code in December 2014. However, since that time there have been position title changes which require amendments to Conflict of Interest Code Appendix A, which lists designated positions that make or participate in the making of decisions which may foreseeably have a material effect on private financial interests. It is recommended that Appendix A be modified to delete the job titles of Director of Management Services and Chief of Accounting and Procurement which are no longer approved job titles and add the two new job titles of Deputy Executive Director and Chief of Fiscal Resources. The amended Appendix A in the attachment to this item reflects the most current titles for those positions covered under the conflict of interest code and the appropriate filing categories.

The Act provides that where a multi-jurisdictional governmental agency is wholly within a county, the board of supervisors is the code reviewing body for that agency. Accordingly, after the SANBAG Board adopts SANBAG’s amended Conflict of Interest Code, it must be submitted to the San Bernardino Board of Supervisors for their review.

Financial Impact:

This item does not have an impact on the SANBAG Fiscal Year 2015/2016 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015. This item and amended Appendix A to Policy No. 10102 have been reviewed by SANBAG General Counsel.

Entity: CMA, COG, CTA, CTC, SAFE

Board of Directors Agenda Item
January 6, 2016
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Responsible Staff:

Vicki Watson, Clerk of the Board

Approved
Board of Directors
Date: January 6, 2016
Witnessed By:

San Bernardino Associated Governments	Policy	10102
Adopted by the Board of Directors Sept. 2, 1992	Revised	12/3/14
Conflict of Interest Code	Revision No.	7

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

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[Purpose](#) | [Policy](#) | [Revision History](#) | [Appendix A](#) |

I. PURPOSE

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission adopted a regulation, Title 2 Calif. Code of Regulations (CCR) Section 18730, which contains terms of a standard conflict of interest code, which can be incorporated by reference into a local agency's conflict of interest code, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

II. POLICY

The terms of Title 2 CCR Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached [Appendix A](#) in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of SANBAG.

Designated employees shall file statements of economic interests with SANBAG's Clerk of the Board who will make the statements available for public inspection and reproduction (Government Code Section 81008). Statements for all designated employees will be retained by the Clerk of the Board.

SANBAG will review this policy every even-numbered year, and if change in the policy is required, will revise the policy. SANBAG will file a statement of review with the San Bernardino County Board of Supervisors, SANBAG's code reviewing body, every even-numbered year.

III. REVISION HISTORY

Revision No.	Revisions	Adopted
0	Amended Conflict of Interest Code for SANBAG approved.	09/02/92
1	Modifications to Appendix A and Appendix B approved.	02/05/97
2	Amendment to Appendix A approved by SANBAG Board of Directors.	04/05/00
3	Appendix A: Removed Advanced Transportation Development Manager Par. I: Added paragraph heading PURPOSE.	01/10/07
4	Par. II: Added paragraph heading POLICY; amended the first paragraph and added two new paragraphs that replace the existing text. Appendix A: Added Construction Manager, Contracts/Controls Manager, and Project Delivery Manager; changed category designation for Board of Directors (City designees, Executive Director, and Chief Financial Officer from Category 2 to Category 1; added clarification that Form 700s filed by the Board of Directors (County designees) are filed with the Clerk of the Board of Supervisors, not SANBAG; and revised the descriptions for Category 1 and Category 2.	06/03/09
5	Appendix A: Added Director of Programming, Chief of Planning, Chief of Programming, Chief of Transit & Rail Programs, Human Resources & Information Services Administrator, and Procurement/Risk Management/Contracts Administrator. Changed the following titles: Director of Freeway Construction to Director of Project Delivery, Director on Intergovernmental & Legislative Affairs to Director of Legislative Affairs, Director of Planning/Programming to Director of Planning, and Director of Air Quality/Mobility Programs to Chief of Air Quality/Mobility Programs. Removed the Contracts/Controls Manager.	06/30/12
6	Appendix A: Added General Counsel – missed in Rev. 5. Corrected titles for Director and Chief of Fund Administration and Programming.	08/06/12
7	Amended Purpose, Policy, and Appendix A per BOD 12/3/14 (Agenda item 10)	12/03/14

Conflict of Interest Code – Designated Employees **Policy** **10102 Appendix A**

	Designated Employees	Categories
1.	Board of Directors (County designees)	1
2.	Board of Directors (City designees)	1
3.	Board of Directors Alternates (City designees)	1
4.	Executive Director	1
5.	<u>Deputy Executive Director</u>	<u>1</u>
6.	General Counsel	1
7.	Chief Financial Officer	1
8.	Director of Transit/Rail Programs	1
9.	Director of Planning	1
10.	Director of Fund Administration and Programming	1
11.	Director of Project Delivery	1
12.	Director of Legislative and Public Affairs	1
13.	<u>Director of Management Services</u>	<u>4</u>
14.	<u>13.</u> Chief of <u>Accounting and Procurement</u> <u>Fiscal Resources</u>	<u>2</u>
15.	Chief of Legislative and Public Affairs	2
16.	Chief of Air Quality/Mobility Programs	2
17.	Chief of Planning	2
18.	Chief of Fund Administration and Programming	2
19.	Chief of Transit/Rail Programs	2
20.	Construction Manager	2
21.	Project Delivery Manager	2
22.	Human Resources/Information Services Administrator	2
23.	Procurement Manager	2
24.	Procurement Analyst	2
25.	Management Analyst II*	1
26.	Management Analyst III*	1
27.	Senior Planner	2
28.	Clerk of the Board/Administrative Supervisor	2
29.	Consultant **	2

Formatted Table

*** Only Management Analysts who perform Right of Way activities must file.**

** Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated employee," is hired to perform a range of duties that is limited in scope and, thus, is not required to fully comply with the disclosure requirements in this Code. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Form 700s filed by the Board of Directors (County designees) are filed with the Clerk of the County Board of Supervisors, not with SANBAG.

Disclosure Categories

CATEGORY 1

Designated employees in this category shall disclose all sources of income, interests in real property, investments and business positions in business entities. Designated employees in this category shall complete all schedules of Form 700, if applicable.

CATEGORY 2

Designated employees in this category shall disclose sources of income, investments, and business positions in business entities which provide services, supplies, materials, machinery or equipment of the type purchased or utilized by the department in which the designated employee is employed. Designated employees in this category shall complete all schedules of Form 700 except schedule B, if applicable.

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

Minute Action

AGENDA ITEM: 8

Date: *January 6, 2016*

Subject:

Fiscal Year 2015/2016 Work Goals and Objectives First Quarter Report

Recommendation:

Receive update on the Fiscal Year 2015/2016 Work Goals and Objectives.

Background:

The SANBAG Fiscal Year 2015/2016 Work Goals and Objectives establish the Board of Directors' priorities for the year. The Executive Director uses this as a tool with the Executive Management Team to evaluate SANBAG's progress in achieving the Board's priorities. This report is a quarterly update on those work goals and objectives. It is included under a separate cover.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2015/2016 budget.

Reviewed By:

This item was received by the General Policy Committee on December 9, 2015.

Responsible Staff:

Raymond Wolfe, Executive Director

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Entity: CMA, COG, CTA, CTC, SAFE

Minute Action

AGENDA ITEM: 9

Date: *January 6, 2016*

Subject:

2016 SANBAG Board of Directors and Policy Committee Meeting Schedule

Recommendation:

Approve the 2016 Board of Directors and Policy Committee meeting schedules in Attachment A.

Background:

The proposed Board of Directors 2016 meeting schedule conforms to the Board adopted regular meeting date of the first Wednesday of each month at 10:00 a.m. with the exception of the October 2016 meeting date, which has been moved to the 2nd Wednesday to avoid conflict with the League of California Cities annual meeting. As a result the October 2016 General Policy Committee meeting has been moved to the third Wednesday of the month. However, as noted in the attached Master Calendar there are some exceptions to Policy Committee schedules due to conflicts with the holiday schedule. The regular meeting dates and times are listed below (all meetings are at the SANBAG offices unless otherwise noted):

- General Policy Committee - 2nd Wednesday of each month at 9:00 a.m.
- Commuter Rail & Transit Committee - 2nd Thursday of each month following the SANBAG Board of Directors meeting at 9:00 a.m.
- Metro Valley Study Session – 2nd Thursday of each month following the SANBAG Board meeting at 10:00 a.m.
- Mountain/Desert Committee – 3rd Friday of each month at 9:30 a.m. in Apple Valley

Although a monthly schedule is adopted, it is acknowledged that when there are not sufficient business items to require a meeting, the meeting will be cancelled. It has also been the practice to modify the meeting date and time when the SANBAG Board meeting has been rescheduled due to conflicts with other meetings or holiday schedules. SANBAG staff, however, has been directed to make every effort to minimize deviation from the regular schedule to insure continuity of meetings and participation.

A 2016 meeting schedule is attached and was approved by each policy committee. The Board of Directors Metro Valley Study Session and all Policy Committees are dark in July. As a result we will not schedule an August Board meeting unless absolutely critical.

Committee members and staff are urged to calendar these meetings for the coming year. Advance confirmation of meetings or cancellation notices are part of SANBAG's standard procedure for meeting preparation.

Board of Directors Agenda Item
January 6, 2016
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The proposed 2016 Board of Directors dates are as follows:

Board of Directors

January 6, 2016
February 3, 2016
March 2, 2016
April 6, 2016
May 4, 2016
June 1, 2016
July 6, 2016
August 3, 2016 – NO MEETING
September 7, 2016
October 12, 2016
November 2, 2016
December 7, 2016

Financial Impact:

This item does not impact the Fiscal Year 2014/2015 budget.

Reviewed By:

The individual policy committee schedules were approved by the respective policy committees during the month of November and December.

Responsible Staff:

Vicki Watson, Clerk of the Board

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

SANBAG 2016 Master Calendar

~ January 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 New Year's Day	2
3	4	5	6 Board	7 SCAG Regional Council (Economic Summit) Orthodox Christmas	8	9
10	11	12	13 General Policy Committee	14 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub- Committee	15 Mt/Desert Policy Committee	16
17	18 Martin Luther King Day	19	20 The U.S. Conference of Mayors 84 th Winter Meeting League New Mayors & Council Members Academy	21 The U.S. Conference of Mayors 84 th Winter Meeting League New Mayors & Council Members Academy	22 The U.S. Conference of Mayors 84 th Winter Meeting League New Mayors & Council Members Academy	23
24	25	26	27	28	29	30
31	Notes:					

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

Board of Directors meetings start at 10:00 a.m.
Metro Valley Study Session starts at 9:30 a.m.

Commuter Rail/Transit Committee starts at 9:00 a.m.
Mountain/Desert Committee starts at 9:30 a.m.

General Policy Committee meetings start at 9:00 a.m.
I-10/I-15 Joint Sub-Committee meetings start at 10:00 a.m.

SANBAG 2016 Master Calendar

~ February 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3 Board	4 SCAG Regional Council	5	6
7	8	9	10 General Policy Committee	11 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	12	13
14	15 President's Day	16	17	18	19 Mt/Desert Policy Committee	20 NACo Legislative Conference
21 NACo Legislative Conference	22 NACo Legislative Conference	23 NACo Legislative Conference	24 NACo Legislative Conference	25	26	27
28	29	Notes:				

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ March 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2 Board	3 SCAG Regional Council	4	5
6	7	8	9 General Policy Committee	10 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	11	12
13 Daylight Saving Time Begins	14	15	16	17	18 Mt/Desert Policy Committee	19
20	21 Naw-Ruz	22	23	24	25 Good Friday	26
27 Easter Sunday	28	29	30	31 Cesar Chavez	Notes:	

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ April 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6 Board	7 SCAG Regional Council	8	9
10	11	12	13 General Policy Committee	14 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	15 Mt/Desert Policy Committee	16
17	18	19	20	21 First Day of Ridvan	22 Passover (4/22 – 4/30)	23
24	25	26	27	28	29	30

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ May 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 Twelfth Day of Ridvan (5/1-5/2)	2	3	4 Board	5 2016 SCAG Regional Conf. & General Assembly	6 2016 SCAG Regional Conf. & General Assembly	7
8	9	10	11 General Policy Committee	12 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	13	14
15	16	17	18 CSAC Legislative Conference	19 CSAC Legislative Conference	20 Mt/Desert Policy Committee	21
22	23 Declaration of the Bab	24	25	26	27	28
29 Ascension of Baha'u'llah	30 Memorial Day	31	Notes:			

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ June 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Board	2 SCAG Regional Council	3	4
5	6 Beginning of Ramadan (6/6-7/5)	7	8 General Policy Committee	9 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	10	11 Shavout (6/11-6/13)
12	13	14	15	16	17 Mt/Desert Policy Committee	18
19	20	21	22	23	24 US Conference of Mayors (June 24-27)	25
26	27	28	29	30	Notes:	

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ July 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2 Lailatul-Quadr
3	4 Independence Day	5	6 Board	7 SCAG Regional Council	8	9 Martyrdom of the Bab
10	11	12	13 General Policy Committee (DARK)	14 Commuter Rail/Transit Committee (DARK) Metro Valley Study Session (DARK) I-10/I-15 Corridor Joint Sub-Committee (DARK)	15 Mt/Desert Policy Committee (DARK)	16
17	18	19	20	21	22 NACo Annual Meeting	23 NACo Annual Meeting
24 NACo Annual Meeting	25 NACo Annual Meeting	26	27	28	29	30
31	Notes:					

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ August 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3 Board (DARK)	4 SCAG Regional Council (DARK)	5	6
7	8	9	10 General Policy Committee	11 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	12	13
14	15	16	17	18	19 Mt/Desert Policy Committee	20
21	22	23	24	25 Janmashtami	26	27
28	29	30	31	Notes:		

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ September 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 SCAG Regional Council	2	3
4	5 Labor Day	6	7 Board	8	9	10
11	12 Eid al-Adha	13	14 General Policy Committee	15 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	16 Mt/Desert Policy Committee	17
18	19	20	21	22	23	24
25	26	27	28	29	30	Notes:

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ October 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1 Navaratri (10/1-10/9)
2 Muharram Rosh Hashanah (10/2-10/4)	3	4	5 League of CA Cities Annual Conference	6 SCAG Regional Council League of CA Cities Annual Conference	7 League of CA Cities Annual Conference	8
9	10 Columbus Day	11 Yom Kippur (10/11-12) APTA Annual Meeting	12 Board APTA Annual Meeting	13 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee APTA Annual Meeting	14 APTA Annual Meeting	15
16 Sukkoth (10/16-10/23)	17	18	19 General Policy Committee Birth of the Bab (10/19-10/20)	20	21 Mt/Desert Policy Committee	22
23 Shmini Atzeret (10/23-10/24)	24 Simchat Torah (10/24-10/25)	25	26	27	28	29
30 Diwali	31	Notes:				

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ November 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2 Board	3 SCAG Regional Council	4	5
6 Daylight Saving Time Ends	7	8	9 General Policy Committee	10 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	11 Veteran's Day Birth of the Baha'u'llah (11/11-11/12)	12
13	14	15	16	17	18 Mt/Desert Policy Committee	19
20	21	22	23	24 Thanksgiving	25 Thanksgiving Day After Day of the Covenant	26
27	28 Ascension of Abdul – Baha	29 CSAC Annual Meeting	30 CSAC Annual Meeting	Notes:		

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

SANBAG 2016 Master Calendar

~ December 2016 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 SCAG Regional Council CSAC Annual Meeting	2 CSAC Annual Meeting	3
4	5	6	7 Board	8	9	10
11	12 Prophet Muhammad's Birthday	13	14 General Policy Committee	15 Commuter Rail/Transit Committee Metro Valley Study Session I-10/I-15 Corridor Joint Sub-Committee	16 Mt/Desert Policy Committee	17
18	19	20	21	22	23	24 Hanukkah (12/24 - 1/1/17) Christmas Eve
25 Christmas Day	26 Kwanzaa (12/26 - 1/1/16)	27	28	29	30	31
Notes:						

Attachment: 2016 SANBAG Master Meeting Calendar (2356 : 2016 Meeting Calendar)

Minute Action

AGENDA ITEM: 10

Date: *January 6, 2016*

Subject:

Metrolink Active Transportation Program - CEQA Environmental Approval and Authorize Release of Design Request for Proposals

Recommendation:

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

A. Determine that the Metrolink Station Active Transportation Program, Federal Aid Project No. ATPL 6053(116) qualifies as a Categorical Exemption under the California Environmental Quality Act and authorize the Director of Project Delivery to sign the required Notice of Exemption Documentation on SANBAG's behalf upon Caltrans approval of the corresponding National Environmental Policy Act document.

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

B. Authorize the release of Request for Proposals No. 15-1001122 for the preparation of Plans, Specifications and Estimate, Right-of-Way Engineering and Support, and Design Support during Construction for the Metrolink Station Active Transportation Program at various Metrolink Stations in San Bernardino County.

Background:

The Active Transportation Program (ATP) was created by Senate Bill 99 (Chapter 359, Statutes 2013) and Assembly Bill 101 (Chapter 354, Statutes 2013) to encourage increased use of active modes of transportation, such as biking and walking, as well as to ensure compliance with Moving Ahead for Progress in the 21st Century (MAP-21). SANBAG was successful in receiving a grant of ATP funds for the Metrolink Station Accessibility Improvement Project, Phase 1 in the amount of \$4,678,729. The project will benefit multiple jurisdictions in San Bernardino County by providing safe pedestrian/bicycle access, wayfinding signage to direct users to the transit centers, sidewalk improvements, high-visibility crosswalks, bicycle parking, and improvements to key corridors of the regional bicycle network designed to directly connect to Metrolink Stations in six cities.

On December 3, 2014, the Board of Directors authorized a new task number, amended the 2014/2015 fiscal year budget and approved the use of \$4,678,729 of ATP funds. In addition, the Board of Directors authorized \$250,000 in TDA Article 3 funds to support staff project management, right-of-way surveys, and environmental coordination so that the project could be implemented in a timely fashion.

Recommendation A: This project requires both National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) approval prior to ATP funding allocation by the California Transportation Commission (CTC). Caltrans is the approving agency for NEPA. Caltrans has reviewed the Preliminary Environmental Study (PES) and is recommending its approval. Caltrans is also reviewing the NEPA Categorical Exclusion (CE) Determination Form

Entity: CTA, CTC

Board of Directors Agenda Item

January 6, 2016

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and CE Checklist, and will be approving it as well. This will complete the NEPA process. Completion of the NEPA process is anticipated in January 2016.

SANBAG is the approving agency for CEQA. Staff requests Board determination of the project as a Categorical Exemption under the Notice of Exemption (NOE), with supporting California Environmental Quality Act (CEQA) Exemption Documentation. This is consistent with the NEPA documentation and the CEQA documentation that Caltrans has reviewed. Staff is also requesting the Board to authorize the Director of Project Delivery to sign the NOE on behalf of SANBAG once Caltrans has completed the NEPA process. This will allow the earliest possible submission to the CTC to support the funding allocation request. The CEQA NOE, with supporting documentation is ready for SANBAG execution.

Recommendation B: The next step for the Metrolink Station ATP Phase 1 work is to procure a consultant to perform the final design. Attached for Board review and approval is the scope of work for the Plans, Specifications and Estimate (PS&E), ROW engineering and support and design support during construction. This scope of work would be part of the Request for Proposals No. 15-1001122. This design contract would be funded from the ATP funds approved for the project.

Right of Way (ROW) certification services will be provided by one of SANBAG's On-Call ROW consultants. The services were competitively bid and awarded on December 4, 2014, to the firm who best responded to the scope of work. Services include acquisition and utility relocation activities, demolition, property management, hazardous materials testing activities, and support of eminent domain activities. The selected firm was by far the lowest in price due to the fact that much of the right of way mapping was recently completed by their firm for different purposes.

Staff requests the Board authorize release of Request for Proposals No. 15-1001122 for PS&E, ROW engineering and support and design support during construction services for the Metrolink Station ATP and authorize the Director of Project Delivery to sign the CEQA Notice of Exemption on behalf of SANBAG.

Financial Impact:

This item is consistent with the current 2015/2016 fiscal year budget under Task No. 0401 for the Metrolink Station Accessibility Improvement Project. Funding sources are \$4,678,729 of new Active Transportation Program (ATP) funds - Federal (Fund No. 2070) and \$250,000 of TDA Article 3 (Fund No. 1038).

Reviewed By:

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the draft RFP scope of work.

Responsible Staff:

Garry Cohoe, Director of Project Delivery

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): San Bernardino Assoc Govts
1170 W. 3rd Street
San Bernardino, CA 92410

County Clerk
County of: San Bernardino

(Address)

Project Title: Metrolink Station Accessibility Project

Project Applicant: SANBAG (San Bernardino Associated Governments)

Project Location - Specific:
In proximity to the Montclair TransCenter, Upland Metrolink Station, Rancho Cucamonga Metrolink Station, Fontana Metrolink Station, Rialto Metrolink Station, and San Bernardino Metrolink Station and Transit Center.

Project Location - City: See Below Project Location - County: San Bernardino

Description of Nature, Purpose and Beneficiaries of Project:
Connectivity, wayfinding, and safety improvements to existing pedestrian and bicycle routes in Montclair, Upland, Rancho Cucamonga, Fontana, Rialto and San Bernardino to extend the catchment area and improve access at the stations. Communities surrounding the stations will benefit from improved safety and mobility.

Name of Public Agency Approving Project: SANBAG (San Bernardino Associated Governments)

Name of Person or Agency Carrying Out Project: SANBAG (San Bernardino Associated Governments)

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15301, Class 1(c)
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:
The actions would take place within an urban environment and would remain within existing rights of way. No significant impacts to Section 4(f) properties and Section 106 resources are expected. The actions are not segmented from a large project and are not expected to elicit substantial controversy on environmental grounds. The actions do not involve unusual circumstances.

Lead Agency
Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Metrolink Station Accessibility Improvement Project

1. PROJECT BACKGROUND

Project Need

San Bernardino County has long been an auto-dominated environment, where roadways are typically laid out in a grid network, topography permitting, with a standard hierarchy of classifications. The existing active transportation network typically consists of a number of disconnected facilities for both cyclists and pedestrians. On-street facilities face challenges from vehicle speeds and volumes, substandard infrastructure, while off-street facilities (such as walking trails and bike paths) have minimal funding for creating amenities and providing maintenance.

A safe, interconnected cycling and walking system can be a major asset to both individual communities and to an urban area, particularly one as well suited to these activities as San Bernardino County. The climate and topography are highly conducive for these and other outdoor pursuits. Both natural and man-made corridors provide ideal opportunities for development of a comprehensive system of cycling facilities, pathways, and trails. Even though San Bernardino County is known for its recreational opportunities, such a system is not well developed in many areas of the County.

With great demands placed on America's transportation system, an obesity epidemic, energy costs and environmental considerations, the goal of the Metrolink Station Accessibility Project is to address the ability of active transportation users to access the regional transit network.

Among the challenges facing San Bernardino County, such as population growth, physical barriers and lack of direct transit services, is the continued growth in travel demand that for many years has outpaced the region's capacity to expand transportation facilities. The Improvement to Transit Access for Cyclists and Pedestrians Report (SANBAG Report) identified several critical projects to address safety and promote active transportation and the next step is implementation of those strategies.

Project Purpose

The key objective of this Project is to connect active transportation facilities to one another and to provide a mechanism for walking, biking, and transit usage as a priority to improve access to and from transit stations. In effect, the proposed improvements will extend the catchment areas of seven commuter rail and BRT stations, increasing the effectiveness of those two rapid transit investments.

The long term public benefits generated by the Project include:

- Enhance land use and transportation integration by provision of quality travel choices in the form of safe and accessible bicycle and pedestrian networks.
- Provide environmental protections associated with reductions in the vehicles miles travelled and positive impacts on climate change.
- Set an example to the state and nation that new roadway technologies integrated with intentional land development are a successful alternative to 21st century land use and transportation practices.

From a regional perspective, the proposed Project provides pedestrians with a safe passageway to the adjacent Metrolink Stations, Omnitrans BRT stops, and the San Bernardino Transit Center. The Project supports efforts to improve City streets by making much needed improvements to pedestrian and bicycle amenities including the roadway surface itself such as planned bike routes, additional way finding signage, "color" bike trails at conflict zones, bike racks/storage lockers, decorative pedestrian pathways, pedestrian automated crossing gates as well as the surrounding streetscape. Many sidewalks near the existing Metrolink Stations are in a poor state of repair. The streetscape improvements associated with this Project will enhance pedestrian and bicycle access along the San Bernardino corridor. The Project will implement several goals of SANBAG's Non-motorized Transportation Plan and improve access to and from these stations for local residents and commuters, thereby reducing parking demand and increasing transit ridership.

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Project Scope

Based on the recommendations in the SANBAG Report, SANBAG staff engaged the cities of Montclair, Upland, Rancho Cucamonga, Fontana, Rialto and San Bernardino to solicit their opinions and provide a series of recommendations in and around the transit station areas under study, including use of innovative new traffic control devices, bicycle facilities, wayfinding concepts, and other hardscape improvements. Each of the six cities helped develop the list of Projects by identifying transit users' issues, challenges, and preferences relating to accessing their respective transit stations.

The SANBAG Report identified existing barriers to access, provided stakeholders in the transportation industry with best practices relating to improving active transportation circulation, and proposed planning-level improvements in and around the stations. These improvements were based on existing conditions documentation, including fieldwork and Geographic Information Systems (GIS) analysis, industry research, extensive stakeholder consultation, public outreach efforts, and financial feasibility analysis.

The Project is designed to meet several critical challenges and goals/objectives as follows:

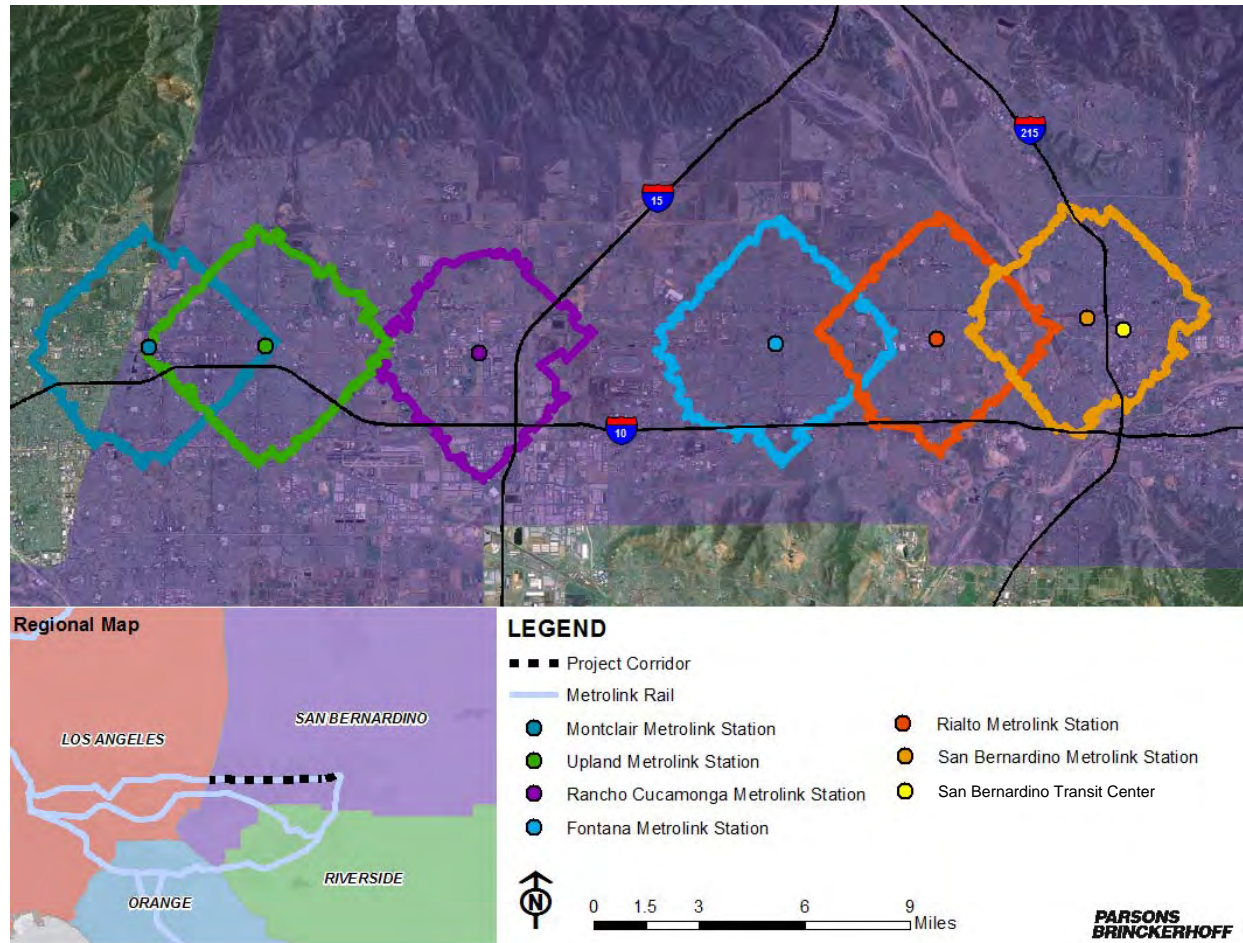
- Increased bicycle and pedestrian access - Expand bicycle and pedestrian facilities and access within and between neighborhoods, employment centers, shopping areas, recreational sites to Metrolink Stations.
- Increased travel by cycling and walking - Make the bicycle and walking an integral part of daily life in San Bernardino County by implementing and maintaining a bikeway network, providing end-of-trip facilities particularly at transit stations, improving bicycle/transit integration, providing enhanced pedestrian pathways and improved access to transit stations, removing existing barriers to pedestrian travel, encouraging bicycle use, and making biking as well as walking safer and more convenient.
- Routine accommodation in transportation and land use planning - Routinely consider bicyclists and pedestrians in the planning and design of land development, roadway, transit, and other transportation facilities, as appropriate to the context of each facility and its surroundings as required by the California Complete Streets Act of 2008 (Assembly Bill 1358).
- Improved bicycle and pedestrian safety - Encourage infrastructure development that improves bicycle and pedestrian safety.

2. PROJECT DESCRIPTION

The Project encompasses the San Bernardino Transit Center and the following Metrolink stations: Montclair, Upland, Rancho Cucamonga, Fontana, Rialto, and San Bernardino (Figure 1). Key Project elements include: extending the Pacific Electric Trail and adding signalization; repairing or replacing sidewalk paving and closing gaps in sidewalk systems; enhancing and installing crosswalks; providing mid-block crosswalks; installing safety striping to guide people and provide safe pathway; installing wayfinding signage; adding pedestrian automatic crossing gates at railroad tracks; removing one lane of traffic and replacing with buffered bike lanes and sidewalk; providing pedestrian and bicycle access to station platforms and parking; adding 'colored' bike trails at conflict zones; installing Class I, II, and III bike lanes and lane markings; and installing bike racks, lockers, and parking. The improvements would be completed in two phases. The first phase consists of activities that have been funded through the Active Transportation Program (ATP) grant. The second phase of activities would be implemented as funding becomes available.

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Figure 1: Project Area Locations and Proximity Buffers



Montclair Metrolink Station: The Montclair TransCenter serves as the Metrolink Station and western terminus of the Omnitrans’ Holt BRT line, and provides connections to Los Angeles and Riverside County transit services. It is also a large commuter station for Metrolink services to Los Angeles County, and features a large parking area to accommodate “park-and-ride” transit users. The station is surrounded by commercial, residential, and industrial uses, and is located just south of the Pacific Electric Rail Trail, a Class I recreational/bicycle facility running between Montclair and Fontana. The City of Montclair recently completed a Montclair Downtown Specific Plan to identify development and redevelopment activities that would further enhance the viability and utilization of the TransCenter. Increased residential and office density is envisioned along with connectivity enhancements from the TransCenter to the Montclair Plaza shopping mall located a few blocks south of the station. Some of the constraints around the station area include lack of existing or planned bicycle facilities, large blocks with heavy traffic volumes and fast speeds, missing and incomplete sidewalks and unfriendly pedestrian streets among others.

Improvement to the area focuses on providing safe pedestrian/bicycle access gates at the railroad tracks, wayfinding signage to direct users to the TransCenter underpass, decorative crosswalks and others.

Phase I of the proposed project includes the following activities (Appendix A, Figure 2). Activity numbering relates to the numbered call out symbols shown on each figure, in this case Figure 2 for the Montclair Station:

1. Extend Pacific Electric Trail from current terminus to Claremont Boulevard.

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3. Provide pedestrian and bicycle access from the Pacific Electric Trail to Metrolink parking lot.
6. Provide enhanced pedestrian crosswalks on Richton Street and across bus access.
7. Install bike racks.
8. Provide pedestrian crosswalks and signalization (including interconnected signal coordination) along Pacific Electric Trail at Monte Vista Avenue, Central Avenue, and Benson Avenue.
10. Remove one lane of traffic and replace with buffered bike lane and sidewalk on Monte Vista Avenue north of Arrow Highway.

Phase II will include these additional activities:

2. Provide missing sidewalk to north side of Richton Street.
4. Improve Fremont Avenue per the North Montclair Downtown Specific Plan
5. Provide wayfinding signage on Fremont Avenue
9. Improve pedestrian crossing at Monte Vista Avenue and Montclair Plaza Lane (north side)
11. Provide wayfinding signage to the following intersections: Monte Vista Avenue and Central Avenue (north and south); Monte Vista Avenue and Central Avenue at Richton Street (north and south).

Upland Metrolink Station: The Upland Metrolink Station is located in the center of Downtown Upland. The station is surrounded by older storefront commercial development, which is itself surrounded primarily by low-density residential land uses. Some of the constraints around the station area include limited facilities for cyclists south of the station, limited pedestrian crossings connecting the north and south side of the station area, and missing sidewalks amongst others.

The proposed improvements focus on increasing signage and wayfinding for cyclists and pedestrians, enhancing crosswalks and closing gaps in the sidewalk network, as well as improving safety for pedestrians crossing the railroad tracks.

Phase I includes the following activities (Appendix A, Figure 3):

1. Provide mid-block pedestrian/bike crossing with signal or flashing overhead beacon at Euclid Avenue and Pacific Electric Trail
2. Provide wayfinding signage to denote access to Metrolink Station at Euclid Avenue at "A" Street.
3. Provide shared bike lane markings on Class III bike lanes at 8th Street and Campus Avenue.
5. Provide sidewalk on west side of 3rd Avenue north of Metrolink Station.
8. Provide enhanced crosswalks per the Historic Downtown Upland Specific Plan at the following locations: 1st Avenue and "A" Street; 1st Avenue and 9th Street; 2nd Avenue and "A" Street; 2nd Avenue and 9th Street; 3rd Avenue and "A" Street; 3rd Avenue and 9th Street; and 4th Avenue and "A" Street..

Phase II will include these additional activities:

4. Provide bike lane striping as needed and "color" through conflict zone on Euclid Avenue
6. Provide short and long term bike parking convenient to the Metrolink Station.
7. At Euclid Avenue and "A" Street provide pedestrian automatic crossing gates at RR tracks so the arm will extend across the sidewalk blocking pedestrian way.
8. Provide enhanced crosswalks per the Historic Downtown Upland Specific Plan at the following locations: 1st Avenue and "C" Street; 1st Avenue and "D" Street; 1st Avenue and Arrow Highway; 2nd Avenue and "C" Street; 2nd Avenue and "D" Street; 2nd Avenue and Arrow Highway; 2nd Ave and Stowell; 3rd Avenue and "C" Street; 3rd Avenue and "D" Street; 3rd Avenue and Arrow Highway.

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9. At 2nd Avenue south of “A” Street - provide pedestrian automatic crossing gates at RR tracks so the arm will extend across the sidewalk blocking pedestrian way (west side only; no sidewalk on east side of street).
10. Foothill Boulevard – provide striping for any missing bike lane segments.
11. Benson Avenue – provide crosswalk marking where Pacific Electric Trail crosses Benson Avenue.

Rancho Cucamonga Metrolink Station: The Rancho Cucamonga station is located in an area of industrial and residential land uses. Block lengths are some of the longest and most challenging in the study area. Several multi-lane, high-speed arterials exist in the immediate station area. Pedestrian and cyclist amenities are adequate and ample, owing to the relatively new construction in the area. Several planned Class I bicycle facilities exist around the station area. Some of the constraints include limited pedestrian connectivity in and around station area, missing wayfinding signage, and unfriendly cycling environment due to the presence of large blocks and warehousing land uses amongst others.

Improvement to the area focuses on closing gaps in the active transportation facility network and improving some of the circuitous paths of travel created by the long blocks, major roadways, and limited points of access.

Phase I includes the following activities (Appendix A, Figure 4):

2. Provide bike lockers more conveniently located to the station boarding and ticketing area.
3. Provide pedestrian and bicycle access to Milliken Avenue.
4. Provide bike lanes along Milliken Avenue between 4th Street and 6th Street.

Phase II will include these additional activities:

1. Construct Class I Bike lanes along Day Creek Trail (Arrow Route to Baseline Road) and along Deer Creek Trail (Jack Benny Drive to Baseline Road).

Fontana Metrolink Station: The Fontana Metrolink Station is located in Downtown Fontana, and serves as a Transit Center for area residents and visitors connecting to nine Omnitrans local bus routes and Metrolink service. It is surrounded by a mix of commercial, civic, and residential land uses. The Pacific Electric Trail reaches its eastern terminus northeast of the station. The constraints around the station area include the barriers that I-10 creates for pedestrian and bicycle mobility. In addition, Juniper Street has narrow sidewalks located next to the curb and in some locations utility poles are located within the sidewalk reducing pedestrian mobility. Aside from the nearby Pacific Electric Trail, dedicated bicycle facilities are largely nonexistent. Sierra has extremely high traffic volumes and experiences significant peak-hour congestion.

Improvement to the area focuses on lighting enhancements, bicycle parking, and the implementation of key corridors of the regional bicycle network designed to directly connect to the station. A main component of the improvements at the Fontana Station is implementation of pedestrian automated gates at Sierra Avenue and Juniper Avenue at the rail crossings. The existing railroad pedestrian crossing at Juniper Avenue is a dirt path that experiences pedestrian activity of over 100 pedestrians crossing the tracks on the unimproved sidewalk.

Phase I includes the following activities (Appendix A, Figure 5):

2. Install short and long-term bicycle parking.
4. Reconfigure crossing and post signs along Juniper Avenue at Pacific Electric Trail.
5. Provide bicycle route, wayfinding signage, and “color” bike trails at conflict zones on Juniper Avenue from Orange Way to Baseline Avenue.

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6. Provide crosswalks (enhanced pavement or thermo-plastic markings) at seven intersections.
7. Provide missing sidewalks along Valencia Avenue.
8. Provide wayfinding signage along Juniper Avenue for access to Metrolink station.
9. Provide buffered bike lanes, wayfinding signage, and “colored” bike trail at conflict zones on Arrow Boulevard and Citrus Avenue.

Phase II will include these additional activities:

1. Provide buffered bike lanes on San Bernardino Avenue (Alder Avenue to Fontana Avenue).
3. Provide street lights on residential streets north of the Metrolink Station (if street lights are missing).
7. Provide missing sidewalks along two interconnecting local residential streets between Merrill Avenue and Ceres Avenue.
10. Provide pedestrian automatic crossing gates on Juniper Avenue and Sierra Avenue.

Rialto Metrolink Station: The Rialto Metrolink Station is located immediately west of Riverside Avenue in Downtown Rialto. The immediate station area is characterized by revitalized commercial and older residential neighborhoods. The Rialto Metrolink Station has adequate connections to the nearby residential land uses north of the station. Connections to the south are more challenging. Several of the nearby streets are identified as candidates for widening as part of the City’s General Plan, which presents an excellent opportunity to implement a number of the recommendations presented in the SANBAG Report. Some of the constraints include the bicycle network being disconnected, and the Rialto section of the Pacific Electric Trail remaining the lone unconstructed piece of the trail.

Improvements to the area focus on curb improvements, additional sidewalks, and numerous bicycle network improvements consistent with the City General Plan and SANBAG Non-Motorized Plan.

Phase I includes the following activities (Appendix A, Figure 6):

1. Provide pedestrian crosswalks on Rialto Avenue at 3 intersections.
2. Provide short- and long-term bicycle parking.
3. Provide wayfinding signage at Rialto Avenue and Palm Avenue.
4. Install Class II bike lane on Rialto Avenue/Arrow Boulevard between Cactus and Riverside Avenues.
5. Install Class II bike lanes on Cactus Avenue from Merrill Street to the Pacific Electric Trail.

Phase II will include these additional activities:

4. Install Class II bike lane on Rialto Avenue/Arrow Boulevard from Cactus Avenue to Palmetto Avenue.
5. Provide Class II bike lanes on Cactus Avenue from Merrill Street to the I-10 Freeway; and on Cedar Avenue from Randall Avenue to the I-10 Freeway.
6. Provide bike/pedestrian improvements north of the Rialto Station.
7. Provide local bike connections to the Pacific Electric Trail

San Bernardino Metrolink Station: The San Bernardino Metrolink Station is a regional transit station serving the greater San Bernardino area. Transit services at the site include Metrolink commuter rail, Omnitrans local buses, and Mountain Area Regional Transit Authority (MARTA) bus service. The San Bernardino Metrolink Station represents the current eastern terminus of Metrolink service in San Bernardino County although easterly extension into downtown San Bernardino is under construction and a further extension to Redlands is planned. The immediate station area has a number of substandard, disconnected sidewalks, limited shade, and is disconnected from areas to the north of the station by the adjacent freight rail yard, save for a single, deteriorating bridge at Mt. Vernon Avenue. Limited bicycle facilities provide no direct connection to nearby attractions, despite an observed high level of bicycle activity.

Improvements in the area focus on improving connections within the community and mitigating the divisive nature of the adjacent rail yard and nearby Interstate 215.

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Phase I includes the following activities (Appendix A, Figure 7):

1. Repair existing uneven pavement and breaks in the pavement to improve pedestrian and bicycle safety and mobility along Mt. Vernon Avenue.
2. Provide crosswalks to improve the safety of pedestrians at Mt. Vernon Avenue and 2nd Street.
3. Provide mid-block crosswalk on 3rd Street to ensure safe pedestrian connection to eastbound bus stop and direct connection between the 3rd Street Shopping Center and the San Bernardino Depot. Add crosswalks, lights and signage to make pedestrian crossings more visible.
4. Provide wayfinding to direct people from boarding area to parking and to local bus stops located along 3rd Street.
5. Install striping to guide people and provide safe pathway leading to 3rd Street across the parking lot.
7. Install short- and long-term bicycle parking.
8. Install crosswalks at Giovanola Avenue and 2nd Street.
9. Install wayfinding at “L” Street and 2nd Street to direct pedestrians through the 3rd Street Shopping Center to the Metrolink Station.

Phase II will include one additional activity:

6. Provide bike lane on 5th Street between Mount Vernon Avenue and the I-215 Freeway.

San Bernardino Transit Center: The San Bernardino Transit Center at E Street and Rialto Avenue in downtown San Bernardino, about one mile east of the Santa Fe Depot, will be the terminus for Redlands Rail and Metrolink lines. The Transit Center will serve 13 Omnitrans local bus routes and the recently opened SbX BRT service. In addition, once the Metrolink extension from the Santa Fe Depot to downtown is completed, all bus-rail transfers will occur at the San Bernardino Transit Center.

Proposed activities in the area focus on improving connections within the community and mitigating the divisive nature of the adjacent rail yard and nearby Interstate 215.

Improvements at the Transit Center would occur during Phase II of the proposed project and include the following activities (Appendix A, Figure 8):

1. Provide bike lane striping on “G” Street between Rialto Avenue and 2nd Street.
2. Install short- and long-term bicycle parking and other bicycle amenities.

3. ANALYSIS

Analysis of project impacts considered the variety of activities associated with the project and evaluated the potential for the various activities to affect sensitive resources. The evaluation discusses grouped activities based on their similar characteristics and analyzes the potential for impacts on a general basis. Where an activity warranted separate discussion, a more in-depth evaluation was provided. The analysis included database searches using readily available public information. Information gathered from these databases was used to evaluate potential effects of the project on biological resources, historic resources, scenic features, ambient noise levels, zoning, land uses, etc. Information contained in city general plans and environmental documents for projects in close proximity to the project was also reviewed to gather additional data on existing conditions and to verify information obtained through other data sources. Particular emphasis was placed on obtaining information related to hazardous waste, biological and cultural resources as these can trigger an exception to the use of the Categorical Exemption determination.

Surrounding Land Uses and Setting: The project is located in an urban environment consisting of a mix of land uses, such as commercial, residential, and recreational. Some of the areas surrounding the stations include open space consisting of vacant land, water detention basins, a golf course (Empire Lakes), and parks. Several stations are located in the downtown city areas and include pedestrian oriented shops and restaurants.

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General Plan Designation: Areas surrounding the Metrolink Stations are primarily designated as commercial and industrial. Land use designations adjacent to the stations are general industrial (G-1), limited manufacturing (M-1), commercial (C-1, C-2, and C-3), and residential (R-1 and R-3). Land uses in the surrounding areas consist of commercial, residential, open space, and recreational.

Zoning: According to city zoning maps, the zoning designations within the project area vary from minimum impact heavy industrial to light industrial, as well as public facilities. Areas adjacent to the project site vary from limited manufacturing to all levels of residential including single-family and multi-family. The proposed improvements are compatible with the existing zoning.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): Coordination is required with each of the six cities along the Metrolink line to establish timing and sequencing of activities, and for participation agreements. Coordination with the Southern California Regional Rail Authority (SCRRA) (Metrolink operator) for installation of the pedestrian automatic crossing gates at the railroad tracks. Coordination with Caltrans Local Assistance is also required for NEPA clearance of the project and funding allocation.

Aesthetics: The proposed pedestrian and bicycle improvements would not degrade or change the existing visual character or quality of the project area. The existing character of the area is dominated by the Metrolink station, adjacent parking, and railroad tracks. Surrounding areas are urban in character and consist of primarily residential and commercial uses. The proposed improvements generally include minor enhancements to pedestrian and bicycle facilities, such as new sidewalks, bike racks, and signs, as well as enhanced pedestrian crossings and “high-visibility” crosswalks. The improvements would be consistent with the areas urban environment and would help to improve the visibility of pedestrian crossings, trails, and pedestrian/bicycle system routes. The additional signage, signals, “high-visibility” crosswalks, and ‘colored’ bike trails would not create a significant amount of new light or glare, and would be consistent with other urban sources of visual information. The project area is mostly developed with primarily ornamental landscaping and vegetation. In a few locations a limited number of mature trees may need to be removed in order to accommodate the proposed improvements. The removal of trees, if needed, will be conducted in accordance with the requirements of local tree ordinances, if any.

Air Quality: The project is located within the South Coast Air Quality Management District (SCAQMD) area, which according to the National Ambient Air Quality Standards (NAAQS) is an identified non-attainment area for ozone and particulate matter (PM_{2.5}). Construction of the project would generate mobile source emissions from construction vehicles and equipment. Air quality impacts from construction occur as a result of: handling and transport of excavated material and debris; operations of heavy-duty diesel and gasoline-powered construction equipment; and operation of heavy-duty diesel trucks within construction areas on streets to transport excavated material and rocks, to deliver construction materials. The short-term impacts to air quality would occur during earthwork, restriping, and construction activities. Additional sources of construction-related emissions include exhaust emissions and potential odors from construction equipment used on the construction site, as well as the vehicles used to transport materials to and from the site.

Effects of these types of activities on ambient air quality levels will be temporary and mostly localized, and will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. The short-term air quality impacts from construction of the proposed project would be minimized with implementation of the required SCAQMD standard construction measures, as well as each city’s standard specifications for construction. Due to the limited area that would be disturbed during construction and the temporary nature of construction activities, construction emissions are not anticipated to exceed the SCAQMD standards. The project would not obstruct the implementation of air quality plans in the area, violate any air quality standard or contribute substantially to an existing or projected air quality violation. The project is not anticipated to produce objectionable odors. Long-term the project will improve air quality as bicycle friendly and pedestrian oriented improvements are considered to be air quality improving projects.

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Biological Resources: Using the California Department of Fish and Wildlife (CDFW) RAREFIND3 of the California Natural Diversity Database (CNDDDB) (CDFW, August 2014), information on biological resources was obtained for a 0.50-mile radius from each project activity. The search indicated the potential historical presence of eight federal and/or state listed endangered and/or threatened species (Table 1). While a majority of the project area is developed, there are some areas of open space associated with vacant land, water basins, and recreational uses. These areas may have the potential for supporting sensitive species. However, the potential for species to be present within the areas of construction are considered low due to their urban setting. In addition, the nature and scope of the proposed improvements are not likely to pose a threat to species occurring within the general area.

Table 1 – Biological Resources within 0.50-mile from Project Activities

Metrolink Station	Scientific Name	Common Name	Listing
Montclair	<i>Calochortus plummerae</i>	Plummer's mariposa-lily	None
Montclair	<i>Diplectrona californica</i>	California diplectronan caddisfly	None
Montclair	<i>Dodecabema leptoceras</i>	slender-horned spineflower	FE, SE
Montclair	<i>Horkelia cuneata</i> var. <i>puberula</i>	mesa horkelia	None
Montclair	<i>Lepidium virginicum</i> var. <i>robinsonii</i>	Robinson's pepper-grass	None
Montclair	<i>Sidalcea neomexicana</i>	Salt Spring checkerbloom	None
Upland	<i>Dodecabema leptoceras</i>	slender-horned spineflower	FE, SE
Upland	<i>Horkelia cuneata</i> var. <i>puberula</i>	mesa horkelia	None
Rancho Cucamonga	<i>Rhaphiomidas terminatus abdominalis</i>	Delhi Sands flower-loving fly	FE
Fontana	<i>Lasiurus xanthinus</i>	western yellow bat	None
Fontana	<i>Rhaphiomidas terminatus abdominalis</i>	Delhi Sands flower-loving fly	FE
Rialto	<i>Ambrosia monogyra</i>	singlewhorl burrobrush	None
Rialto	<i>Anniella pulchra pulchra</i>	silvery legless lizard	None
Rialto	<i>Arenaria paludicola</i>	marsh sandwort	FE, SE
Rialto	<i>Athene cunicularia</i>	burrowing owl	None
Rialto	<i>Charina umbratica</i>	southern rubber boa	ST
Rialto	<i>Chloropyron maritimum</i> ssp. <i>maritimum</i>	salt marsh bird's-beak	FE, SE
Rialto	<i>Dipodomys merriami parvus</i>	San Bernardino kangaroo rat	FE
Rialto	<i>Dodecabema leptoceras</i>	slender-horned spineflower	FE, SE
Rialto	<i>Horkelia cuneata</i> var. <i>puberula</i>	mesa horkelia	None
Rialto	<i>Lasiurus xanthinus</i>	western yellow bat	None
Rialto	<i>Lycium parishii</i>	Parish's desert-thorn	None
Rialto	<i>Monardella pringlei</i>	Pringle's monardella	None
Rialto	<i>Nyctinomops femorosaccus</i>	pocketed free-tailed bat	None
Rialto	<i>Perognathus longimembris brevinasus</i>	Los Angeles pocket mouse	None
Rialto	<i>Rhaphiomidas terminatus abdominalis</i>	Delhi Sands flower-loving fly	FE
Rialto	<i>Riversidian Alluvial Fan Sage Scrub</i>	Riversidian Alluvial Fan Sage Scrub	None
San Bernardino	<i>Arenaria paludicola</i>	marsh sandwort	FE, SE
San Bernardino	<i>Astragalus hornii</i> var. <i>hornii</i>	Horn's milk-vetch	None
San Bernardino	<i>Buteo swainsoni</i>	Swainson's hawk	ST

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Metrolink Station	Scientific Name	Common Name	Listing
San Bernardino	<i>Chloropyron maritimum</i> ssp. <i>maritimum</i>	salt marsh bird's-beak	FE, SE
San Bernardino	<i>Dipodomys merriami parvus</i>	San Bernardino kangaroo rat	FE
San Bernardino	<i>Dodecabama leptoceras</i>	slender-horned spineflower	FE, SE
San Bernardino	<i>Lasiurus xanthinus</i>	western yellow bat	None
San Bernardino	<i>Lepidium virginicum</i> var. <i>robinsonii</i>	Robinson's pepper-grass	None
San Bernardino	<i>Lycium parishii</i>	Parish's desert-thorn	None
San Bernardino	<i>Nasturtium gambelii</i>	Gambel's water cress	FE, ST
San Bernardino	<i>Nyctinomops femorosaccus</i>	pocketed free-tailed bat	None
San Bernardino	<i>Rhaphiomidas terminatus abdominalis</i>	Delhi Sands flower-loving fly	FE
San Bernardino	<i>Ribes divaricatum</i> var. <i>parishii</i>	Parish's gooseberry	None
San Bernardino	<i>Sidalcea neomexicana</i>	Salt Spring checkerbloom	None
San Bernardino	<i>Symphotrichum defoliatum</i>	San Bernardino aster	None
San Bernardino	<i>Taxidea taxus</i>	American badger	None
Transit Center	<i>Arenaria paludicola</i>	marsh sandwort	FE, SE
Transit Center	<i>Astragalus bornii</i> var. <i>bornii</i>	Horn's milk-vetch	None
Transit Center	<i>Buteo swainsoni</i>	Swainson's hawk	ST
Transit Center	<i>Chloropyron maritimum</i> ssp. <i>maritimum</i>	salt marsh bird's-beak	FE, SE
Transit Center	<i>Cuscuta obtusiflora</i> var. <i>glandulosa</i>	Peruvian dodder	None
Transit Center	<i>Dipodomys merriami parvus</i>	San Bernardino kangaroo rat	FE
Transit Center	<i>Dodecabama leptoceras</i>	slender-horned spineflower	FE, SE
Transit Center	<i>Lasiurus xanthinus</i>	western yellow bat	None
Transit Center	<i>Lepidium virginicum</i> var. <i>robinsonii</i>	Robinson's pepper-grass	None
Transit Center	<i>Nasturtium gambelii</i>	Gambel's water cress	FE, ST
Transit Center	<i>Nyctinomops femorosaccus</i>	pocketed free-tailed bat	None
Transit Center	<i>Rhaphiomidas terminatus abdominalis</i>	Delhi Sands flower-loving fly	FE
Transit Center	<i>Ribes divaricatum</i> var. <i>parishii</i>	Parish's gooseberry	None
Transit Center	<i>Sidalcea neomexicana</i>	Salt Spring checkerbloom	None
Transit Center	<i>Symphotrichum defoliatum</i>	San Bernardino aster	None
Transit Center	<i>Taxidea taxus</i>	American badger	None

Key: FE = Federal Endangered; SE = State Endangered; ST = State Threatened; None = species that do not have federal or state listing by United States Fish and Wildlife Service or California Department of Fish and Wildlife.

It is anticipated that very little vegetation removal would be required to accommodate construction of the proposed project. The project area is mostly developed with primarily ornamental landscaping and vegetation. In a few locations a limited number of mature trees may need to be removed in order to accommodate the proposed improvements. To avoid potential impacts to migratory birds or their nests or eggs the removal of mature trees would occur outside of the breeding season (March 15 – September 15). Any re-vegetation of construction areas will only include non-invasive species. In addition, construction equipment and activities will be required to comply with Best Management Practice (BMP) measures to prevent the spread of known invasive species, and the introduction of other species.

Metrolink Station Accessibility Improvement Project

Cultural Resources: As a result of research conducted and presented in the project Historic Properties Survey Report (HPSR, October 2015), project staff confirmed that the four historic properties identified during the field visit completed on July 27, 2015, were the only eligible or listed properties within the immediate project area. Because these properties are listed in or eligible for listing in the National Register of Historic Places, they are also listed in the California Register of Historical Resources. These historic properties/historical resources are:

- U.S. Highway 66/National Old Trails Highway (36-002910/CPHI-SBr-2910H/ National Register of Historic Places No. 64501129); listed in the National Register of Historic Places [1S/1CS]
- Madonna of the Trail Statue (CPHI-SBr-069/CHL1028); listed in the National Register of Historic Places as a contributing element to U.S. Highway 66 and considered to be individually eligible for the purposes of this project. [1D/1CD]
- Euclid Avenue/Euclid Avenue Mule Car Service (36-015982/36-015983/CPHI-SBr-33/ National Register of Historic Places No. 0500843); listed in the National Register of Historic Places [1S/1CS]
- Atchison, Topeka & Santa Fe Railway (36-006847); eligible for the National Register of Historic Places [2B]

After applying the Criteria of Adverse Effect as described in 36 CFR 800.5, a determination of no adverse effect was assessed for each historic property/historical resource. As a result, an overall project assessment of no adverse effect was determined. Therefore, the proposed project is not expected to cause a substantial adverse change in the significance of these resources due to the nature of the proposed improvements (wayfinding signage, automated pedestrian gates at rail crossing, enhanced or decorative crosswalks, “high-visibility” crosswalks, in-fill sidewalks to close system gaps, bike lane striping, and bicycle parking) and limited scope of construction activities.

Hazards and Hazardous Materials: The project is located in an urban environment consisting of a mix of land uses, such as commercial, residential, and recreational. A review of the California State Water Resources Control Board GeoTracker system shows mostly permitted underground storage tanks (USTs) associated with gas stations and other types of commercial uses. The proposed improvements do not include the purchase of right of way, excavation or other activities that could result in an increased risk associated with the identified UST sites.

Impacts during construction may include to the potential presence of yellow traffic markings (thermoplastic and paint) and aerially deposited lead (ADL). Yellow traffic marking may potentially contain hazardous levels of lead chromate. During project design, and prior to construction, each activity should be reviewed for the presence of yellow traffic markings and the potential for removal. If the activity requires the removal of yellow traffic striping, handling and disposal of the materials will follow the guidelines contained in Caltrans Construction Manual.

Lead contamination (ADL) is common in surface soils along roadways. Soils with elevated lead concentrations are classified as California hazardous. It is not anticipated that work will be required within unpaved areas adjacent to the roadway; however, if during project design it is determined that disturbance of soil within unpaved areas will be needed, then an evaluation for the presence of lead should take place prior to construction. If lead-impacted soil needs to be removed, protocols for assessing, handling, and disposing the contaminated material will be followed.

The potential for impacts associated with identified hazardous wastes is considered low due to the limited scope of the proposed activities and that the improvements would be constructed within existing facility rights-of-way.

Hydrology and Water Quality: The San Antonio Creek Channel (City of Montclair), West Fontana Channel (City of Fontana), an un-named drainage ditch (City of Rialto), and the Lytle Creek Wash/Channel (City of San Bernardino) are the only water resources within 0.5 mile of project activities. Only the San

Metrolink Station Accessibility Improvement Project

Antonio Creek and West Fontana Channel are in close proximity to proposed activities. At the Montclair Station improvements include “high-visibility” crosswalks, redesign of Fremont Avenue to include on-street parking and enhanced parkways and sidewalks, the addition of sidewalks and bike lanes, and enhanced pedestrian crossings. The closest activity to the channel (200 feet) is a proposed “high-visibility” crosswalk with signals. Further from the channel, but within 200 feet at the closest point, is the addition of sidewalks on the north side of Richton Street and the removal of one traffic lane to install a bike lane and sidewalk along Monte Vista Avenue north of Arrow Highway (over a 1,000 feet from the channel at the furthest points). The proposed activities are not expected to affect the channel.

At the Fontana Station improvements include bike lanes, bike parking, decorative street lights, wayfinding signage, “high-visibility” crosswalks, and automated pedestrian gates at two railroad crossings. The closest activity to the channel (crossing over the channel) is proposed sidewalks on Juniper Avenue to close gaps in the pedestrian system. The sidewalks would be constructed within the roadway right of way and are not expected to affect the channel.

Best Management Practice (BMP) measures would be implemented during project construction to reduce the potential for contaminants to enter storm water systems or the channels. The addition of sidewalks would either replace existing paved surfaces (traffic lanes) or would be a minor addition to impervious surfaces and therefore would have limited effects on water quality.

Noise: The proposed project is not of a type that has the potential to increase ambient noise levels. Generally the project consists of the addition of sidewalks, enhanced crosswalks, bike lanes, bike racks, and wayfinding signage. These improvements are to an existing pedestrian and bicycle network and will enhance the efficiency and safety of the existing system.

Some construction-related noise typical of small-scale projects is expected, such as equipment backing alarms, small equipment noise, (jackhammers, generators, etc.), and large equipment noise (bulldozers, backhoes, etc.). Noise associated with these activities would be required to adhere to local noise control ordinances, would be short-term in nature, and would not result in permanent adverse noise impacts.

4. CONCLUSION

Section 21084 of the Public Resources Code includes a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of California Environmental Quality Act (CEQA). Under CEQA Guidelines Section 15300.2, categorical exemptions cannot be used if the project triggers any of the following exceptions:

- a) *Sensitive Location.* If the project generally would be insignificant, but the location is sensitive resulting in significant effects, Categorical Exemption Classes 3, 4, 5, 6, and 11 cannot be used. For example, the minor expansion of an existing maintenance facility may be an exempt activity. However, if the expansion were to occur on wetlands, the exemption would not be applicable.
- b) *Cumulative Impact.* The cumulative impact of the project and successive similar projects in the same location create a significant impact.
- c) *Significant Effect.* If there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances, a categorical exemption shall not be used.
- d) *Scenic Highway.* A categorical exemption shall not be used if a project will damage scenic resources, including, but not limited to trees, historic buildings, rock outcroppings, or similar resources within an officially designated scenic highway.
- e) *Hazardous Waste Site.* A categorical exemption shall not be used for a project located on a site which is included on any list of hazardous waste sites (Cortese list, Government Code 65962.5)
- f) *Historic Resources.* A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historic resource.

Metrolink Station Accessibility Improvement Project

The project qualifies for a Categorical Exemption under CEQA Guidelines Section 15301 Class 1(c). Class 1(c) consists of operation, maintenance or minor alterations of existing streets, sidewalks, bicycle and pedestrian trails and similar facilities.

The project does not trigger any of the exceptions to the categorical exemptions as described in CEQA Guidelines Section 15300.2:

- a) *Sensitive Location.* The project is not located in a sensitive location, which would result in a significant effect on the environment. The project area is located in an urbanized area with primarily commercial and residential land uses. It is not expected that the areas of potential impact would support biological or zoological populations of rare, threatened or endangered species.
- b) *Cumulative Impact.* The project would not contribute to a negative cumulative impact when combined with similar successive projects. The project would add to and enhance the existing pedestrian and bicycle network through minor improvements to sidewalks, bike facilities, signage, and wayfinding. The resulting improvements would result in a beneficial impact on non-motorized access to the existing transit system.
- c) *Significant Effect.* The project is not expected to result in a significant impact due to unusual circumstances. The project activities are limited in scope and nature and would not impact sensitive environmental resources and do not occur in a sensitive location.
- d) *Scenic Highway.* The project is not located on or near a scenic highway or other scenic resource. The project would not result in an impact on scenic resources.
- e) *Hazardous Waste Site.* The project would occur within existing right-of-way with no acquisitions. The project site is not included on the Cortese list or other hazardous waste site list.
- f) *Historic Resources.* The proposed project is not expected to cause a substantial adverse change in the significance of the four noted resources due to the nature of the proposed improvements (wayfinding signage, automated pedestrian gates at rail crossing, enhanced or decorative crosswalks, “high-visibility” crosswalks, in-fill sidewalks to close system gaps, bike lane striping, and bicycle parking) and limited scope of construction activities..

Based on an examination of the proposed project, supporting information, and the following statements (See 14 CCR 15300 *et seq*):

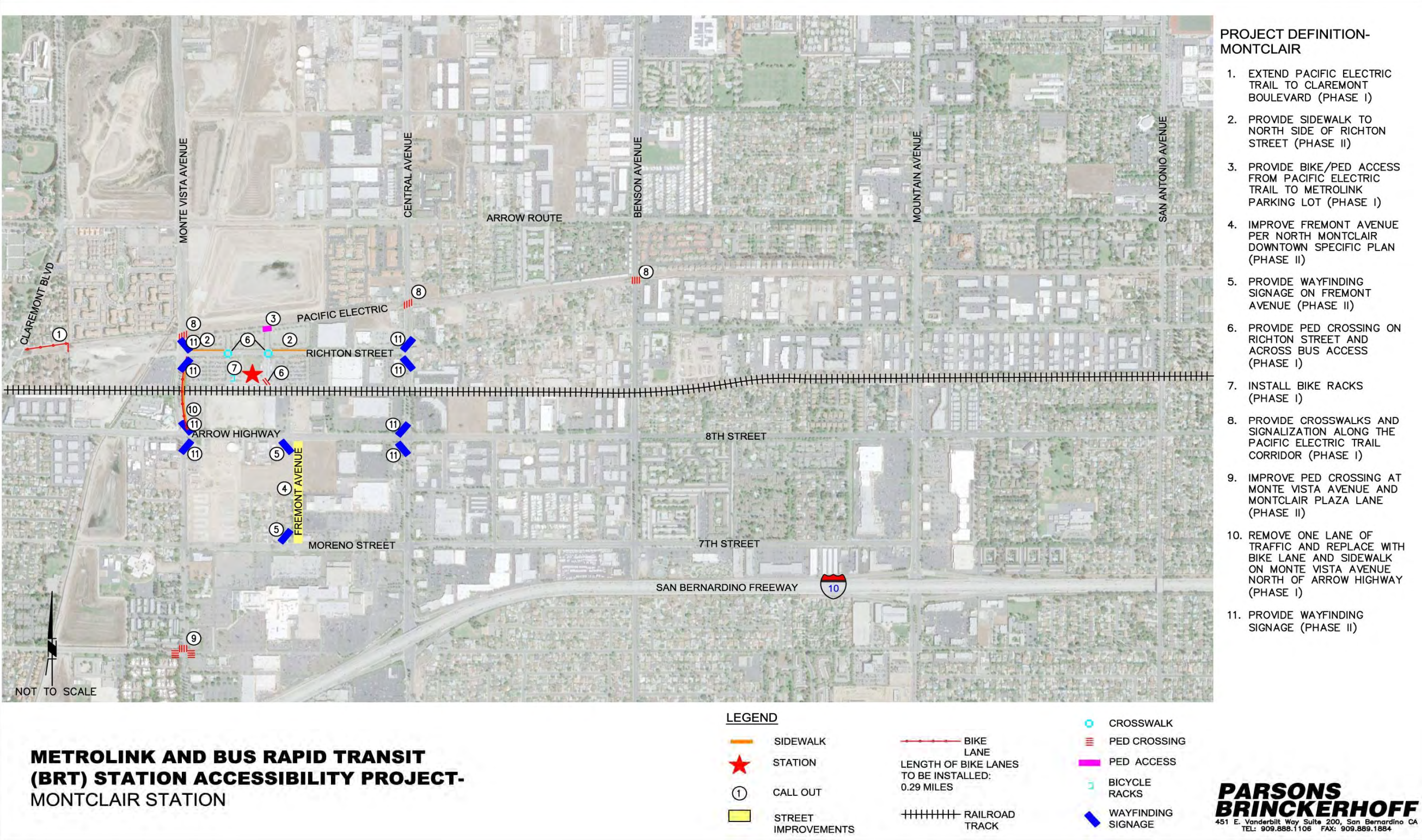
- a) The project does not fall within exempt classes 3, 4, 5, 6 or 11 and does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- b) The project would not contribute to a significant cumulative impact when evaluated with successive projects of the same type in the same place over time.
- c) There are no unusual circumstances in conjunction with this project that could result in a reasonable possibility that the project will have a significant effect on the environment.
- d) This project is not located on or near a state scenic highway and would not result in damage to a scenic resource within an officially designated state scenic highway.
- e) This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 (“Cortese List”).
- f) This project does not cause a substantial adverse change in the significance of a historical resource.

It has been determined that the project would not have the potential for causing a significant effect on the environment per CEQA Sections 15300 to 15323. The project has been found to be Categorical Exempt per CEQA.

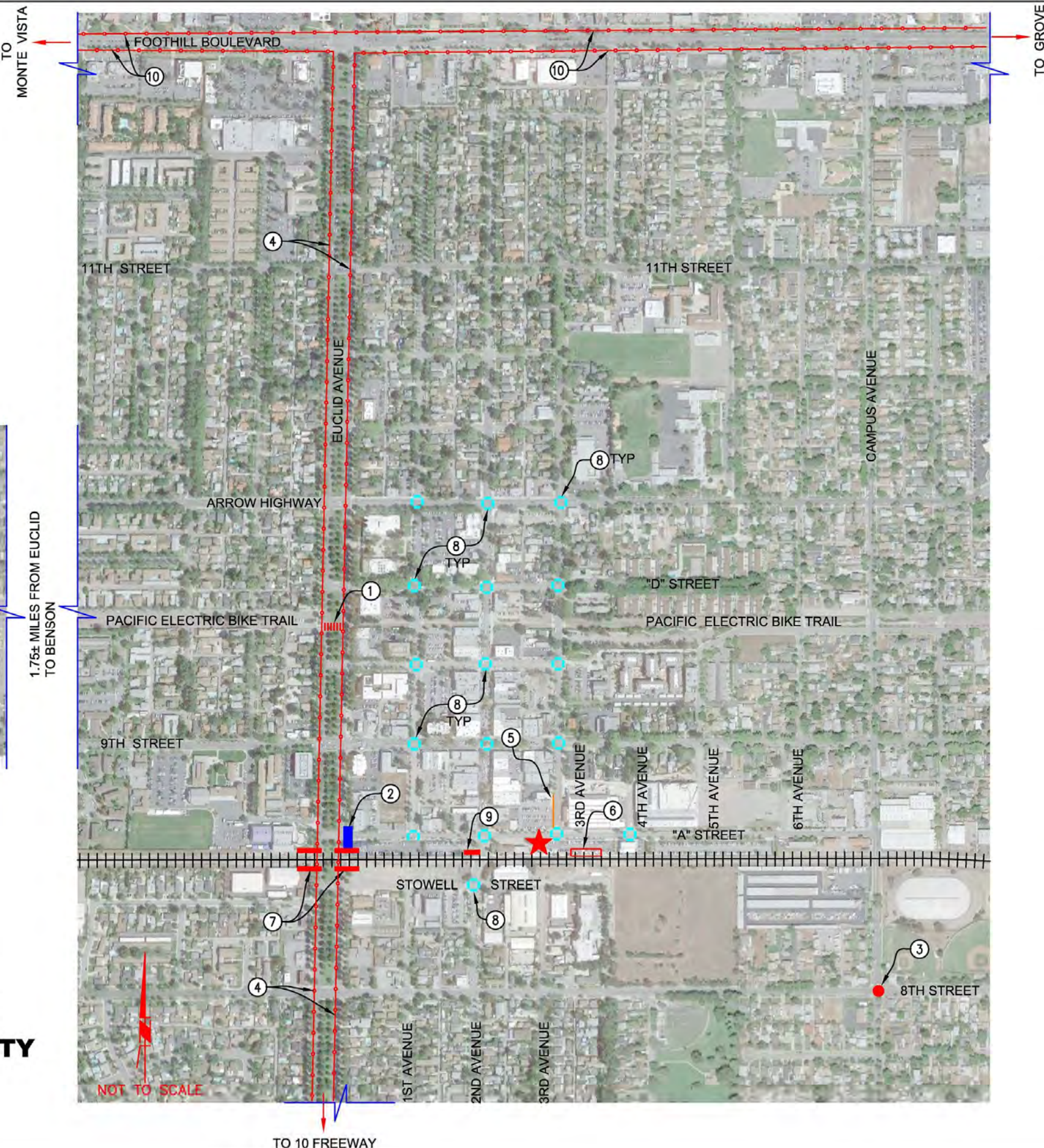
APPENDIX A

STATION AREA IMPROVEMENTS

Figure 2: Montclair Metrolink Proposed Pedestrian and Bicycle Network Improvements



Attachment: RevFinal-SANBAG ATP_CEQE Exemption Documentation_2015-11-16 (2442 : Metrolink Station ATP - Authorize Environmental



PROJECT DEFINITION- UPLAND

1. PROVIDE MID-BLOCK PED/BIKE CROSSING WITH SIGNAL OR FLASHING OVERHEAD BEACON AT EUCLID AVENUE AND PACIFIC ELECTRIC TRAIL (PHASE I)
2. PROVIDE WAYFINDING SIGNAGE AT EUCLID AVENUE AND "A" STREET (PHASE I)
3. PROVIDE SHARED BIKE LANE MARKINGS ON CLASS III BIKE LANES AT 8TH STREET AND CAMPUS AVENUE (PHASE I)
4. PROVIDE BIKE LANE STRIPING AND "COLOR" THOROUGH CONFLICT ZONES ON EUCLID AVENUE (PHASE II)
5. PROVIDE SIDEWALK ON WEST SIDE OF 3RD AVENUE (PHASE I)
6. INSTALL SHORT AND LONG-TERM BIKE PARKING (PHASE II)
7. PROVIDE PEDESTRIAN AUTOMATED CROSSING GATES AT RAILROAD TRACKS AT EUCLID AVENUE AND "A" STREET (PHASE II)
8. PROVIDE CROSSWALKS AT 16 INTERSECTIONS ALONG 1ST AVENUE, 2ND AVENUE, AND 3RD AVENUE (PHASE I & II)
9. PROVIDE PEDESTRIAN AUTOMATED CROSSING GATES ON WEST SIDE OF THE STREET AT RAILROAD TRACKS ON 2ND AVENUE SOUTH OF "A" STREET (PHASE II)
10. PROVIDE BIKE LANE STRIPING ON FOOTHILL BOULEVARD (PHASE II)
11. PROVIDE CROSSWALK MARKINGS AT BENSON AVENUE AND PACIFIC ELECTRIC TRAIL (PHASE II)

LEGEND

	SIDEWALK		WAYFINDING SIGNAGE
	STATION		BIKE LANE
	CALL OUT		LENGTH OF BIKE LANES TO BE INSTALLED: 6.61 MILES
	BICYCLE LOCKERS		RAILROAD TRACK
	CROSSWALK		
	AUTOMATIC GATE		
	BIKE LANE MARKINGS		
	PED CROSSING		
	BIKE PARKING		

METROLINK AND BUS RAPID TRANSIT (BRT) STATION ACCESSIBILITY PROJECT- UPLAND STATION

NOT TO SCALE

PARSONS BRINCKERHOFF
 451 E. Vanderbilt Way Suite 200, San Bernardino CA
 TEL: 909.888.1106 FAX: 909.889.1884

Figure 4: Rancho Cucamonga Metrolink Station Proposed Pedestrian and Bicycle Network Improvements

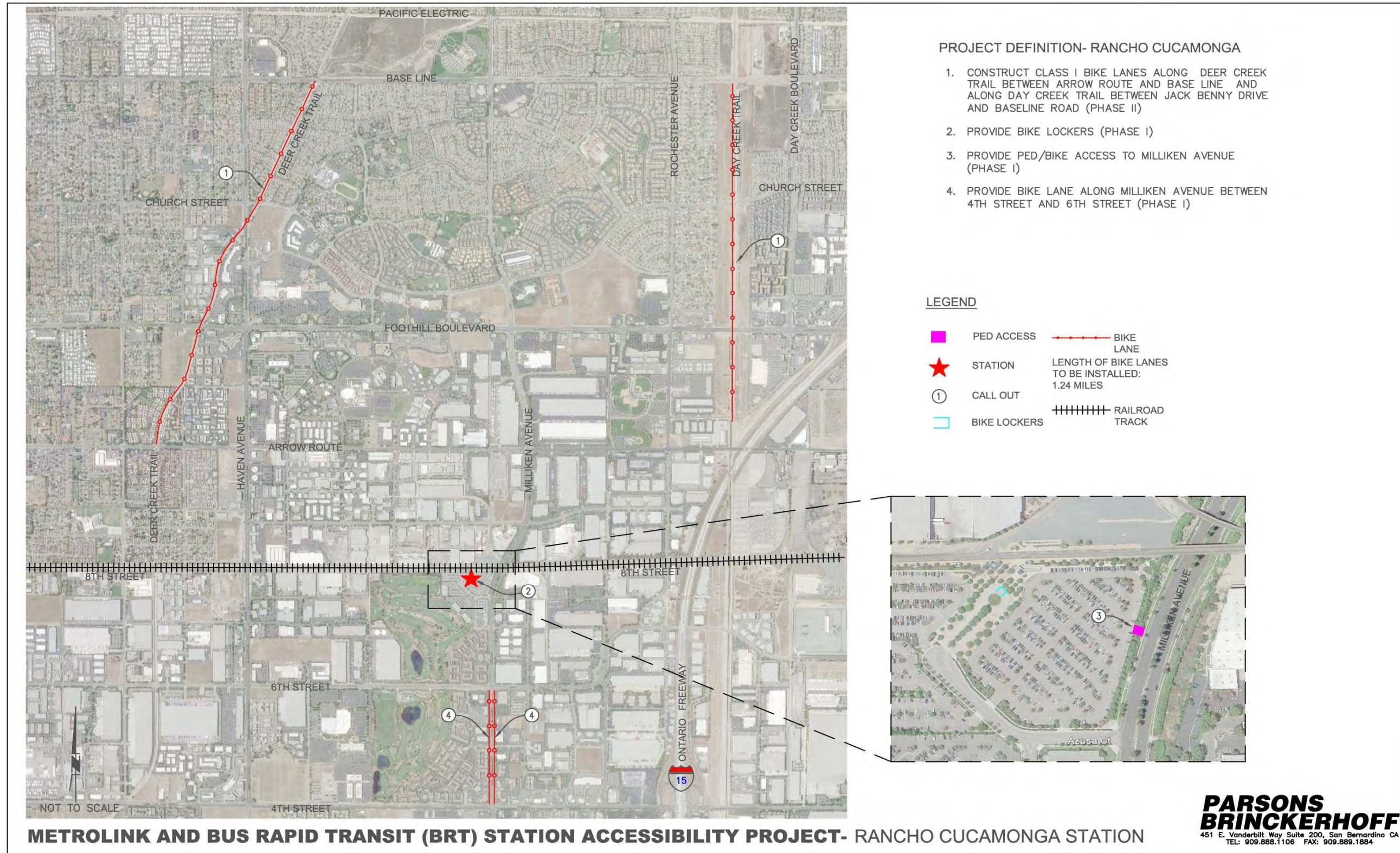
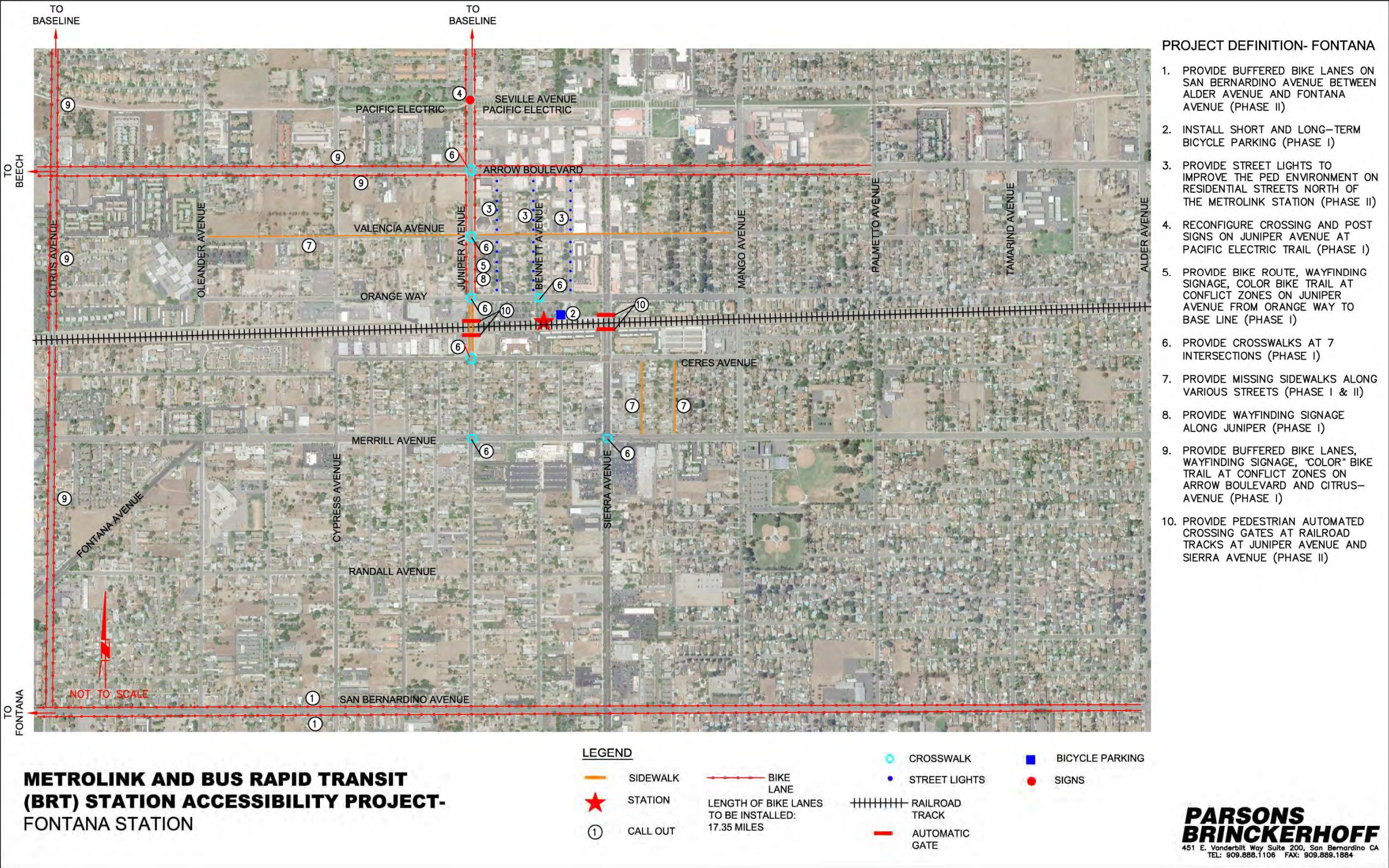
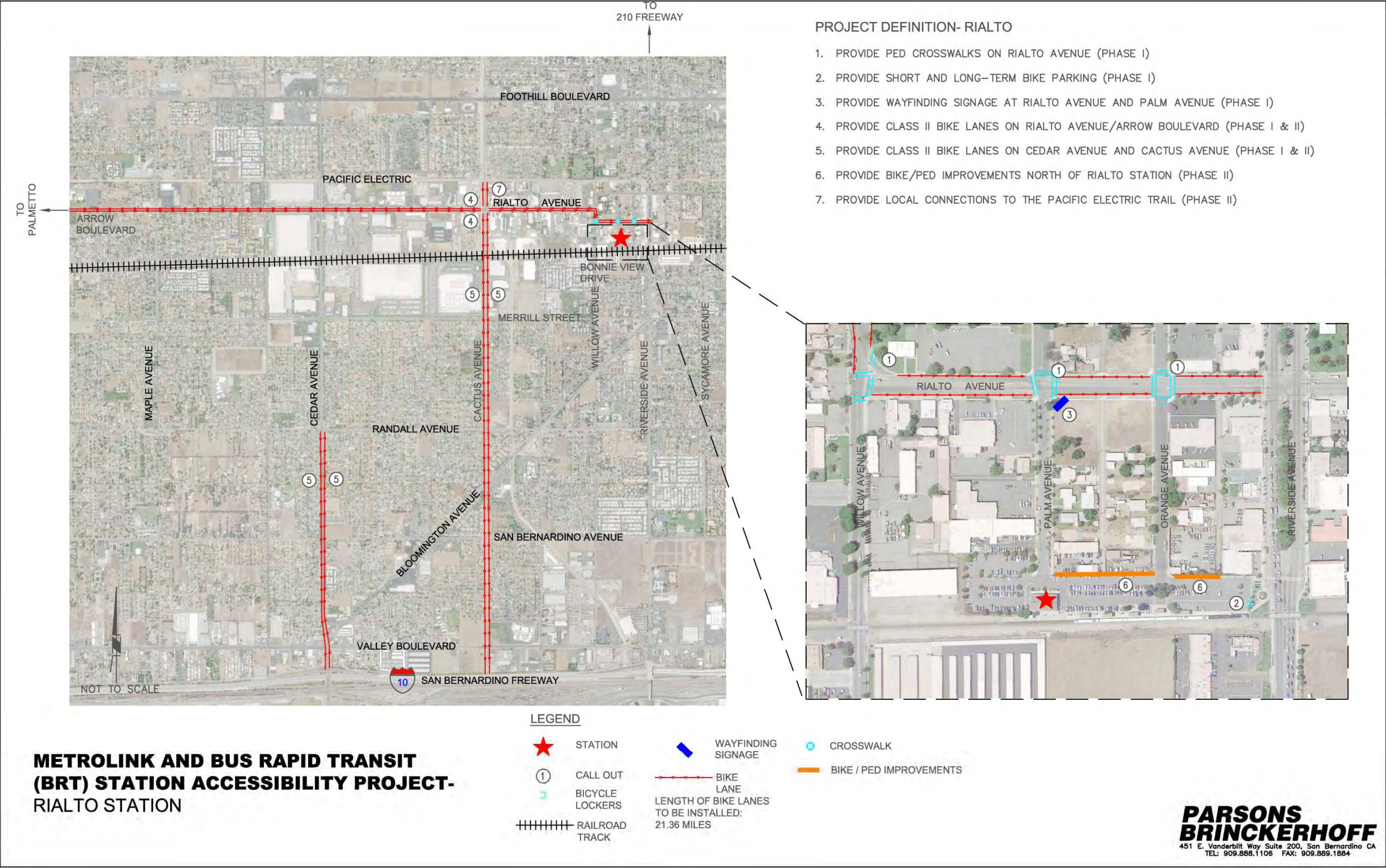


Figure 5: Fontana Metrolink Station Proposed Pedestrian and Bicycle Network Improvements

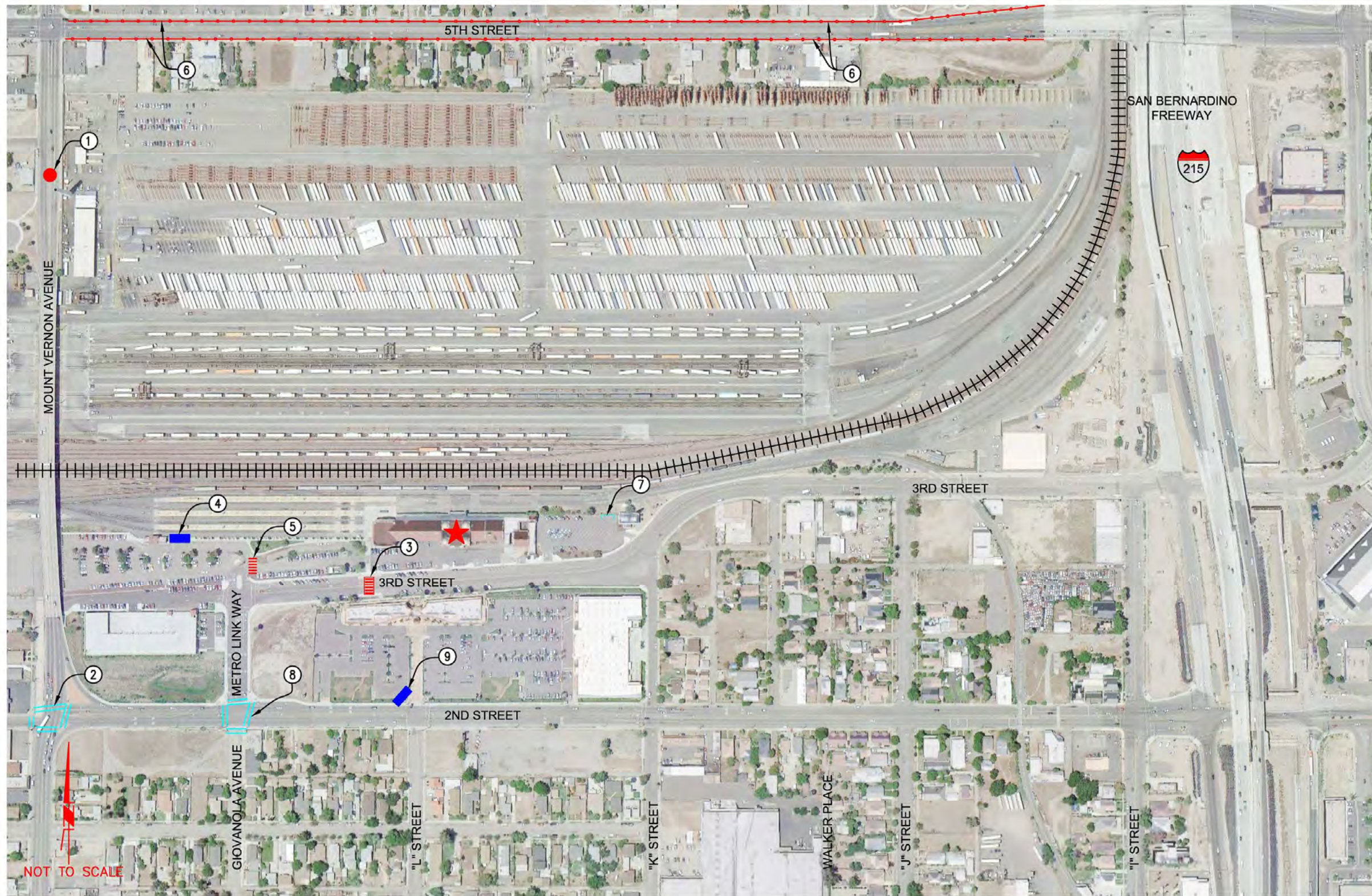


Attachment: RevFinal-SANBAG ATP_CEQA Exemption Documentation_2015-11-16 (2442 : Metrolink Station ATP - Authorize Environmental

Figure 6: Rialto Metrolink Station Proposed Pedestrian and Bicycle Network Improvements



Attachment: RevFinal-SANBAG ATP_CEQA Exemption Documentation_2015-11-16 (2442 : Metrolink Station ATP - Authorize Environmental



- PROJECT DEFINITION-
SAN BERNARDINO**
1. REPAIR EXISTING UNEVEN SIDEWALK PAVEMENT ALONG MT. VERNON AVENUE (PHASE I)
 2. PROVIDE PED CROSSWALKS AT MT. VERNON AVENUE AND 2ND STREET (PHASE I)
 3. PROVIDE MID-BLOCK CROSSWALK ON 3RD STREET (PHASE I)
 4. INSTALL WAYFINDING SIGNAGE FOR LOCAL BUS STOPS ON 3RD STREET (PHASE I)
 5. PROVIDE PEDESTRIAN WALKWAY STRIPING IN PARKING LOT (PHASE I)
 6. PROVIDE BIKE LANE ON 5TH STREET BETWEEN MT. VERNON AND I-215 FREEWAY (PHASE II)
 7. INSTALL SHORT AND LONG-TERM BICYCLE PARKING (PHASE I)
 8. PROVIDE CROSSWALKS AT GIOVANOLA AVENUE AND 2ND STREET (PHASE I)
 9. PROVIDE WAYFINDING SIGNAGE AT "L" STREET AND 2ND STREET (PHASE I)

**METROLINK AND BUS RAPID TRANSIT (BRT) STATION ACCESSIBILITY PROJECT-
SAN BERNARDINO STATION**

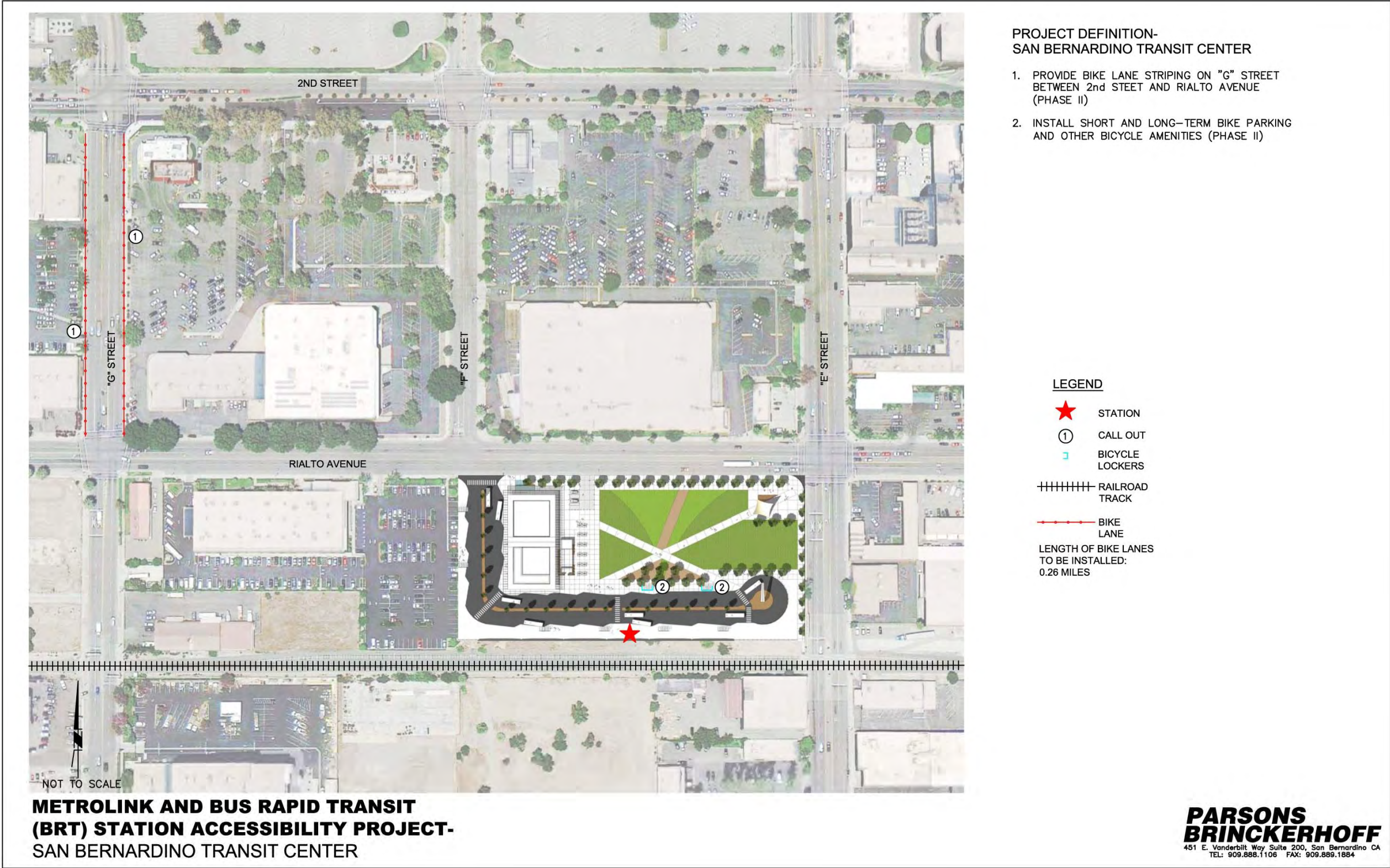
LEGEND

	SIDEWALK		WAYFINDING SIGNAGE		PED CROSSING
	STATION		BIKE LANE		CROSSWALK
	CALL OUT		LENGTH OF BIKE LANES TO BE INSTALLED: 2.38 MILES		RAILROAD TRACK
	BICYCLE LOCKERS				

**PARSONS
BRINCKERHOFF**
451 E. Vanderbilt Way Suite 200, San Bernardino CA
TEL: 909.888.1106 FAX: 909.889.1884

Attachment: RevFinal-SANBAG ATP_CEQE Exemption Documentation_2015-11-16 (2442 : Metrolink Station ATP - Authorize Environmental

Figure-8: San Bernardino Transit Center Proposed Pedestrian and Bicycle Network Improvements



Attachment: RevFinal-SANBAG ATP_CEQA Exemption Documentation_2015-11-16 (2442 : Metrolink Station ATP - Authorize Environmental

ATTACHMENT A- SCOPE OF WORK

RFP No. 15-1001122

San Bernardino Associated Governments, acting as San Bernardino County Transportation Authority ("SANBAG") is seeking professional services for the preparation of plans, studies and reports necessary for development of the Plans, Specifications and Estimate (PS&E) for the Metrolink Active Transportation Program, Phase I ("Project") at seven Metrolink Facilities in San Bernardino County.

The Active Transportation Program (ATP) was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. The ATP consolidates various transportation programs; including the federal Transportation Alternatives Program, state Bicycle Transportation Account, and federal and state Safe Routes to School programs into a single program.

This Project will improve pedestrian and bicycle accessibility at seven Metrolink Stations by extending bike trails and lanes, improving sidewalks and crosswalks, providing bike lockers and racks, and adding way-finding signage. The project locations and proposed improvements are identified in Figures A.1 to A.7. The proposed improvements have been divided into Phase I and Phase II elements based on a preliminary estimate and compatibility with available Phase I funding constraints. As the PS&E progresses, proposed improvements may be shifted between Phase I and Phase II to remain within funding constraints.

For the purposes of the RFP, and to meet project funding deadlines, assume a nine (9) month schedule from Notice- to-Proceed to a Ready-to-List package.

I. APPLICABLE STANDARDS

- A. All documents shall be prepared in accordance with current Federal, State and local regulations, policies, procedures, manuals, and standards where applicable. Consultant shall obtain, at its expense, all applicable Manuals and Standard Plans.
- B. Project plans and specifications must comply with the Federal Americans with Disabilities Act (ADA) requirements 28 CFR, Part 35 or Part 36, and the *California and Local Building Codes* within the project limits. In accordance with 28 CFR Sec. 35.151, curbs and ramps must meet current ADA standards if the project includes streets that are to be newly constructed or altered (includes repaving). For ADA requirements, see Chapter 11 "Design Standards," and Section 12.7 of this chapter. Complete the Caltrans Certification of Compliance with Americans with Disabilities Act (ADA) Form TR-040.

- C. The Task and WBS Structure used for pricing, cost reporting and schedule preparation is the Caltrans Workplan Standards Guide for Delivery of Capital Projects.
- D. Project Management will be performed in accordance to the Caltrans' Workplan Standards Guide for Delivery of Capital Projects.
- E. Project Plans will be prepared in MicroStation V8 format and in accordance with the Caltrans CADD User's Manual.
- F. Project Specifications and Special Provisions will be prepared in accordance with Caltrans 2015 Standard Specifications and Special Provisions
- G. Standard plans from each local Agency will be utilized for elements of work within their jurisdiction.

II. GENERAL DESCRIPTION OF REQUIRED SERVICES

- A. Consultant Services include the studies, reports, drawings, plans specifications, estimates, and special provisions necessary to complete the PS&E package.
- B. The Work includes ROW support, specifically related to utility research and coordination, surveys and mapping required for ROW and Utility certification.
- C. The Work includes design support during construction. Specifically, the scope includes providing background information on the PS&E package, answering Requests for Information (RFI) and preparation of the construction as-built package.
- D. The Moving Ahead for Progress in the Twenty First Century (MAP-21) requires pre-project and post-project pedestrian and bike traffic analysis and is included in this scope of work.
- E. The final technical reports must bear the signature, stamp or seal, registration number, and registration certificate expiration date of the registered civil engineer most directly in responsible charge or other registered or certified professional working on the report as specified in Section 9 of the Project Development Procedures Manual.
- F. Develop and maintain a Project schedule utilizing the Primavera P6 Project Management, Release 7.0 software or approved equal. The Project schedule will be presented monthly to the Project Development Team (PDT) meeting and electronic files will be provided as requested to SANBAG. A deliverables matrix will accompany the schedule. The deliverables matrix will highlight the status of the documents in the review process.

- G. Employ quality control procedures that identify potential risks and uncertainties related to construction of the Project. Risks that may be encountered include, but are not limited to, soil conditions, constructability, factors of safety, impacts to adjacent properties, public safety, and environmental considerations. If at any time during the performance of this Scope of Services, Consultant observes, encounters, or identifies any circumstances that could pose potential risk, Consultant shall notify SANBAG immediately.

III. PROJECT

This contract is for Phase I projects only. Figures A.1 to A.7 include both Phase I and Phase II projects. Both Phases are included in the Environmental Documents. Scope refinement will occur during the early design phase. For purposes of this RFP, assume the projects shown as Phase I in Figures A.1 to A.7 are included in this scope of services.

IV. ASSUMPTIONS

- A. Assume there will be three (3) meetings per month for the duration of the PS&E phase, including a monthly PDT meeting. Assume the PS&E phase spans nine (9) months.
- B. Assume there will be one (1) meeting per month for the duration of the construction phase and that construction spans nine (9) months.
- C. Assume eight (8) hard copies and eight (8) CDs of all final deliverables. Consultant will coordinate with SANBAG and each City prior to distribution of all deliverables to determine the points of contact and format of copies.
- D. Assume each major deliverable will include a SANBAG peer review in conjunction with a review by each local Agency, followed by a workshop for comment resolution, if required.
- E. SANBAG's ROW consultant has performed a utility investigation and has acquired facility mapping for utilities within the project limits. These utility facility maps will be provided to the Consultant to include in the plans and to identify conflicts.
- F. Assume all improvements will be within public right of way and temporary construction or permanent easements will not be required.

V. SCOPE OF SERVICES

The following is a summary of anticipated tasks outlined in the Caltrans Work Breakdown Structure (WBS) necessary to complete the PS&E phase and obtain

Caltrans approval. This summary is not intended to be all inclusive and work may include tasks listed in the WBS that are not identified in this summary.

Task 100 Project Management

The services provided include the initiation and planning of the project, and the execution, control and close out of the project. Tasks include:

- Initiation and planning of the project
- Providing project management and supervision of project staff to facilitate the performance of the work
- Preparation and maintenance of the Project schedule and deliverables matrix
- Presenting the schedule and deliverables matrix to the monthly Project Development Team (PDT) meeting
- Coordination with Agencies to determine project priorities and access permit requirements
- Coordination with the PDT and project stakeholders
- Administering subcontracts and directing their work (if applicable)
- Preparation and distribution of agendas prior to the meetings, preparation of meeting minutes and distribution of minutes within five working days after the meetings
- Organizing the Kick-off Meeting with Project Stakeholders to define the project and project limits, review roles and responsibilities, and determine which document deliverables are necessary
- Development and maintenance of the Work Plan
- Preparation of remedial actions to recover schedule loss
- Development and use a Project Specific Quality Assurance and Quality Control Plan in conformance with Section VI.
- Development and use a Project Management Plan.
- Development and use a Risk Management Plan.
- Development and use a Document Control Plan

Deliverables:

- PDT meeting notices, agendas, handouts, and minutes
- Presentation materials consisting of agendas, previous meeting minutes, current schedule and deliverables matrix, current plans and action item log.
- Monthly Project Master Schedule delivered one week prior to the PDT meeting.
- Project Master Schedule in electronic format delivered as requested.
- Project Specific Quality Assurance and Quality Control Plan
- Project Management Plan
- Project specific Risk Management Plan
- Document Control Plan
- Final copy of all major deliverables during close-out

Task 160/165 Preliminary Engineering and Environmental Studies

Project Initiation Documents and some preliminary engineering studies were completed for the ATP Grant Application and the "Improvement to Transit Access for Cyclists and Pedestrians Report". Prior to starting the PS&E activities, an assessment is required of preliminary engineering studies requirements to support the PS&E Work. Coordinate with PDT to determine which of the following are required and at what level.

- Surveys and maps to determine boundary information
- Topography, Base Maps and Plan Sheets
- Utility locations plans and estimate
- Preliminary Investigation Report to assess work-site conditions and topographic data
- Geometric Plans, Horizontal and Vertical Alignments
- Water Quality Management Plan
- Fact Sheet for Exceptions to Design Standards (if required)

The following are required:

- Transportation Problem Definition and Site Assessment for Impacted Roadways
 - Compile and review existing background information.
 - Review existing reports studies and mapping including planning documents, field reviews, as-builts, base mapping, existing surveys and ROW maps.
 - Develop project constraints and information required to determine the extent of the existing problem and future needs including discussions with internal and external stakeholders.
 - Analyze the existing problem and future requirements to determine the project's need and purpose.
 - Prepare the necessary Fact Sheets for Design Exceptions, in the event that non-standard features are necessary.
- Foot and Bicycle Traffic Assessment: ATP requires bike and pedestrian counts be conducted and report generated before and after the Project. The methodology for performing bicycle and pedestrian counts is outline by the Southern California Association of Government (SCAG). The purpose of the count is to:
 - Determine existing travel patterns and demand;
 - Evaluate the effectiveness of programs and/or facilities to promote walking and biking (before and after studies);
 - Identify corridors where current use and potential for increased use is high;
 - Track trends over time;
 - Improve pedestrian and bicycle safety and evaluate the impact of different design treatments on collision rates;
 - Identify locations for pedestrian and bicycle facility improvements and design appropriate treatments;

- Measure demographic changes as facilities that increase user comfort and attract a wider range of pedestrians and bicyclists are developed;
 - Assess future pedestrian and bicycle travel demand;
 - Prioritize bicycle and pedestrian improvement projects.
- List of permits required to complete project

Task 185 Base Maps and Plan Sheets

Work during PS&E development involves the preparation of geometric base maps and functional base plan sheets, including review of existing project information, gathering appropriate mapping, conducting additional studies. Final products of this task include preparation of Right of Way maps and plan sheets.

The task includes updating the project information needed to prepare the engineering design report, perform preliminary design and determine ROW requirements.

Specifically:

- Field reviews and topographic surveys
- Research and obtain copies of existing studies
- Research, obtain, and review utility maps and plans
- Obtain Record of Survey, benchmark, and centerline tie information
- Produce mapping and survey control necessary for the PS&E including
 - Incorporation of Basic (Corridor) Control and adjacent project.
 - Establishing primary control throughout the project
 - Establishing supplemental control for the project
 - Documenting the control survey.

Deliverables:

- Updated project information and confirmation of Purpose and Scope
- Permanent Project Control Monumentation
- Project Control Diagram or Control Record of Survey
- Project Control Report
- Project file containing the following:
 - Topography
 - Right of Way boundaries
 - Structures
 - Utility Locations

Task 230 Draft PS&E Package

Work involves the preparation and review of draft roadway plans, specifications, estimates, roadway design and functional PS&Es. Due to the limited impact of the

project on the community or environment, not all PS&E studies or deliverables may be required.

Fact Sheets: Prepare the necessary Fact Sheets for Design Exceptions, in the event that non-standard features are necessary.

Engineering Reports: Finalize project design reports needed to establish design parameters and complete design.

Electrical Service Coordination: This task includes all efforts required to coordinate and obtain electrical service agreements with the local electrical service providers. Service agreements may be required for signal, lighting, communication and irrigation elements of work.

Deliverables:

- Road and Highway Plans including, but not limited to Title Sheet and Key Maps, Project Control, Typical Sections, Layouts, Profiles, Construction Details, Summary of Quantities, Water Pollution Control, Drainage, Utility (existing and proposed), Stage Construction, Traffic Handling, Detour, Pavement Delineation, Sign, Removal, Landscape & Planting, Irrigation, Erosion Control
- Project Specifications
- Response to Comments Matrices (PEER review and Agency comments)
- Quantities Estimate
- Cost Estimate
- Engineering Reports and Calculations
 - Hydrology and Hydraulics Analysis (if required)
 - Water Quality Management Plan
 - Electrical Load Calculations
- Draft PS&E Submittal Packages (65% and 95%)
- Electrical Service Agreements

Task 255 Final PS&E Package

This activity includes reproduction, distribution, coordination, and circulation of the project's plans, specifications and estimate. Included are coordinating reviews, reaching consensus and incorporation of comments. Task includes:

- Final Plans including Constructability Review.
- Utility Plans for conflicts (proposed and existing)
- Review Project for Final Permit Needs
- Review Aesthetics
- All Specifications and Estimate
- Materials design elements and specifications
- Conformity with Environmental Commitments
- Perform Safety Review
- Perform PS&E Reviews
- Prepare Construction Staking Package
- Prepare Resident Engineer's Pending File
- Final bid package for construction

- Support construction procurement as required
- Incorporate PEER review, Agency comments and constructability review comments

Deliverables:

- Comment Resolution Matrix or focus meetings as required
- Updated PS&E Package
- Approved Environmental Reevaluation
- Final PS&E Package
- Materials Information Handout
- Construction Staking Package
- Resident Engineer's Pending File

Task 200/220 Right of Way Engineering

This task identifies Consultant Right of Way and Utility services. Consultant Work includes mapping for utilities and identification of conflicts and coordination with the Utility Companies to produce the utility plan sheets. Consultant Work includes the following:

- Utility Relocation Plan: Coordinate with the Utility Companies to produce the utility relocation plans for the protection, removal and relocation of utility facilities necessary to clear and certify ROW.
- ROW and Utility Certifications.
Potholing: Pothole plan and Pothole exploration necessary to positively locate potential utility conflicts.

Deliverables:

- Right of Way Mapping
- Utility Location Maps (existing and proposed)
- Pothole Request Map
- Pothole Data
- Utility Coordination efforts
- Utility Agreements (if required)
- Railroad Agreements (if required)
- Utility Certification
- Right of Way Certification

Task 270 Construction Engineering - Technical Support

Provide Technical Support to the construction engineering staff including design, traffic, hydraulics, materials, structures design, geotechnical services, environmental, landscape and other specialty staff. Functional support may include attendance at prework conferences, construction meetings, on-site construction support and RE pending file review.

Task 295 Final Construction Report

Work includes coordination with the construction manager and Resident Engineer to develop as-built plans in accordance with Caltrans and the City Standards. Work includes the transfer of the red-line As-Built plan mark-ups to the original full size reproducible plan sheets (or CADD file) and forwarding a reproducible set of plans with the transferred As-Built changes to SANBAG and appropriate agencies.

Deliverables:

- As-Built construction package
- Electronic and hardcopy submittal for SANBAG and City records

VI. PROJECT SPECIFIC QUALITY ASSURANCE AND QUALITY CONTROL PLAN REQUIREMENTS

Quality Assurance (QA) encompasses all of the planned and systematic activities implemented within the quality system that can be demonstrated to provide confidence that a product or service will fulfill requirements for quality. Quality Control (QC) consists of operational techniques and activities used to fulfill requirements for quality. For environmental review process, preliminary engineering and final design, QC includes technical checking, review and design verification activities, while the QA activities includes the monitoring, surveillances, auditing and other means of oversight of the QC activities and documentation, to ensure completeness and adherence to the QC procedures.

A project specific quality management plan (herein referred to as a Project QA/QC Plan) shall be developed by the Consultant and submitted to SANBAG for review and approval. The Project QA/QC Plan shall describe how QA and QC will be executed and managed by the Consultant and its subconsultants. In lieu of a Project QA/QC Plan, for small projects at the discretion of the SANBAG Director of Project Delivery, a copy of the Consultant's standard QA and QC procedures that are to be followed by the Consultant team (including subconsultants) for the project, will be submitted to SANBAG for review and approval. The standard QA and QC procedures document and any appended project-specific processes, should address the same requirements listed below for the Project QA/QC Plan.

The following is a list of the minimum content and scope of what the Project QA/QC Plan shall contain. When submitted to SANBAG for review, the Project QA/QC Plan will be reviewed and assessed to ensure that these topic areas are covered and adequately addressed by the plan.

Project Introduction and Scope:

1. Project description
2. Scope of work
3. Quality objectives
4. List of deliverable documents for each milestone submittal

Project Team Qualifications, Organization, Staff, Roles and Responsibilities:

5. A description of the minimum resource requirements for staff competence, skills, experience, and credentials.
6. Organization chart showing project staff and lines of QA and QC authority and communications.
7. List of project staff members, roles and responsibilities, including verification, QC review and technical checking, Project Management, Project QA Management and Technical Lead duties.

Quality Training:

8. Quality training, including a training syllabus, schedule, and methods of tracking the staff that have been trained.

Scheduling of Quality Activities:

9. Detailed QA and QC schedule that provides the timing, durations, and dependencies for all QC technical checking, interdisciplinary reviews, internal design verification against project criteria, and internal QA audits.

SANBAG, Caltrans Reviews:

10. Formal external (SANBAG and Caltrans) review schedules (Peer Reviews and Constructability Reviews).
11. Processes for SANBAG Peer Review and Caltrans review comments tracking, response, resolution, checking of comment incorporation, and closure process.

Internal Reviews:

12. Quality procedures related to interdisciplinary design review (IDR) process.
13. Technical review of environmental reports.

Management of Requirements:

14. The requirements for the development of a Basis of Design report that includes a list of governing project criteria, source documents for the governing criteria, including those from Caltrans, SANBAG and local municipalities.
15. Requirements management processes used to track design variation requests, and procedures for changes to the requirements as a result of approved design variances.

Quality Procedures for Project Controls:

16. Project QA and QC procedures related to approved project scope changes and associated revisions to estimates and schedule.
17. Project QA and QC procedures for configuration management against the baseline design.

Quality Control (QC) Procedures:

18. Detailed QC procedures, including descriptions of process steps and documentation of processes for technical checking, QC reviews, and design verification. The procedures for technical checking will include:

- QC testing and validation of computer software used for the calculations
 - Checking of calculations and data (hand calculations and computer calculations input and output)
 - Checking of drawings and exhibits
 - Checking of specifications and contract documents
 - Checking of quantities and cost estimates
 - Review of studies or report-type documents
 - QC of CADD-produced documents
19. Checklists to be used to verify: design criteria / technical compliance; submittal contents; CADD compliance; specifications compliance; calculations compliance; and milestone specific level of completion.

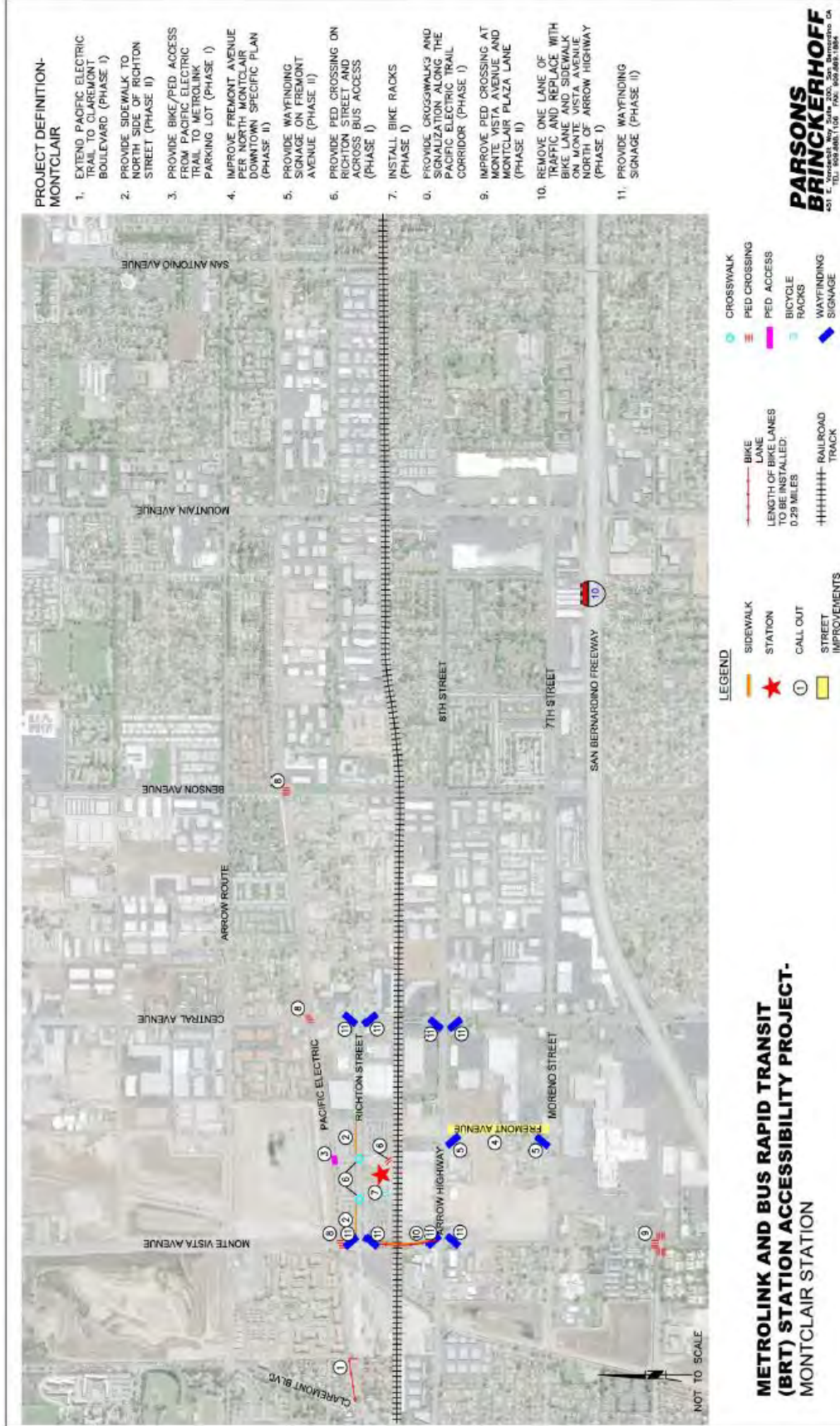
Quality Assurance (QA) Procedures:

20. The processes for QA monitoring, surveillances, and audits of the QC activities, including when QA audits are to be conducted prior to submittals, and the QC activities and QC documentation to be audited.
21. Processes for the management of the implementation of Corrective Action to internal and external QA audit non-conformances and findings.

Quality Documentation:

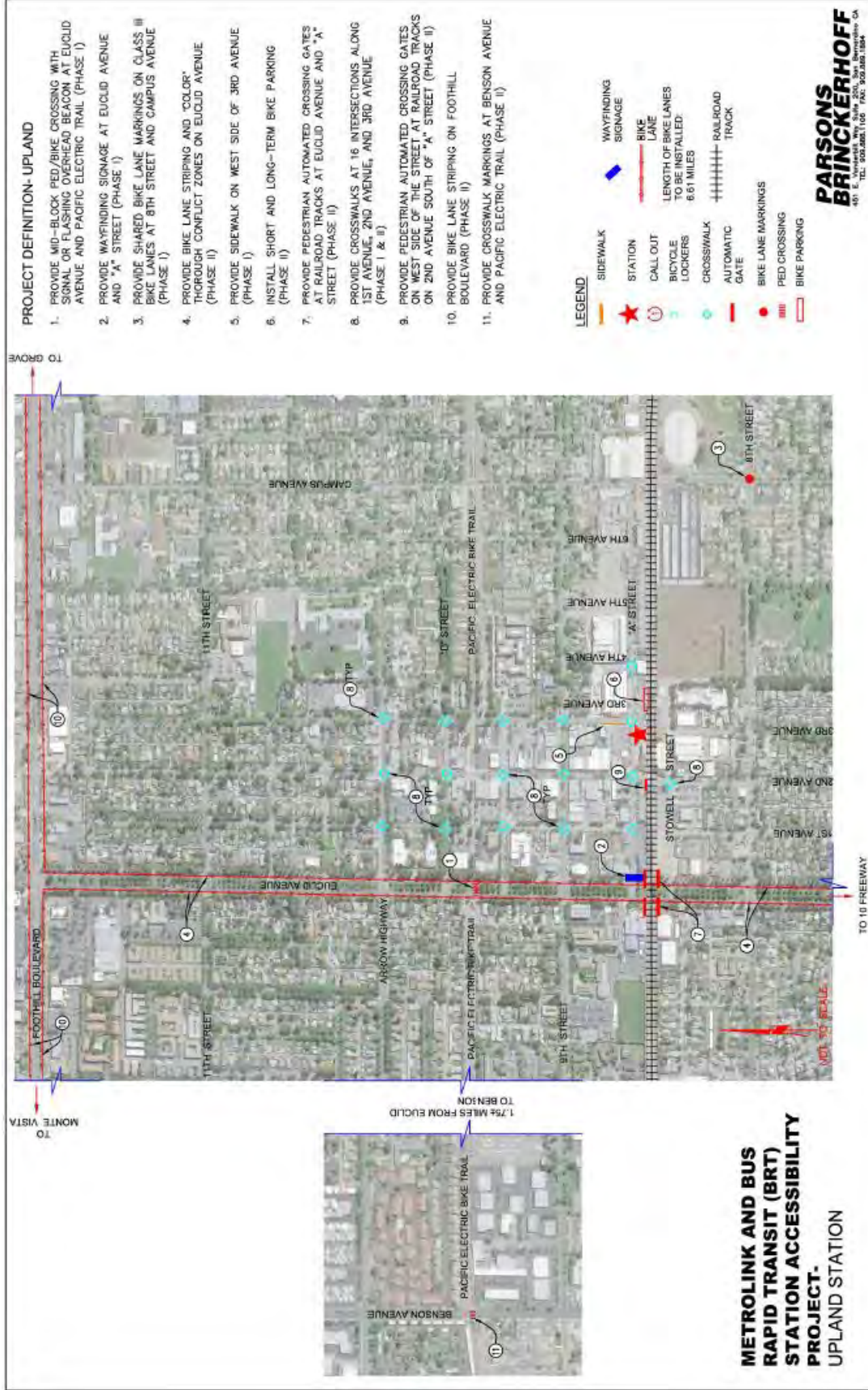
22. Quality Records list or definition.
23. Document Control procedures, including electronic files and project folders, submittal procedures, control of hardcopies, uploading of scanned hardcopy PDF files, document retention requirements, and the treatment of quality documents. This part of the Project QA/QC Plan may reference sections of a project management plan and/or a separate project or firm document control plan.

Figure A.1



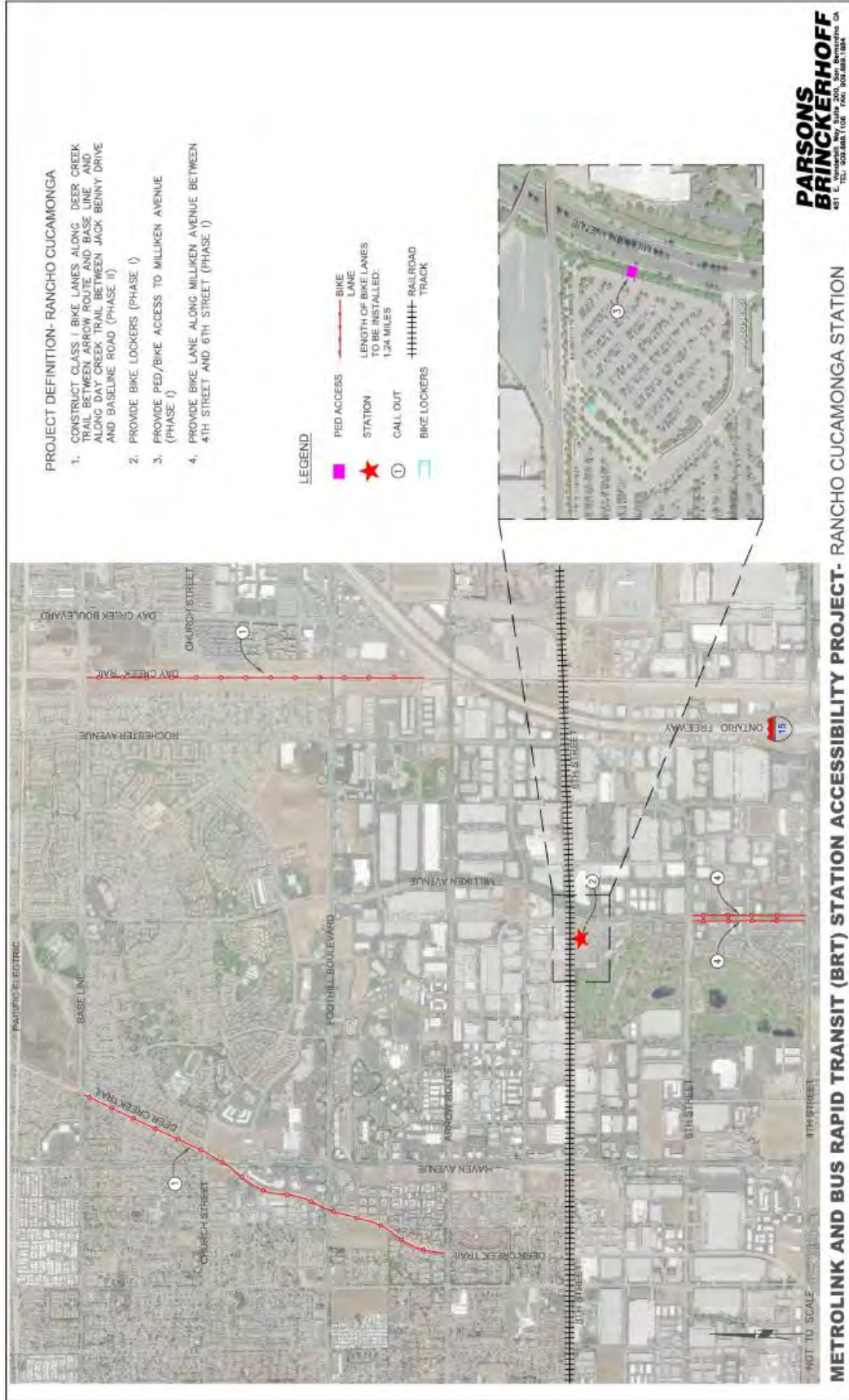
Attachment: Metrolink ATP Scope of Work (2442 : Metrolink Station ATP - Authorize Environmental Approval)

Figure A.2



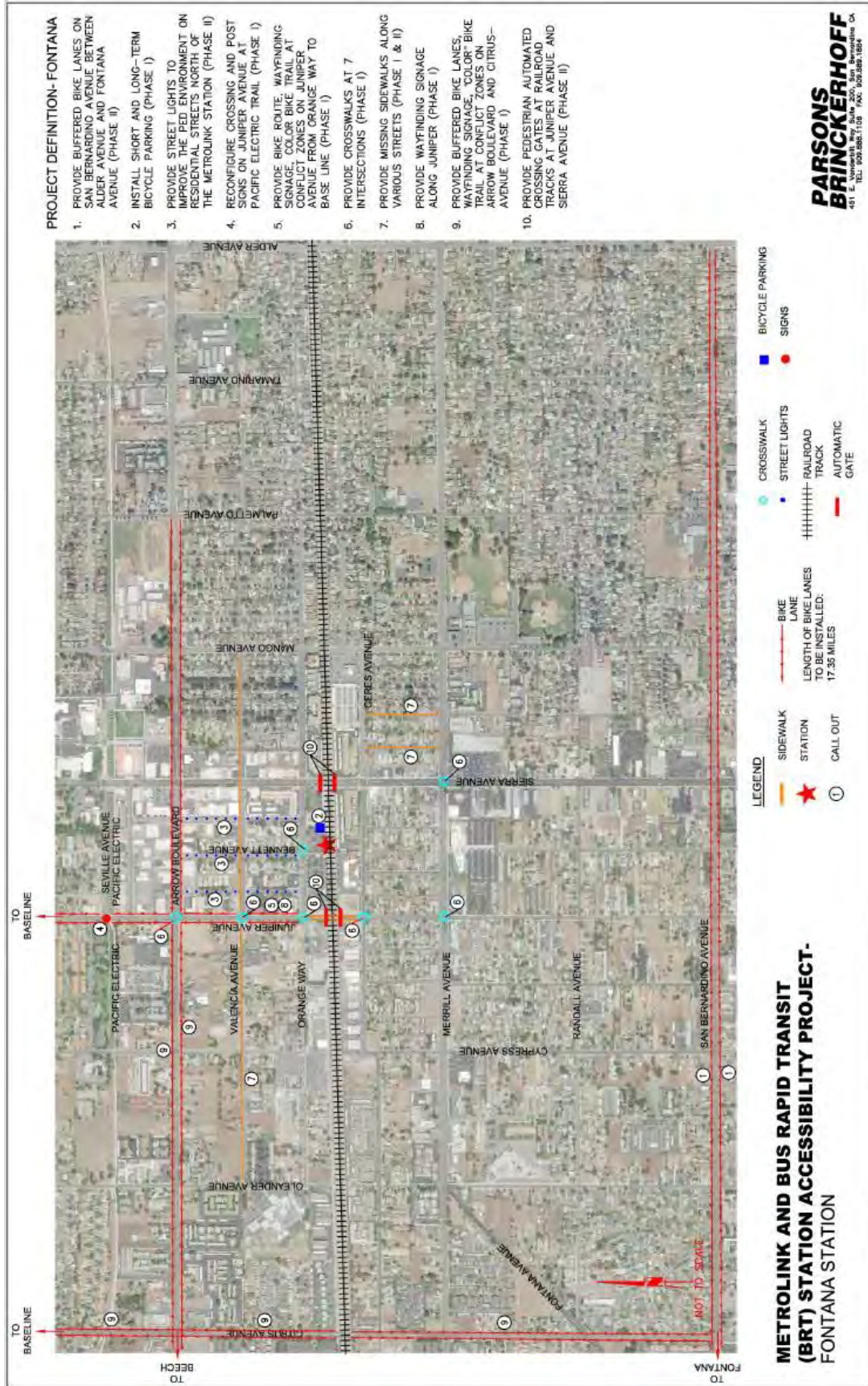
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Figure A.3



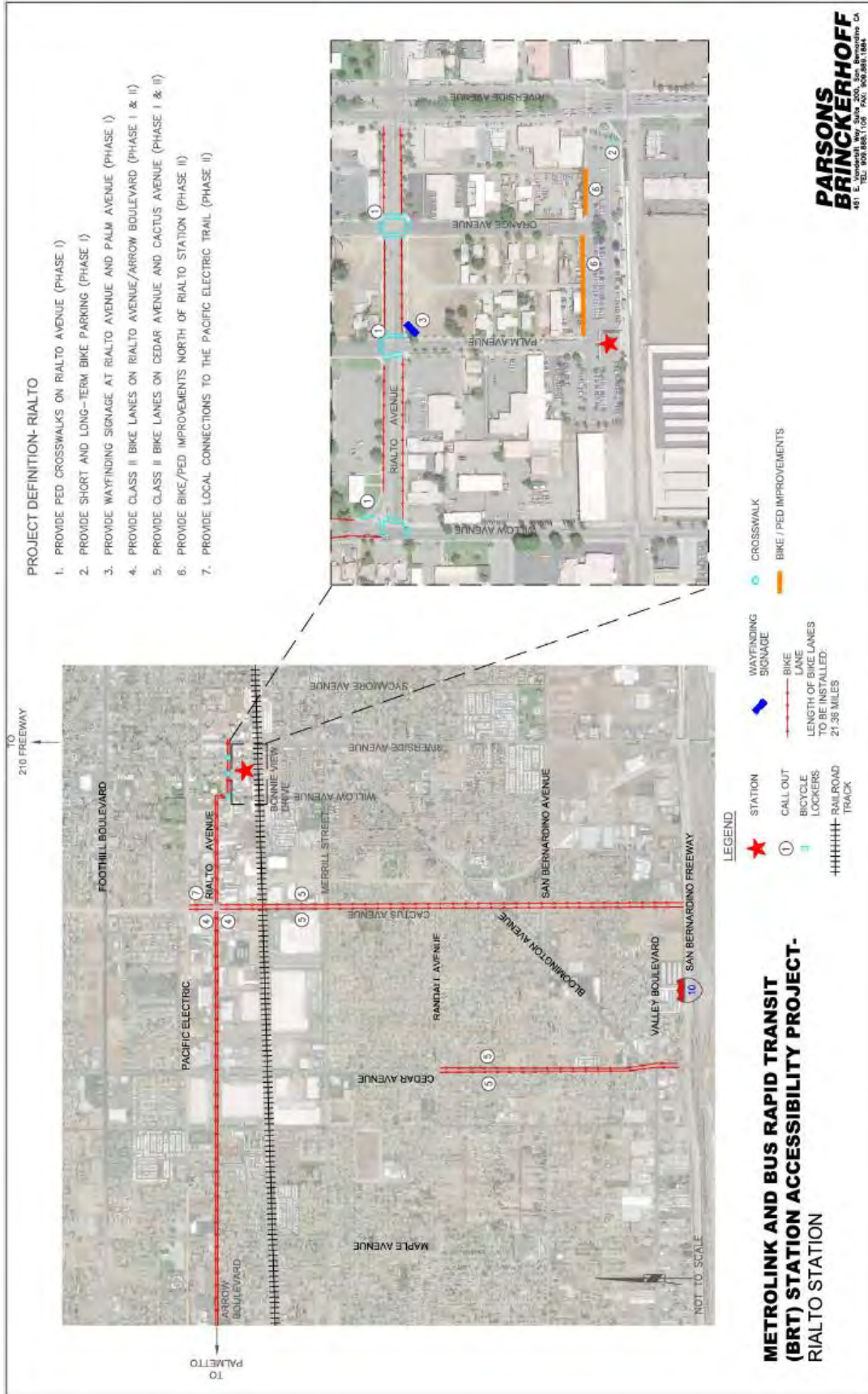
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Figure A.4



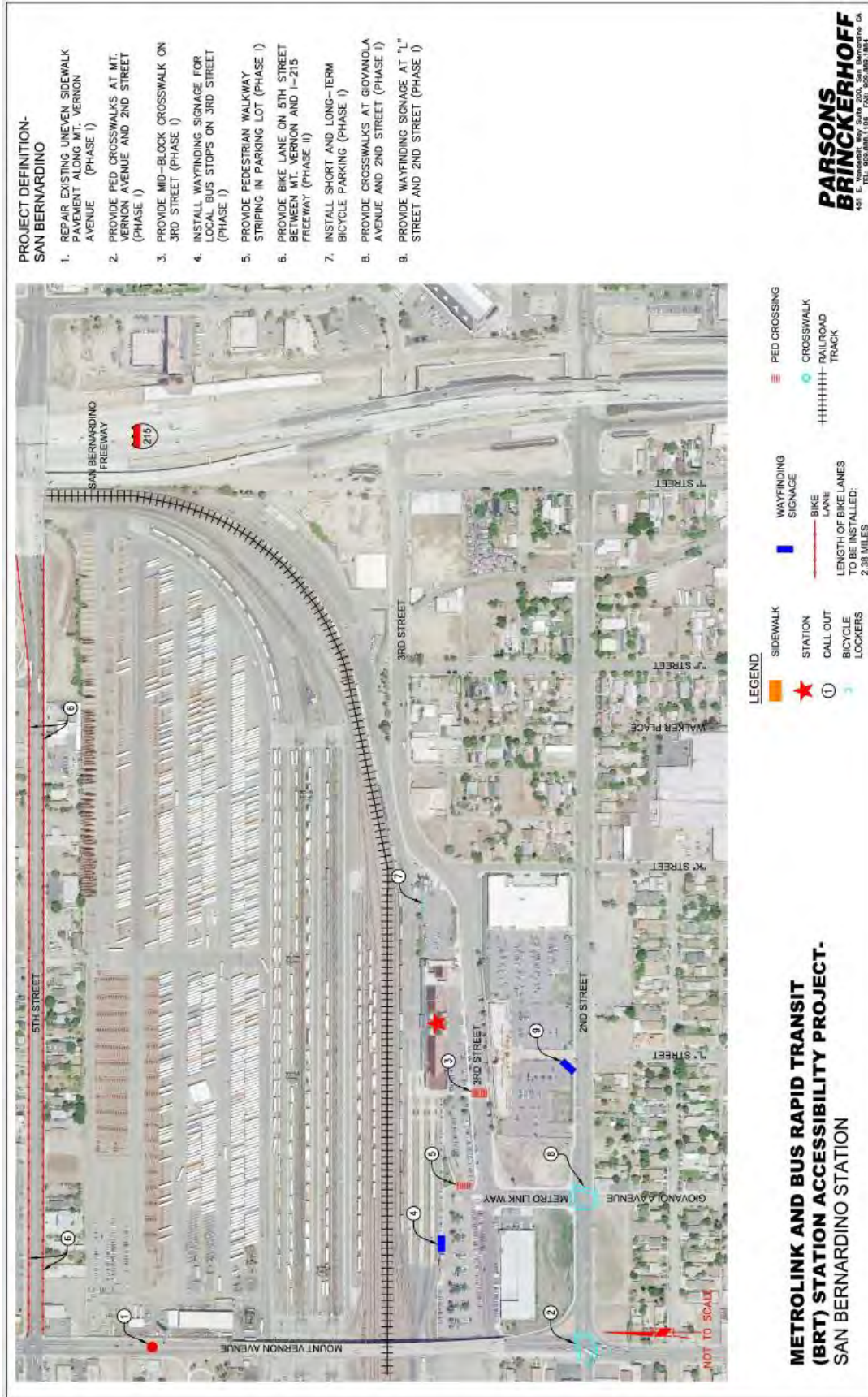
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Figure A.5



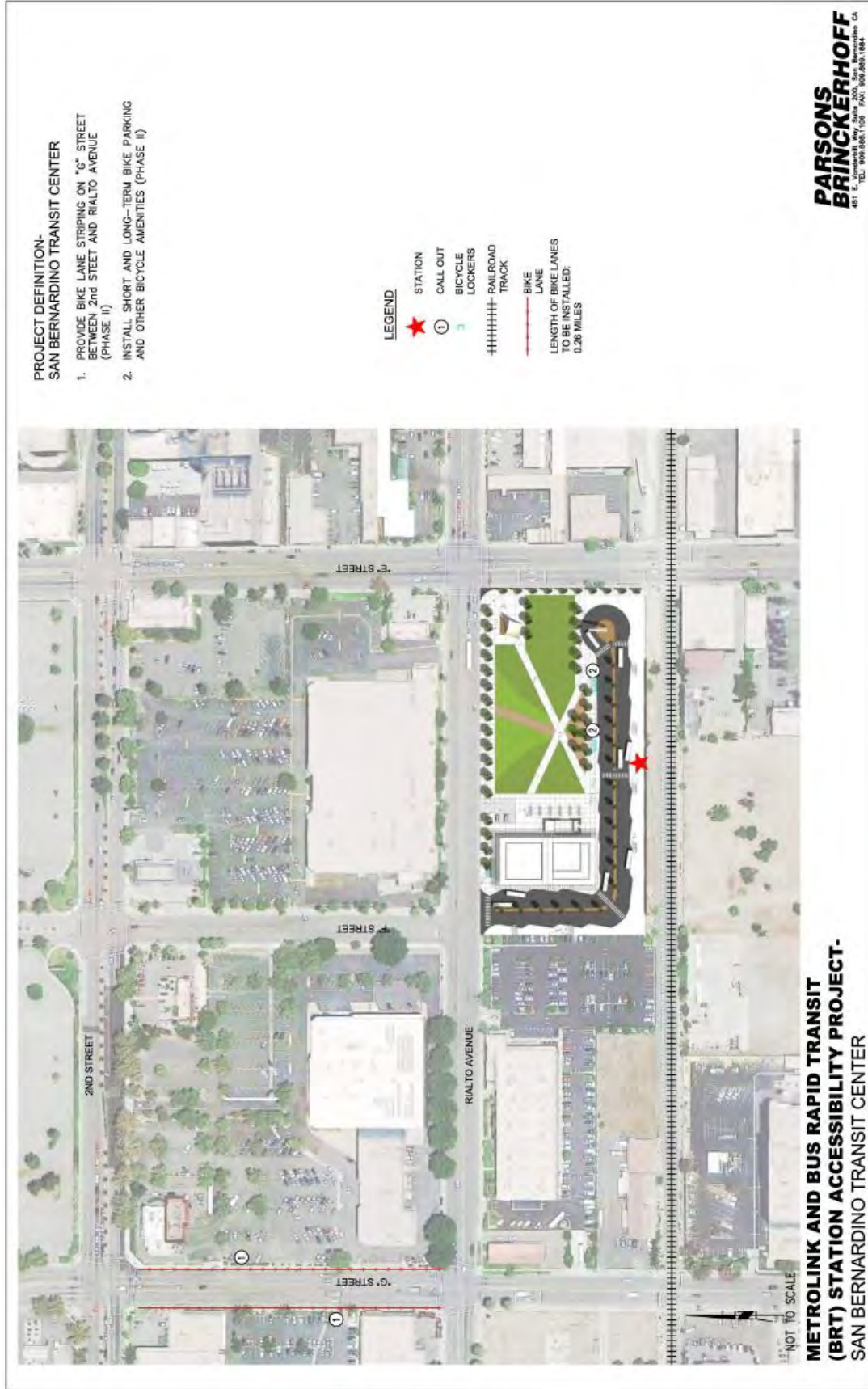
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Figure A.6



Attachment: MetroLink ATP Scope of Work (2442 : MetroLink Station ATP - Authorize Environmental Approval)

Figure A.7



Attachment: Metrolink ATP Scope of Work (2442 : Metrolink Station ATP - Authorize Environmental Approval)

Minute Action

AGENDA ITEM: 11

Date: *January 6, 2016*

Subject:

Award of a New Program Project Management and Other Technical Services Contract

Recommendation:

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

Approve Contract 15-1001195 with Parsons Transportation Group, Inc. to provide Program Project Management and other Technical Services for a five year term in an amount not to exceed \$29,681,835.00.

Background:

The SANBAG Board of Directors approved the release of a Request for Proposals (RFP) for Program Project Management and other Technical Services in support of the Major Projects Program at the April 2015 Board meeting. The solicitation was issued in accordance with current SANBAG policies and procedures for procurement of an Architectural and Engineering services contract on April 2, 2015, when it was posted on SANBAG's website and distributed to registrants of Planet Bids. A Pre-Proposal meeting was held on April 16, 2015, and was attended by sixteen (16) individuals representing thirteen (13) firms. Addendum No. 1 was issued on April 17, 2015, with the agenda and sign-in sheet from the Pre-Proposal meeting. Addendum No. 2 was issued on May 19, 2015, which responded to questions received.

On May 29, 2015, a single proposal was received by the date and time specified in the RFP. Parsons Transportation Group (Parsons) was the only firm that submitted a proposal. Some potential firms, who provide similar services, were contacted by the Procurement Manager to find out why they did not submit a proposal. A couple of firms indicated that they did not have the staffing for a program of this size at this time. One of the firms stated that they have changed their focus to design-build type projects. Another firm stated that their firm lacked sufficient preparation time to submit a proposal, however, Planet Bids confirmed that this particular vendor had received the notification when the RFP was released. Upon following up with this particular firm to understand the nature of their time constraint, the Procurement Manager was then informed that the firm's representatives wanted to propose but felt that it would be hard to unseat the incumbent firm.

A responsiveness review was conducted by the Procurement Manager and found the proposal to be responsive. The following is a summary of the events that transpired in the evaluation and selection process. An evaluation panel was created that consisted of staff members representing SANBAG, Riverside County Transportation Commission, Orange County Transportation Authority and Caltrans. Evaluators conducted their individual reviews of the proposal and convened on June 12, 2015, to review, discuss, and score the proposal. The evaluation panel members each discussed their measurements of the proposal against the evaluation criteria, the proposal's strengths and weaknesses, and the offerings of the proposed team. The proposal's

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strengths included: providing enhancements, knowledge of the project, good staff, good subconsultants, and an excellent work plan. The evaluation panel did not find any major weaknesses within the proposal. At the completion of the discussion, the evaluation panel members individually scored the proposal based on the evaluation criteria which was included in the RFP: Qualifications of the Firm, Related Experience and References - 30%; Proposed Staffing and Project Organization - 40%; and Technical Approach/Work Plan - 30%.

Overall, the evaluation panel scored the firm a total of four hundred forty-eight (448) points out of five hundred (500) possible points. Minor variances in the criteria scores were noted and discussed. To summarize, the firm clearly demonstrated a thorough understanding of the scope of work and proposed an overall solid, experienced team as was indicated in the evaluators' scoring. As a result of the favorable opinion of the evaluation panel, staff engaged in negotiations of the scope of work and contract cost and found that the contract value is consistent with the independent cost estimate. Staff requests that the Board of Directors approve Contract 15-1001195 with Parsons to perform Program Project Management and Other Technical Services in support of the Major Projects Program for an amount not to exceed \$29,681,835.00.

Financial Impact:

This item is consistent with the adopted 2015/2016 Fiscal Year Budget and is funded with various local funding sources and Measure I.

Reviewed By:

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and a draft of the contract.

Responsible Staff:

Garry Cohoe, Director of Project Delivery

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 15-1001195 Amendment No.: _____ Vendor No.: 01600
 Vendor/Customer Name: Parsons Transportation Group, Inc. Sole Source? Yes No
 Description: Program Project Management and Other Technical Services
 Start Date: 3/1/2016 Expiration Date: 2/28/2021 Revised Expiration Date: _____
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: _____

Dollar Amount			
Original Contract	\$ 29,681,835.00	Original Contingency	\$ -
Revised Contract (Inclusive of Prior Amendments)	\$ -	Revised Contingency (Inclusive of Prior Amendments)	\$ -
Current Amendment	\$ -	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 29,681,835.00	TOTAL CONTINGENCY VALUE	\$ -
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 29,681,835.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 1/6/2016
 Board of Directors Action: Approve contract

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: Garry Cohoe

Attachment: Contract Summary Sheet (2441 : New Program Project Management Contract)

ATTACHMENT A – “SCOPE OF WORK”

Attachment: 15-1001195 SOW ds edits 7-8-15 (2441 : New Program Project Management Contract)

Attachment A

SCOPE OF WORK

Program Project Management and other Technical Professional Services

The San Bernardino County Transportation Authority is contracting for Program Project Management Consultant services to support the implementation of various transportation projects.

1.0 BACKGROUND

San Bernardino County Transportation Authority (SANBAG) is responsible for managing transportation projects in San Bernardino County including environmental, design, right of way, and construction. The projects comprise improvements for freeways, highways, railroad grade crossings, and local roads. SANBAG is obligated to deliver the projects using the funds available and in a timely manner. The Program Project Management Consultant (CONSULTANT) will assist the SANBAG staff by providing staff assistance and technical expertise in managing and overseeing transportation projects.

Each project will be a significant undertaking that requires CONSULTANT assistance to serve as advisors, managers, and an extension to SANBAG staff.

2.0 GENERAL DESCRIPTION OF SERVICES

SANBAG will provide overall direction for the transportation program and assign its own staff to perform specific job responsibilities. Under this contract, CONSULTANT shall function as an extension of SANBAG staff and supplement SANBAG staff by providing specialized expertise as required to effectively manage the program as well as individual projects. CONSULTANT shall provide technical expertise and support in all areas of project management, construction management, project controls, contract management, and other technical subjects related to transportation projects. Specifically, CONSULTANT shall assist SANBAG staff in the oversight, management, and completion of all work associated with the development and approval of the projects through construction. CONSULTANT shall also assist in the procurement of professional services for project components. CONSULTANT's support shall be in the following general categories:

- Program Management
- Project Management
- Project Oversight and Support
- Contract Management
- Project Controls

- Administrative Support
- Construction Management
- Technical support

3.0 SCOPE OF SERVICES

3.1 Program Management

CONSULTANT shall assist in managing and directing CONSULTANT personnel assigned in project management, technical oversight and support, contract management, project controls, administrative support, and construction management in an effort to deliver Measure I Projects from project initiation through construction closeout. CONSULTANT shall provide technical expertise and support in all areas of program management required to successfully deliver the Major Projects program. Reporting of project scope, schedule, and cost shall be performed routinely and as requested for various audiences. The CONSULTANT Program Manager, who will be assigned full time and reports to the SANBAG facility daily, will also serve as a project manager on specific SANBAG projects.

3.2 Project Management

CONSULTANT shall assist SANBAG in managing both corridor and individual transportation projects. CONSULTANT shall work with SANBAG, other consultants, federal agencies and its agents, Caltrans, County of San Bernardino, utility companies, various local agencies, resource agencies, and other stakeholders to assist in developing these projects. Activities include, but are not limited to:

- Provide project management direction and coordination to the project team.
- Develop and sustain an integrated team relationship with SANBAG's staff.
- Perform project management activities, collaborative practices, and problem solving for both corridor and project level.
- Write, maintain, review and/or audit project management plans, with particular emphasis on meeting Federal Highway Administration (FHWA) and Caltrans requirements, and maintain adherence to them.
- Support and participate in interagency coordination and public outreach. Prepare presentation materials, make presentations, as requested, and document the results.
- Coordinate SANBAG projects and document reviews with other project stakeholders such as Caltrans, County of San Bernardino, cities, utility companies, and other local agencies and stakeholders.
- Foster and maintain relationships with state, federal and local governments, resource agencies, and other consultants.
- Maintain and report scope, cost, and schedule for projects and programs.

- Manage and oversee other consultant's work, including performing peer reviews, and auditing consultant quality practices.
- Assure quality, efficient, and timely completion of all project components.

3.3 Technical Support

CONSULTANT shall assist SANBAG in the oversight of work performed by other consultants. This work may be performed by CONSULTANT staff assigned to SANBAG's office or by others working out of the CONSULTANT's office. As necessary, support in technical areas will be specifically requested and identified by SANBAG. Activities include, but are not limited to:

Technical Support

- Provide transportation engineering and technical expertise in all major elements of architecture and engineering (civil, structural, electrical, traffic, landscape architecture, drainage and storm water, utilities, etc.) as they pertain to transportation projects.
- Develop, maintain, and assure compliance of required criteria and standards for transportation projects.
- Prepare and review cost estimates, independent cost estimates, and unit costs in accordance with FHWA and/or Caltrans guidelines.
- Advise SANBAG staff in technical matters and assist in the resolution of technical issues and problems, including claims review and resolution.
- Value engineering and constructability review expertise as needed.
- Provide utility mapping and coordination, agreement preparation, and execution assistance.
- Assist in the preparation and implementation of Project Management Plans.
- Coordinate peer reviews and partnering sessions.
- Provide expertise in preparing information to meet Project Approval/Environmental Document (PA&ED), Project, Specifications & Estimates (PS&E), Bid Package, and Advertise & Award requirements including any progress reporting.
- Provide Risk Analysis support
- Prepare graphics and visuals.
- Prepare technical reports as assigned, including pre- and post- construction surveys.
- Provide alternative project delivery (i.e. express lanes, CMGC, Design-Build, etc.) support.

- Provide express lanes advisors to support such tasks as traffic and revenue studies, concept of operations, and financing.
- Provide hazardous waste advisor and support as required.
- Provide environmental, design, and construction management services as requested.
- Prepare and implement quality management plan and final acceptance program.

3.4 Contract Management

CONSULTANT shall provide contract management assistance to the SANBAG staff. Activities include, but are not limited to:

- Support in procurements of other consultants required for the development of transportation projects, including assistance with alternative project delivery methods, and contract administration.
- Assist SANBAG staff in preparing cooperative agreements with other agencies, consultant agreements, amendments, and scopes of work.
- Assist in reviewing other consultant, or local agency invoices for compliance with contract or cooperative agreement terms, including review for accuracy and consistency.
- Assist in administering payments and billings and other associated general administrative activities.
- Prepare contract status reports.

3.5 Project Controls

CONSULTANT shall assist the SANBAG staff with scheduling, budgeting, cost control, change control, quality control, and document control. Activities include, but are not limited to:

- Establish, maintain, and monitor the individual project schedules.
- Manage and maintain current cost estimates for each project and evaluate and incorporate any cost or project scope changes.
- Manage and maintain the program budget database, including the project's baseline cost and schedule, the current cost and schedule, and performance indicators such as earned value.
- Manage the Quality Assurance/Quality Control (QA/QC) program to ensure that the QA/QC program established by other consultants working on individual projects adheres to SANBAG's requirements.
- Update, manage, and maintain the SANBAG document control system and database per SANBAG procedures. All incoming and outgoing items shall be logged, filed and distributed. Other document control activities include the logging and storage of archival information, security of controlled documents, and

electronic file maintenance. Accurate records of correspondence, drawings, reports, and other project related documents and deliverables shall be maintained.

- Provide expertise on state-of-the-art knowledge of information technology practices as related to project controls.

3.6 Administrative Support

CONSULTANT shall provide day-to-day administrative support to the SANBAG Project Management Team developing transportation projects. This administrative support shall provide all necessary administrative and secretarial assistance. Anticipated activities include, but are not limited to:

- Prepare reports and correspondence.
- Perform data processing to develop databases, spreadsheets, flow diagrams, agendas, meeting reports, and assist in drafting power point presentations.
- Research and summarization as requested.
- Coordinate meeting accommodations and travel arrangements.
- Other administrative duties as assigned.

3.7 Construction Management Support

CONSULTANT will perform a wide variety of construction management, support and contract administration duties as needed for various projects in accordance with Caltrans Construction Manual and FHWA requirements.

SANBAG assigns a Construction Manager for each construction contract that it self-administers and when it has an oversight role. Typical tasks of the Contract Manager include:

- Develop consultant scopes-of-work, plan and administer the consultant selection process, and negotiate contract terms for individual project construction management consultants. Consultant management services may include inspection, materials testing, construction surveying, independent quality assurance, and public outreach.
- Coordinate development of the construction contract bid package with the design and construction management consultants;
- Oversees the advertisement and award of construction contract;
- Directs the work of the construction management consultant and other construction related consultants in administering the construction contract;
- Represents SANBAG in meetings with the construction management consultants, construction contractor and other stakeholders;
- Foster a partnering relationship with the construction contractor, construction management consultant, facility owner (generally Caltrans or local jurisdiction) and other stakeholders;
- Review and recommend approval of contractor progress payments and change orders.
- Review and assist in the analysis of contractor schedules, claims and change orders;

- i. Ensure that the work is executed in accordance with encroachment permits, environmental permits, cooperative agreements and other requirements of facility owner and regulatory agencies;
- j. Perform Labor Compliance and other contract compliance reviews;
- k. Oversee and direct work of construction management consultant to ensure compliance of contractor with certifications and licenses, materials certification and testing, labor compliance, and other contractual compliances.
- l. Execute construction close-out including, transferring improvements to facility owner, resolving claims, and completion of as-built plans and other project records.

4.0 STAFFING

4.1 Level of Support

All CONSULTANT staff shall work in an integrated team relationship with SANBAG staff members, as well as other consultants. The level of effort required by the CONSULTANT key staff team under this contract shall be of such level to provide the project management and project control to ensure the successful delivery of a well-managed program. The CONSULTANT key staff shall be assigned full-time and shall be available Monday through Friday at a minimum. The level of effort of this key staff will be re-evaluated periodically to assure that the appropriate level of support is maintained. SANBAG shall have sole discretion in defining and making changes in positions and tasks assigned to CONSULTANT during any re-evaluations. CONSULTANT shall provide support in the following functions:

- Program Management
- Corridor Project Management
- Project Management
- Technical Oversight, Peer Review, and Support
- Project Controls
- Contract Management
- Administrative Support
- Construction Management

Due to the potential variability in the transportation program requirements, CONSULTANT shall supplement the core staff by providing SANBAG approved specialized personnel/expertise as required to assist in effectively providing the functions above.

4.2 Location

The CONSULTANT core staff shall be co-located with SANBAG staff at its administration facilities located at 1170 W 3rd St, San Bernardino, CA 92410.

4.3 Material and Services Provided By SANBAG

SANBAG will provide office space, furniture, basic computer hardware and software, telephones, office supplies, and printing services to individuals assigned to SANBAG's office in San Bernardino, California. Any special equipment, specialized computer software, or supplies required by these individuals shall be provided by CONSULTANT.

5.0 DELIVERABLES

5.1 Anticipated Deliverables

CONSULTANT shall be responsible for assuring an efficient and timely production of deliverables and performance of activities for the transportation program. Items and activities include, but are not limited to:

- Project management plans
- Project schedules
- Design/other consultant reviews
- Utility agreements
- Design criteria(s) and standards
- Cost estimates (capital and O&M)
- Value engineering, constructability and peer review session reports
- Risk analysis documentation
- Technical reports and studies as assigned
- Constructability Review
- Claims Review, Consultation
- Planning reports and studies as assigned
- Graphics and visuals
- Agency cooperative agreements
- Procurement and contract management documents
- Project status reports
- Program schedules
- Project budgets
- QA/QC monitoring reports
- Document control logs
- Project closeouts

- Plans, Specifications, and Estimates (PS&E) packages
- Environmental documents
- Construction management reports

Specific deliverables will be further defined during the term of the Agreement.

Minute Action

AGENDA ITEM: 12

Date: *January 6, 2016*

Subject:

Construction Management Services for the Monte Vista Avenue Grade Separation Project

Recommendation:

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

- A. Approve award of Contract No. 15-1001298 with Kleinfelder/Simon Wong Engineering for Construction Management services for the Monte Vista Avenue Grade Separation Project in an amount not-to-exceed \$2,968,200.00 after receipt of Pre-Award audit and correction of any deficiencies noted therein, as required by the Caltrans Local Assistance Procedures Manual.
- B. Approve a contingency amount for Contract No. 15-1001298 of \$296,820.00 and authorize the Executive Director or designee to release contingency as necessary for the project.

Background:

On September 2, 2015, the Board approved release of Request for Proposals (RFP) No. 15-1001298 for Construction Management Services associated with the construction of the Monte Vista Avenue Grade Separation Project (Project). The RFP was released on September 2, 2015, and sent to 85 vendors. The RFP was also posted on SANBAG's website. The solicitation was issued in accordance with current SANBAG policies and procedures for Architectural & Engineering services.

A Pre-Proposal meeting was held on September 10, 2015, and was attended by 41 individuals. Two (2) addendums were released responding to questions and other minor changes.

Ten (10) proposals were received by the date and time specified in the RFP. The firms who submitted were, in alphabetical order: AECOM Technical Service Inc., Arcadis U.S. Inc, Athalye Consulting Engineering Services Inc., Caltrop Corporation, Falcon Engineering Services, Jacobs Project Management Co., Kleinfelder/Simon Wong Engineering, PreScience Corporation, Psomas, and Southstar Engineering & Consulting Inc. A responsiveness review was conducted by staff and found no material deficiencies in the proposals submitted.

The following is a summary of the events that transpired in the evaluation and selection process.

Summary of the Evaluation Process:

On October 7, 2015, the proposals were disseminated to all evaluation committee members. A copy of the Score Sheets and the Declaration of Impartiality and Confidentiality form were also distributed to the committee members. The evaluation committee was comprised of one representative each from City of Montclair, Caltrans, and two representatives from SANBAG.

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On October 20, 2015, an evaluation committee meeting was held to discuss results of each evaluator's review of the proposals based on the criteria provided in the RFP. At the completion of discussions the committee members individually scored the proposals based on the following evaluation criteria; Qualifications of the Firm - 30%, Proposed Staffing - 30%, and Technical Approach/Work Plan - 40%.

Based on the scoring, the firms were ranked in order and a short-list was developed. The firms short-listed and invited to interviews were, in alphabetical order, Arcadis U.S. Inc, Jacobs Project Management Co., Kleinfelder/Simon Wong Engineering, and Psomas.

On October 27, 2015, interviews were conducted with the short-listed firms. At the completion of the interviews, the Evaluation Committee separately scored the interviews. The assigned weighting between the proposals and interviews was 50% and 50% respectively.

The firms that were selected to participate in interviews were well qualified to perform the work described in the RFP. Based on a tally of scores received on the proposals and the interviews, the panel agreed to recommend the selection of Kleinfelder/ Simon Wong Engineering for award of Contract 15-1001298. The selection panel deemed Kleinfelder/Simon Wong Engineering as the most qualified and most available team to provide the services requested based on the panel's review of the proposal and evaluation of the interview.

Subsequent to the panel's recommendation for selection, staff negotiated a final cost and scope with the consultant for a total not to exceed amount of \$2,968,200.00 plus 10% contingency for a total not to exceed amount of \$3,265,020.00.

On September 2, 2015, at the time the Board approved Cooperative Agreement No. 15-1001297 with the City of Montclair for construction of the Project, Staff advised that the most recent construction cost estimate indicated a \$2,000,000 potential increase in construction cost due to changes required by Union Pacific Rail Road and that a future amendment to the Cooperative Agreement was anticipated when the construction capital cost has been further developed. With the above noted recommended not-to-exceed amount for construction management services, we are now estimating a \$2,800,000 increase in cost.

Also at the September 2015 Board meeting, approval was given for issuance of a Purchase Order to be authorized by the Executive Director for a not to exceed amount of \$50,000.00 to allow constructability review and preconstruction services to begin prior to completion of the consultant pre-award audit process and to assist in finalizing the total anticipated capital cost. These services are in addition to those provided under the contract.

Staff recommends approval of Contract 15-1001298 with Kleinfelder/Simon Wong Engineering for Construction Management on the Monte Vista Avenue Grade Separation Project for a total not to exceed amount of \$2,968,200.00. Staff is also recommending that the Board approve a 10% contingency for Contract 15-1001298 in a not to exceed amount of \$296,820.00 and authorize the Executive Director or designee to release contingency funds as necessary for the project.

Financial Impact:

This item is consistent with the adopted SANBAG Fiscal Year 2015/2016 Budget under Task No. 0840 Grade Separation Projects (Subtask 0868).

Board of Directors Agenda Item
January 6, 2016
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Reviewed By:

This item was reviewed and recommended for approval (16-0-1; Abstained: Tahan) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the draft contract.

Responsible Staff:

Garry Cohoe, Director of Project Delivery

Approved
Board of Directors
Date: January 6, 2016
Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 15-1001298 Amendment No.: _____ Vendor No.: 02864
 Vendor/Customer Name: Kleinfelder/ Simon Wong Eng Sole Source? Yes No
 Description: Construction Management Services for Monte Vista Grade Separation Project
 Start Date: 1/6/2016 Expiration Date: 12/28/2019 Revised Expiration Date: _____
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: C13040

Dollar Amount			
Original Contract	\$ 2,968,200.00	Original Contingency	\$ 296,820.00
Revised Contract (Inclusive of Prior Amendments)		Revised Contingency (Inclusive of Prior Amendments)	
Current Amendment		Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 2,968,200.00	TOTAL CONTINGENCY VALUE	\$ 296,820.00
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 3,265,020.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 1/6/2016
 Board of Directors Action: Approve C 15-1001298 in the amount of \$2,968,200.00 and establish contingency in the amount of \$296,820.00

Contract Management: Payable/Miscellaneous

Invoice Warning: 20% Renewals: _____ Type: Capital PAA Other
 Retention: 10% Maximum Retention: \$ 50,000
 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: Mike Barnum

Attachment: CSS Monte Vista GC CM services (2440 : Monte Vista GS RFP 15-1001298)

ATTACHMENT A - SCOPE OF WORK

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- A. DESCRIPTION OF SERVICES
- B. PERFORMANCE REQUIREMENTS
- C. DUTIES AND RESPONSIBILITIES
 - 1. Pre-construction Services
 - 2. Bid Process
 - 3. Project Administration
 - 4. Construction Coordination
 - 5. Construction Inspection
 - 6. Project Support
 - 7. Cost and Schedule
 - 8. Change Orders and Claims
 - 9. Safety
 - 10. Project Close Out
- D. DELIVERABLES
- E. EQUIPMENT AND MATERIALS TO BE PROVIDED BY CONSULTANT
- F. MATERIALS TO BE FURNISHED BY SANBAG
- G. STANDARDS
- H. AVAILABILITY AND WORK HOURS
- I. LIMITATIONS TO AUTHORITY
- J. THIRD PARTY RELATIONSHIPS
- K. CONSTRUCTION SITE SAFETY
- L. BASIS FOR SURVEY AND MONUMENT MARKING
- M. PERSONNEL QUALIFICATIONS

A. DESCRIPTION OF SERVICES

The San Bernardino County Transportation Authority (SANBAG) will utilize the services of CONSULTANT to support the construction activities for the Project. The CONSULTANT will provide construction management, materials testing, construction surveying and public outreach for the Project. A description of the Project is given below.

Monte Vista Grade Separation Project

The construction project is located near the intersection of Monte Vista Avenue and the UPRR railroad tracks in the City of Montclair. This project proposes to construct a new grade separation to improve access for the area. The construction project includes the following work elements:

- Construction of:
 - Railroad bridge
 - Retaining walls
 - Traffic Signals and other electrical improvements

The project will also include paving, utility relocations, drainage modifications, signing and striping, traffic handling, and erosion control.

SANBAG intends to advertise, award and administer one construction contract for this project. The successful consultant firm will provide the construction management and support services.

Services

Services are anticipated to generally include, but are not limited to the following: participation in the evaluation of scheduling of the proposed project; constructability review; construction project advertising, bid analysis, and award; construction inspection; construction surveying, materials testing, landscape inspection, contractor interface and contract administration; office engineering; public outreach services and other assorted duties as appropriate in managing construction of a capital railroad grade separation improvement project.

It is expected that the Consultant will assign a full-time Resident Engineer to coordinate all contract and personnel activities for all phases of construction. Other Resident Engineer(s) and inspection personnel may be assigned to direct and coordinate all project specific field activities and responsibilities as needed for satisfactory performance on the project. The Resident Engineer and every Resident Engineer assigned for this project shall be licensed as a Professional Civil Engineer in the State of California at the time of proposal submittal through the duration of the contract. The Consultant is expected to provide a Survey Project Manager, Materials Testing and Project Manager to administer the construction support services requested herein and to assign qualified field personnel to perform the requested services. Furthermore, the Consultant shall provide a public outreach liaison to assist the Authority's Public Information Office in implementing the Public Outreach Program established for this project.

Insofar as the Consultant's approach described in the Proposal, the scope of responsibility and the total number of personnel assigned to each phase is left to the discretion of the Consultant. The Proposal shall include a staffing plan, an organization chart and a resource loaded schedule that establish the firm's ability to adequately and appropriately staff and manage the project.

SANBAG anticipates that the total contract will be approximately 30 months in duration, with preconstruction services starting in January 2016, advertise construction contract in August 2016, award construction contract in November 2016, and construction starting in January 2017 and ending in July 2018. Project closeout activities not exceeding two months. The estimated construction capital cost of the project is about \$18.8 million.

CONSULTANT shall provide qualified construction management and inspection, materials testing, construction surveying and public relations personnel to perform a wide variety of construction management, support and contract administration duties as outlined in this Scope of Services for the Project.

The SANBAG Director of Project Delivery has designated a Project Manager to coordinate all construction activities.

Mr. Mike Barnum, Construction Manager

The CONSULTANT shall report to and receive direction from SANBAG through the Project Manager, or his designees. The SANBAG Project Manager is responsible for coordination of all SANBAG construction activities and for coordinating the efforts of the total construction team. The SANBAG Project Manager will be the main contact and primary source of information between SANBAG, cities, outside agencies, supporting consultants and the public for the construction projects.

B. PERFORMANCE REQUIREMENTS

Construction Management: CONSULTANT shall furnish a Project Manager to coordinate CONSULTANT operations with SANBAG. The Project Manager shall be responsible for all matters related to CONSULTANT personnel and operations. The Project Manager may also serve as the Resident Engineer.

CONSULTANT shall also furnish a Resident Engineer. The Resident Engineer shall be assigned to direct and coordinate construction activities under this contract. Other Assistant Resident Engineers may be assigned to each specific project responsibilities as needed. The Resident Engineer shall be a Civil Engineer registered in the State of California and shall be in responsible charge of construction management and construction activity within the Project.

The number of CONSULTANT personnel assigned to the Project will vary throughout the duration of the contract. CONSULTANT personnel will be assigned, in varying levels of responsibility, as needed by the CONSULTANT to meet the Project schedule, Project requirements, and construction activities.

Resumes of personnel must be submitted to SANBAG for review and approval prior to assignment to the Project. SANBAG and CONSULTANT will jointly determine the quality and quantity of services that are required by CONSULTANT personnel. Personnel selected for assignment by CONSULTANT shall be made available for personal interviews prior to acceptance by SANBAG. If, in the opinion of SANBAG, an individual lacks adequate experience, the individual may be rejected or may be accepted on a trial basis until such time the individual's ability to perform the required services has been demonstrated. If, at any time, the performance of CONSULTANT personnel is unsatisfactory to SANBAG, SANBAG may release him/her by written notice and may request another qualified person be assigned.

If CONSULTANT personnel are on leave of absence, the Project Manager shall provide equally qualified replacement personnel until the assigned personnel returns to the Project approved by SANBAG.

The typical workday includes all hours worked by the construction Contractor. If necessary, overtime for CONSULTANT personnel may be required. The construction Contractor's operations may be restricted to specific hours during the week, which shall become the normal workday for CONSULTANT personnel. The Project Manager, with prior concurrence from SANBAG, shall have the authority to increase, decrease, or eliminate CONSULTANT personnel work hours dependent on the schedule and requirements of the construction Contractor. All overtime required by CONSULTANT personnel shall be approved and authorized by SANBAG prior to each occurrence.

CONSULTANT personnel shall be knowledgeable of and comply with all applicable local, state, and federal regulations. CONSULTANT personnel shall cooperate and consult with SANBAG, State, and City officials during the course of the Project. CONSULTANT personnel shall perform duties as may be required to assure that construction is being performed in accordance with the Project plans and specifications. CONSULTANT personnel shall keep accurate and timely records and document all work performed by the Contractor and CONSULTANT.

CONSULTANT shall monitor for Contractor's compliance with the labor standards provisions of the projects and the related wage determination decisions of the Secretary of Labor.

CONSULTANT personnel shall assist SANBAG and local agencies in obtaining compliance with the safety and accident prevention provisions of the Project. Local agencies will retain jurisdictional control for traffic control.

All services required herein shall be performed in accordance with California Department of Transportation guidelines, regulations, policies, procedures, manuals, and standards, except as noted in the special provisions.

Materials Testing & Source Inspection: The number of field testing and source inspection personnel assigned to the Project will vary throughout the duration of the construction contract. CONSULTANT certified materials testing and source inspection personnel will be assigned as needed by the Resident Engineer to meet the required numbers and frequencies of testing based on schedule of the construction contractor.

Materials Testing /Source Inspection Services will be provided on an on-call basis. The duration of assignments could vary from a minimum of a few hours to the full term of the Project. CONSULTANT personnel will be available within one (1) day of written notification by SANBAG.

It is the intent of SANBAG to maintain a consistency of material testing/source inspection quality throughout each phase of each project. CONSULTANT is therefore encouraged to provide, where ever and whenever possible, the same personnel for the duration of construction of each project.

On days when work is not performed by the construction contractor, such as rainy or unsuitable weather days, CONSULTANT will not provide services unless authorized by the SANBAG Project Manager.

Consultant shall be responsible for finalizing a Source Inspection Quality Management Plan (SIQMP) to match the project requirements, assist SANBAG in gaining approval, and manage the

SIQMP. The SIQMP shall meet SANBAG and Caltrans requirements. Consultant shall provide Structural Materials Representative (SMR), Steel inspectors, Non-destructive Steel Inspectors, Coating Inspectors, Precast Concrete Inspectors and other source inspectors as needed.

All CONSULTANT personnel will be knowledgeable of, and comply with, all applicable local, state, and federal regulations. All personnel shall cooperate and consult with SANBAG during the course of the contract; and perform other duties as may be required to assure that the construction is being performed in accordance with the Project plans and specifications. CONSULTANT's personnel will keep records and document the work as directed by the Resident Engineer.

All services required herein will be performed in accordance with Caltrans regulations, policies, procedures, manuals, and standards.

Construction Surveying: CONSULTANT will furnish surveying crew(s) to perform construction surveys for the Project. The number of survey crew(s) assigned to the Project may vary throughout the duration of the construction contract to meet the Project needs. CONSULTANT personnel will be assigned as needed by the Resident Engineer to meet the schedule of the construction contractor.

Construction surveying services will be provided on an on-call basis. It is the intent of SANBAG to maintain a consistency of construction survey quality throughout each phase of each project. Therefore, CONSULTANT is encouraged to provide the same field personnel for the duration of construction. It is important that the Field Party Chief(s) assigned to a project be completely familiar with the survey requirements and the assignments for the Project.

Construction surveying will not be performed when conditions such as weather, traffic, and other factors prevent safe and efficient operation.

CONSULTANT personnel will:

- Be knowledgeable of, and comply with all, applicable local, Caltrans, state, and federal regulations.
- Cooperate and consult with SANBAG officials during the course of the contract.
- Perform duties as may be required to assure construction is performed in accordance with the Project plans and specifications.
- Keep records and document work as directed by SANBAG Project Manager.

All services required herein will be performed in accordance with Caltrans regulations, policies, procedures, manuals, and standards.

C. DUTIES AND RESPONSIBILITIES

1. Pre-construction Services

a. Schedule

CONSULTANT shall review the proposed Project schedule, compare it to the Project plans and specifications, and provide recommendations to SANBAG, as appropriate, to ensure efficiency of Contractor and CONSULTANT operations and safe and expeditious completion of the Project.

b. Budget

CONSULTANT shall review the Project estimate, quantities and provide recommendations to SANBAG, as appropriate, to ensure efficient utilization of funds and control of project costs.

c. Constructability Review

CONSULTANT shall review Project plans and special provisions for possible errors and deficiencies and report such findings to SANBAG in a format provide by SANBAG.

2. Bid Process

a. Bid Documents

CONSULTANT shall assist SANBAG, as requested, with the following tasks:

- 1) Review of bid documents
- 2) Preparation of bid tabulations

b. Pre-construction Meetings

CONSULTANT shall assist SANBAG in conducting one, or more, pre-construction meetings with all involved parties on the Project. Parties may include, but are not limited to, the Contractor, design engineer, Caltrans, County and City staff, utility companies, and developers.

c. Contract Award

CONSULTANT shall assist SANBAG, as requested, with the following tasks:

- 1) Review of bid for completeness and responsiveness
- 2) Perform bid analysis
- 3) Development of contractor payment schedules, and other procedural items.
- 4) Checking Contractor references, licenses, insurance, and sureties.
- 5) Coordination with prospective Contractor for award of construction contract(s).

All processes will be consistent with procedures outlined by the California Department of Transportation for Special Funded Programs and Local Assistance Procedure Manuals.

3. Project Administration

a. CONSULTANT shall administer Project construction contracts using Caltrans Construction Manual as a guideline.

b. CONSULTANT shall conduct regular Project coordination meetings with Contractor, SANBAG, local agencies, and design engineer, as appropriate.

- c. CONSULTANT shall prepare Contractor progress payments and maintain payment records and supporting documentation. All progress payments shall be reviewed by SANBAG for approval.
- d. CONSULTANT shall provide reports as needed to comply with specific funding requirements.
- e. CONSULTANT shall establish and maintain Project records in accordance with the Caltrans Construction Manual. Project record keeping shall include, but are not limited to, correspondence, memoranda, contract documents, change orders, claims, SANBAG and engineer directives, meeting minutes, shop drawings, supplementary drawings, and requests for payment. CONSULTANT shall maintain a record of the names, addresses, and telephone and fax numbers of the Contractors, subcontractors, and principal material suppliers.
- f. CONSULTANT shall establish and maintain a filing system in hard copies files and in electronic forms for each Project using the Caltrans Construction Manual as a guideline. Electronic data documentation will be required to be uploaded weekly to the SANBAG Major Projects Portal
- g. CONSULTANT shall monitor Contractors' construction schedules on an ongoing basis and alert SANBAG to conditions that may lead to delays in completion of the Project.
- h. CONSULTANT shall prepare and submit a monthly Activity Summary Report for the Project in a format approved by SANBAG. The activity report shall include among other items status of SWPPP issues, RFIs, contract change orders, and notice of potential claims; construction activities completed, ongoing, and upcoming; status of Project budget and schedule, and other highlights and critical issues.
- i. CONSULTANT shall review and ensure compliance with environmental requirements.
- j. CONSULTANT shall participate in partnering sessions with the Contractor, SANBAG, and Local Agencies, as required.
- k. CONSULTANT shall ensure that the Project meets all provisions of the SANBAG Construction Materials Quality Assurance Program and Caltrans Quality Assurance Program Manual.
- l. CONSULTANT shall review Contractors' certified payroll records and ensure compliance with the requirements of the construction contract.
- m. CONSULTANT shall ensure that the Project meets all provisions of the Storm Water Pollution Prevention Plan (SWPPP).
- n. CONSULTANT shall assure that the Project meets all applicable regulations of the Air Quality Management District (AQMD) and State Water Recourse Control Board (SWRCB).
- o. CONSULTANT shall maintain redlined as-built plans on an ongoing basis throughout the duration of the Project. Redlined plans shall show all changes made to the original contract plans, each change identified with the name of the

approver, date of change approval , and CCO number, if applicable

4. Construction Coordination

- a. CONSULTANT shall provide a minimum of one qualified Resident Engineer to effectively manage the Project.
- b. CONSULTANT Resident Engineer shall act as a prime point of contact between Contractor, SANBAG, CONSULTANT's construction surveyor, CONSULTANT's materials inspector, and utility companies. CONSULTANT may, when requested by SANBAG, act as point of contact between design engineers, cities, and the public. CONSULTANT shall ensure coordination with property owners adjacent to Project right-of-way to ensure timely communication regarding property-condition survey and construction activities and scheduling.
- c. CONSULTANT shall maintain regular contact with SANBAG's Project Manager.
- d. CONSULTANT shall coordinate utility relocations with utility companies and their designees, as well as the utility inspector.
- e. CONSULTANT shall proactively review Project plans and special provisions for possible errors and deficiencies prior to construction of any specific element and report such findings to SANBAG. Should SANBAG determine that changes are necessary, CONSULTANT shall assist in implementation and processing of change orders in accordance with contract documents.
- f. CONSULTANT shall proactively review Project plans and special provisions; monitor, coordinate, and track construction progress schedule and RFIs; and communicate with various agencies prior to construction of any specific elements to ensure the Project proceeds on schedule and according to the order of work in the plans and special provisions. CONSULTANT shall expedite work, as required, to maintain schedule in conjunction with the overall construction staging program.
- g. CONSULTANT shall coordinate review of shop drawings and Requests for Information (RFI) with the SANBAG Project Manager. CONSULTANT shall log and track all submittals and requests.
- h. CONSULTANT shall provide a qualified SWPPP Coordinator who along with the Resident Engineer shall review and certify contractor prepared Storm Water Pollution Prevention Plans (SWPPP) and coordinate approval with SANBAG and the State Water Resource Control Board. The SWPPP Coordinator shall be at a minimum a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD) and a Qualified SWPPP Practitioner (QSP). CONSULTANT shall provide at a minimum weekly SWPPP monitoring and shall cooperate with all monitoring agency inspections and field reviews.
- i. CONSULTANT shall coordinate the implementation of any changes with the SANBAG Project Manager and the design engineer.
- j. CONSULTANT shall review and approve falsework and shoring plans.
- k. CONSULTANT shall review and approve Traffic Control Plans and forward to

SANBAG for Caltrans/City/County approvals, as necessary.

1. CONSULTANT shall coordinate all Project construction activities with other on-going projects within and adjacent to the Project limits.
5. Construction Inspection
- a. CONSULTANT shall coordinate all required inspections necessary for the Project. CONSULTANT shall ensure that appropriate City and local agencies are notified and present as required throughout the Project. CONSULTANT shall notify SANBAG immediately regarding any directives, recommendations, notices, etc. received from agencies other than SANBAG.
 - b. CONSULTANT shall perform daily on-site observations of the progress and quality of construction to determine if the work being performed is in general conformance with the contract documents, all applicable laws, codes, and ordinances.
 - c. CONSULTANT shall exercise reasonable care and diligence to discover and promptly report to SANBAG any and all defects or deficiencies in the materials or workmanship used in the Project.
 - d. CONSULTANT personnel assigned to the Project shall be thoroughly familiar with Caltrans Standard Specifications, Caltrans Standard Plans, Caltrans Erosion Control and Highway Planting requirements, safety standards and State Water Resources Control Board requirements. CONSULTANT personnel shall have the ability to read and interpret construction plans and specifications. CONSULTANT personnel shall also have knowledge of State of California Construction Safety Orders (CalOSHA) and traffic control practices as specified in the Work Area Traffic Control Handbook (WATCH). In addition, CONSULTANT personnel shall be thoroughly familiar with the construction requirements of Caltrans' Storm Water Pollution Prevention Program.
 - e. Assignments to be performed by CONSULTANT personnel shall include, but are not limited to, the following:
 - 1) Paving and subgrade inspection, sub-surface & finish surface drainage inspection, structures and foundation inspection, electrical inspection for traffic, ramp meter and irrigation control equipment, signing and striping inspection, quantity calculations, checking grade and alignment, construction traffic control, soil amendments and plant material identification & quality control, hardscape inspection, trenching & irrigation inspection and duties that may be required to determine that construction of the Project is being performed in accordance with the contract documents.
 - 2) Identifying actual and potential problems associated with the Project and recommending sound engineering solutions.
 - 3) Identifying common plant diseases and/or pests together with their respective eradication techniques, directing of plant adaptability requirements along with proper planting & pruning techniques, and avoiding potential problems associated with the Project by

recommending sound engineering solutions.

- 4) Perform basic sampling of construction materials in the field per California Test Method 105 and 125 by both the prime and subconsultant personnel.
- 5) Maintaining awareness of safety and health requirements. Monitoring Contractors' compliance with applicable regulations and construction contract provisions for the protection of the public and Project personnel.
- 6) Preparing complete and accurate daily reports, calculations, project records, payment quantity documents, reports, and correspondence related to Project activities.
- 7) Preparing construction sketches, drawings, and cross-sections, as necessary.
- 8) Assisting in the preparation of as-built plans.
- 9) Providing inspections for environmental compliance.
- 10) Maintaining awareness of water discharge requirements. Monitoring Contractors' compliance with applicable regulations and construction contract provisions.
- 11) Monitoring Contractors' compliance with applicable regulations required by AQMD.
- 12) Other duties as may be required or reasonably requested.

6. Project Support

a. Construction Surveys

CONSULTANT shall perform construction surveying services, field calculations, and home office calculations to support construction of the Project. CONSULTANT may be requested to review available survey data, construction plans, and right-of-way plans to confirm compatibility and to identify discrepancies prior to and during construction of proposed projects. The Resident Engineer will assign survey work to the CONSULTANT as needed by issuing a "Request for Survey Services". Requests may include, but not be limited to, the following types of surveys and related services:

1) Construction Surveys

CONSULTANT shall perform construction staking and calculations as needed.

- a) Survey calculations and adjustments shall be performed with established and computed coordinates based on the California Coordinate System.

- b) Cross-section data collection shall be performed by conventional and terrain line interpolation survey methods.
- c) Survey data will include topography, cross-section, and other survey data in computer formats compatible with the Caltrans computer survey and design systems.
- d) Prepare and maintain survey documents. Survey documents include survey field notes, maps, drawings, and other survey documents.
- e) Perform construction staking, including but not limited to:
 - i. Utility relocations
 - ii. Clearing limits
 - iii. Slope staking
 - iv. Storm drain, sanitary sewer, and irrigation systems
 - v. Drainage structures
 - vi. Curbs, gutters, and sidewalk
 - vii. Horizontal and vertical control for structures and portions of structures (bents, abutments, wingwalls, etc.)
 - viii. Rough grade
 - ix. Finish grade
- f) Monitor for settlement, if required.
- g) Global Positioning Satellite (GPS) equipment shall be made available if required by SANBAG

2) Grid Grades

Grid grade data shall provide pavement elevations at the station line, the left edge of pavement, the right edge of pavement, and the right edge of travel way at 25 foot intervals for travel lanes.

3) Open Ended Traverses and Profile Data Sheets

Separate open-ended traverse calculations and point maps shall depict plan data for station lines, utility lines, wall layout lines, and abutment/bent alignment. Specific information to be shown will be part numbers, coordinates, bearings, and curve data.

Profile data sheets are required for all profiles shown on the plans identifying vertical design elements such as grade, point of intersection (PI) location, beginning of vertical curve (BVC) location, end of vertical curve (EVC) location, and curve length.

4) Three Line Profiles

Separate profile plots are required for the left edge of pavement, the right edge of pavement, and the edge of shoulder for all travel lanes.

5) Right of Way Lines

Existing right of way and easements will be established from Local Agency's record information and existing monumentation.

- a) Right of way monumentation shall be renewed and restored in accordance with Section 10.4 of the Caltrans "Survey Manual" and the State of California Land Surveyor's Act.
- b) Corner records and records of surveys shall be prepared and filed in accordance with the applicable standards and the State of California Land Surveyor's Act and the California Subdivision Map Act.
- c) Perpetuate existing monumentation, which includes restoring, renewing, referencing, and resetting existing boundary related monumentation. In addition, stake areas where construction disturbs the existing right of way, preparing and filing required maps and records.

New right of way and easements will be established from plans, right of way maps, utility drawings, and Local Agency record information, and existing monumentation.

- a) Right of Way Surveys, which includes research and preparation filing of required maps and records. In addition, locate and set monuments for right of way and easement lines, staking for right of way and easement fences.
 - b) Final monumentation, which includes setting of centerline points of control upon completion of construction.
- 6) Special Design – Data Surveys
Includes drainage, utility, and surveys required for special field studies.

7) Control Survey

Includes Project control surveys, aerial mapping control surveys, horizontal and vertical control surveys. In addition control surveys will include restoration, renewal, reference, relocation, and resetting of existing control monumentation. The CONSULTANT will be required to provide horizontal and vertical control at the end of each bridge.

8) Topographic Surveys

Topographic surveys will normally be compiled by ground survey methods only.

CONSULTANT will provide all necessary Project related surveys and construction staking, including horizontal and vertical control, right of way, and easements. CONSULTANT shall coordinate all staking and verify accuracy. CONSULTANT shall ensure timely coordination of all staking requests from the Contractor.

- b. Materials Testing, Source Inspection and Geotechnical Services

- 1) CONSULTANT will provide experienced personnel, equipment, and facilities to perform various construction materials sampling and testing. Laboratory and field materials testing will be used to ensure that structure and roadway construction work conforms to California State Department of Transportation (Caltrans) standards, specifications, and special provisions for material quality and workmanship.
- 2) All field and laboratory testing is to be performed in accordance with California Test Methods.
- 3) CONSULTANT will be responsible for the accuracy and completeness of all test data compilation and results.

c. Public Outreach

- 1) General Public Outreach Plan
 - a) SANBAG's primary goal is to assure the public that SANBAG is a public agency that delivers quality transportation projects and trustworthy, accurate and timely public information.
 - b) SANBAG will provide the primary outreach effort with supplemental support as requested from CONSULTANT. This will be a targeted approach with incremental outreach based on construction schedule and staging. The primary target audiences identified for this Project include, but are not limited to:
 - i. LOCAL AGENCY
 - ii. SANBAG Board
 - iii. LOCAL AGENCY and area Emergency Service Providers
 - iv. School Transportation Coordinator(s)
 - v. Local Business Community
 - i) Specific businesses with expanding priority based on proximity to work zone and detours
 - ii) Chamber of Commerce
 - vi. Commuters
 - vii. Recreational Travelers
 - viii. Trucking Industry
 - ix. Local media
 - i) Print
 - ii) Radio
 - iii) Television
 - c) In the weeks prior to the selection of a construction contractor, SANBAG may coordinate an Emergency Responders Project Briefing to highlight the Project details and possible access challenges for consideration by the Project team.
 - d) Following the emergency responders briefing, SANBAG may coordinate a Chamber of Commerce Project Briefing to highlight the Project benefits, possible construction schedule and traffic management plan.

- f) Just prior to the start of field construction activities, SANBAG and CONSULTANT (includes all PR subs) may coordinate a groundbreaking media event with the LOCAL AGENCY to ceremoniously open the Project. CONSULTANT will be called up on to develop (with input from SANBAG) and maintain a task list of deliverables for this event. CONSULTANT will acquire the necessary items authorized for the event. CONSULTANT will be responsible for set up and breakdown of the event site.
- g) Prior to construction beginning, SANBAG and CONSULTANT may coordinate a community meeting to share Project information, construction scheduling, detour information and expected challenges with the general public. CONSULTANT will be called up on to develop (with input from SANBAG) and maintain a task list of deliverables for this event. CONSULTANT will acquire the necessary items authorized for the event. CONSULTANT will be responsible for set up and breakdown of the event site. Staffing this event will be determined based on availability.
- h) Near the completion of the construction Project, SANBAG and CONSULTANT will coordinate a ribbon-cutting media event. CONSULTANT will be called upon in a similar fashion to the groundbreaking event.
- i) At various stages throughout the Project, SANBAG will request support from CONSULTANT for the following items:
- i. Establish and maintain stakeholder and/or ‘interested parties’ list(s) – used for sharing Project updates during Project construction. May need to be filtered to specific audiences (i.e. emergency responders, city government, etc.)
 - ii. Development of a Project fact sheet (include Project description, Project budget, Project schedule, SANBAG contact information, LOCAL AGENCY contact information, photos, logos, etc.)
 - iii. Weekly media advisories (use SANBAG template). CONSULTANT (or sub) will make weekly contact with Project team to establish what road or lane closures (and associated detours if applicable) will be taking place, develop the advisory, send to SANBAG Public Information Office for approval, submit to webmaster for posting, distribute to appropriate media and stakeholder list.
 - iv. Emergency notices – when needed.
 - v. Develop web content for project tab on SANBAG website. This page should include same elements of fact sheet with expanded detail when possible. If the information is dynamic, please provide updates to

SANBAG Public Information Office for approval prior to submitting to webmaster.

- 2) All requests for speaking to government councils, boards, chambers of commerce or similar business or social groups shall be directed to the SANBAG Public Information Office before agreeing to appear.
- 3) All media inquiries shall be directed to the SANBAG Public Information Office.

d. Permits

CONSULTANT shall review the Project for permit compliance and coordinate with SANBAG and the design engineer to ensure that necessary permits are obtained. CONSULTANT shall assist SANBAG in the coordination, timely processing and verification of approval for all permits. CONSULTANT shall maintain permits and permit documentation on site.

7. Cost and Schedule

- a. CONSULTANT shall monitor and track the following:
 - 1) Contract pay item quantities and payments
 - 2) Contract change orders
 - 3) Supplemental work items
 - 4) Agency furnished materials
 - 5) Contingency balance
 - 6) Project budget
- b. CONSULTANT shall review and monitor Contractor's schedule and inform SANBAG of any significant changes or deviations in the schedule.
- c. CONSULTANT shall provide and maintain a Project staffing plan of field office personnel based on the Contractor submitted baseline schedule update. In cooperation with SANBAG, the staffing plan shall be periodically updated to reflect Project progress and needs.

8. Contract Change Orders and Claims

- a. CONSULTANT shall receive and evaluate requests for changes and/or substitutions by the Contractor. Contract Change Orders submitted to SANBAG shall be accompanied by CONSULTANT recommendations. Where applicable, CONSULTANT shall convey proposed changes to design engineer, or other Project consultants. If the requested changes are accepted, CONSULTANT shall negotiate and prepare appropriate Contract Change Orders.
- b. CONSULTANT shall attempt to avoid unnecessary Contract Change Orders. When a Contract Change Order is necessary, CONSULTANT shall consult with SANBAG prior to its preparation. Unless directed otherwise by SANBAG, the preferred method of payment for Contract Change Orders should be as follows
 - 1) Agreed Price
 - 2) Adjustment in compensation to a bid item
 - 3) Time and materials or Force Account

CONSULTANT shall perform force account analysis to validate cost submitted

by the Contractor for contract change orders with agreed unit price, lump sum price, and adjustment in components. Analysis shall be based on realistic production and resource needs to complete the work.

- c. CONSULTANT shall attempt to identify all potential claims, track and monitor unresolved claims. The CONSULTANT shall implement appropriate claims avoidance processes where in the best interests of SANBAG as determined by SANBAG's Project Manager.
- d. CONSULTANT shall assist SANBAG, as requested, in the identification, resolution, and final disposition of claims filed by the Contractor or third parties against SANBAG or the Project.

9. Safety

In addition to the requirements specified elsewhere in this contract, the following shall also apply:

- a. CONSULTANT shall implement and conduct a comprehensive safety program including regular tail-gate safety meetings for CONSULTANT personnel. CONSULTANT shall provide SANBAG with monthly status of safety reports.
- b. CONSULTANT shall comply with State of California Construction Safety Orders and provisions of the Caltrans Construction Manual.
- c. CONSULTANT shall provide appropriate safety training for all CONSULTANT field personnel.
- d. CONSULTANT shall provide all necessary safety equipment as required for CONSULTANT personnel.

10. Project Close Out

- a. CONSULTANT shall prepare a list of items to be completed and/or corrected by the Contractor for final completion of the Project.
- b. CONSULTANT shall collect and furnish as-built information to the design engineer for preparation of as-built drawings including pre-stress drawings and pile logs, as applicable.
- c. CONSULTANT shall review and verify completeness of as-built drawings.
- d. CONSULTANT shall conduct a final walk-through with SANBAG, Local Agencies, Contractors, and design engineers.
- e. CONSULTANT shall prepare final construction reports including the Project Completion Report.
- f. CONSULTANT shall prepare and deliver to SANBAG all Project files.
- g. CONSULTANT shall assist SANBAG and Contractor in obtaining final release of all Project permits.

- h. Project closeout services will be completed within two months of project acceptance.

D. DELIVERABLES

1. Inspector daily reports, extra work diaries and Resident Engineers' daily diaries.
2. Monthly Project Summary Reports and SIQMP Monthly Reports.
3. Monthly update of all files to SANBAG Portal.
4. Monthly Contractor progress payments, back-up documentation, and Contractor payment records.
5. Contractor final payment documents, delivered to SANBAG no later than ten (10) working days after Acceptance by SANBAG of the completed construction Project.
6. Project Completion Report documents per Local Assistance Procedure Manual and Caltrans Construction Manual.
7. All Project files, Project reports, Record As-builts, correspondence, memoranda, shop drawings, Project logs, schedule updates, change order data, claims and claim reports, and Contractor payment records per Caltrans Construction Manual.
8. Certified payrolls and fringe benefit statements for all employees, CONSULTANT and Contractor, who are subject to the State and/or Federal prevailing wage rates.
9. American For Disabilities Act certification of project per Caltrans Standards.
10. All material test results will be provided in accordance with the applicable Standard Specifications and Special Provisions, and test methods. Failing tests will be immediately reported to the Resident Engineer or Structures Representative. All test results will be recorded on the appropriate forms. The test documents will be legible and show the identity of the tester where appropriate. A notebook containing all test results and reports will be maintained by CONSULTANT throughout the duration of the Project and delivered to SANBAG with the Project files.
10. Record of Survey and Right of Way Monumentations and recoding with County.
11. Unless otherwise specified in the survey request, the deliverables shall conform to the following:
 - a. Survey points, lines, and monuments shall be established, marked, identified, and referenced as required by survey request and requirements herein.
 - b. Survey notes, drawings, calculations, and other survey documents and information shall be completed as required by the survey request and the requirements herein.
 - c. All original survey documents resulting from this contract, including original field notes, adjustment calculations, final results, and appropriate intermediate documents, shall be delivered to the Resident Engineer and shall become the property of SANBAG. A copy of all survey documents furnished by SANBAG shall be retained by CONSULTANT for future reference.

When the survey is performed with a total station survey system, the original field

notes shall be a hard copy in a readable format of the data (observations) as originally collected and submitted by the survey party. The hard copy shall be signed by the Party Chief. If the Party Chief is not licensed, the person in “responsible charge” will be required to sign.

- d. Deliverables to the Resident Engineer shall follow the format specified below:
- 1) Horizontal Control
 - 2) Alpha numeric hard copy point listing with adjusted California Coordinate System northing and eastings and the appropriate descriptions.
 - 3) Vertical Control
 - 4) Alpha numeric hard copy benchmark listing with adjusted elevations compatible with the design datum.
 - 5) Topography
 - 6) Alpha numeric hard copy listing, hard copy drawing, and computer aided drawing and design (CADD) digital drawing. The CADD drawing shall be compatible with the systems utilized by Caltrans.
- e. Data collection method used to collect cross-section data and the coding (feature description) of terrain data for cross-sections shall conform to the survey request requirements. Deliverables shall depend on the data collection method as follows:
- 1) Conventional Cross – Sections (each cross – section):
For each cross - section and alpha numeric listing, a hard copy drawing, and a computer formatted file compatible with the systems utilized by Caltrans.
 - 2) Terrain Line Interpolation Cross – Section Data (each terrain line interpolation survey):
Terrain line interpolation cross – sections shall include an alpha numeric listing, a hard copy plan view drawing of the terrain lines, and a computer input file. The computer input file shall be provided in a format compatible with the systems utilized by Caltrans.
 - 3) Data Collector Data
If specified in the survey request, the raw data from the data collector shall be provided in a format conforming to the survey request requirements.
 - 4) Other—As specified in the survey request.

E. EQUIPMENT AND MATERIALS TO BE PROVIDED BY CONSULTANT

1. CONSULTANT shall provide all necessary equipment including software, materials, supplies, miscellaneous tools, phones, vehicles, and safety equipment required for its personnel to perform the services accurately, efficiently, and safely. The above noted items are not to be included in Attachment B of Consultants Cost Proposal and are part of the consultants overhead. Only those items authorized by SANBAG in Attachment B, CONSULTANT Cost Proposal, shall be reimbursed by SANBAG.
2. CONSULTANT personnel shall be provided with vehicles suitable for the location and nature of the work involved. Vehicles shall be equipped with flashing yellow lights,

either permanently or temporarily affixed.

3. CONSULTANT personnel shall be provided with a mobile radio, cellular phone, or other means to assure full-time communication. If a radio system is to be used, CONSULTANT shall provide a base station at the field office.
4. CONSULTANT personnel shall be provided with all applicable standard plans, specifications, and other standards as appropriate (see item G below).
5. For Materials Testing, CONSULTANT and its staff will be fully equipped at all times to perform the services required, including but not limited to the following:
 - a. An on-site mobile laboratory or laboratory in close proximity to the Project will be required. The type and location of the lab should be such that it can meet the needs of the Project in an efficient, time effective manner. The laboratory is to be fully staffed, equipped, and supplied to conduct all required soils, materials, and concrete breaking tests in a timely manner.
 - b. Field personnel will be provided with all necessary safety equipment to permit work to be performed safely and efficiently within operating highway and construction zone environments.
 - c. All equipment to be calibrated as per Section 3-10 and 3-11 of Caltrans' Quality Assurance Program Manual.
6. For construction surveying, CONSULTANT and staff shall have adequate equipment and supplies to complete the required survey work. Equipment and supplies shall, include, but not be limited to:
 - a. Survey vehicles:
Survey vehicles will be suitable to perform the required work in varying terrain and conditions encountered on the Project. Vehicles shall be fully equipped with all necessary tools, instruments, supplies, and safety equipment required to perform the work accurately, efficiently, and safely. Vehicles shall be equipped with a flashing yellow beacon light.
 - b. Data Processing Systems:
Data processing systems shall include hardware and software to:
 - 1) Performing survey and staking calculations from the design plans and specifications;
 - 2) Reduce survey data collected with conventional and total station survey systems;
 - 3) Perform network adjustments for horizontal and vertical control surveys;
 - 4) Format survey data to be compatible with the Caltrans computer survey and data system.
 - c. Drafting equipment and supplies.
 - d. Digital calculators.
 - e. Hand tools as appropriate for the requested survey work.
 - f. Traffic cones (minimum 25). Traffic cones shall be 28 inches in height (minimum).

- g. Traffic control devices as required to perform the requested survey work. Traffic control devices include signs, sign bases, flags, and hand held signs.
- h. Leveling instruments and equipment:
 - 1) Self-leveling level. Precision: standard deviation in one mile of double run leveling 0.005 feet or less.
 - 2) Suitable level rods for the work to be performed.
- i. Distance measuring instruments and equipment:
 - 1) Electronic distance measurer (EDM). Precision: standard deviation 3 mm plus 3 PPM, or less; Range: Minimum one mile under average atmospheric conditions.
 - 2) Prisms, sufficient to perform the required work.
 - 3) Tapes; steel, cloth.
- j. Angle measuring instruments and equipment:
 - 1) Theodolite for non-control surveys; Precision: direct circle reading to three seconds, or equivalent, horizontal and vertical.
 - 2) Targets as required to perform the work.
- k. When required for efficient survey operations, total station survey systems consisting of an electronic angle measuring instrument, EDM, and electronic data collector shall be provided. The angle measuring instruments and EDM shall conform to the requirements for the equipment previously listed.
- l. Radio or cellular communications equipment for communication between field office and field crews.
- m. Caltrans manuals, standards, forms, and other policies and procedures to be followed to perform the required work.

F. MATERIALS TO BE FURNISHED BY SANBAG

- 1. SANBAG will provide three (3) copies of all Project construction documents including plans, and special provisions, and one (1) copy of all other reports, designer prepared resident engineer files, and contracts. In addition, SANBAG will provide one (1) full size (24" x 36") sets of plans for use in the construction field office as record documents.
- 2. SANBAG will provide copies of all previously secured permits and Project authorizations.
- 3. SANBAG Construction Management Forms including SANBAG Construction Materials Quality Assurance Program, sample SIQMP and appropriate forms for recording test data in accordance with Caltrans practices and procedures outlined in the "Manual of Test".

G. STANDARDS

All construction inspection, surveys, materials sampling and testing, and contract administration shall be in accordance with the Project bid documents, special provisions, plans, and current Caltrans Manuals including:

1. Construction Manual and its revisions
2. Bridge Construction Records and Procedures Manual
3. Quality Assurance Program Manual
4. Manual of Traffic Controls for Construction and Maintenance Work Zones
5. Caltrans Standard Specifications and Standard Plans
6. Caltrans Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual
7. Manual of Test (3 volumes)
8. Survey Manual
9. District 8 Standard Staking Procedures Manual

Work not covered by the manuals shall be performed in accordance with accepted professional standards.

Surveys performed by CONSULTANT shall conform to the requirements of the Land Surveyor's Act. In accordance with the Land Surveyor's Act, "responsible charge" for the work shall reside with the Licensed Land Surveyor or a pre-January 1, 1982, Registered Professional Civil Engineer in the State of California.

Unless otherwise specified in the survey request, control surveys shall conform to second order (modified) accuracy standards as specified in the Caltrans "Survey Manual".

Additional standards for specific survey work may be included in the applicable request for survey. Such standards supplement the standards specified herein. If additional standards conflict with the standards specified herein, the "Survey Request's" standard shall govern.

The Resident Engineer and SANBAG will decide all questions, which may arise as to the quality or acceptability of deliverables furnished and work performed for this contract. Any CONSULTANT employee who does not perform adequately will be replaced if directed by the SANBAG Project Manager.

H. AVAILABILITY AND WORK HOURS

The typical workday includes all hours worked by SANBAG's construction Contractor including nights and weekends. The construction Contractor's operations may be restricted to specific hours during the week, which will become the normal workday for CONSULTANT's personnel. On days when work is not performed by the construction contractor, such as rainy or unsuitable weather days, CONSULTANT services will not be provided unless authorized by the SANBAG Project Manager.

Unless otherwise directed by SANBAG, the normal work week will consist of 40 hours. From time to time, overtime may be required. However, overtime will be worked only when approved in writing by SANBAG.

I. LIMITATIONS TO AUTHORITY

CONSULTANT does not have the authority to:

1. Authorize deviations from the contract documents.
2. Approve substitute materials or equipment; except as authorized in writing by SANBAG.
3. Conduct or participate in tests or third party inspections; except as authorized in writing by SANBAG.
4. Assume any of the responsibilities of the Contractors, Contractors' Superintendent, or subcontractors.
5. Exercise control over or be responsible for construction means, methods, techniques,

- sequences, procedures, or safety precautions.
6. Communicate directly with subcontractors or material suppliers without the prior consent of the Contractor.
7. Verbally authorize or approve change orders or extra work for the Project.
8. Offer or receive incentives, inducements, or other forms of enumeration to or from the Contractor to perform services or work outside the terms of any executed contracts for this Project.

J. THIRD PARTY RELATIONSHIPS

This Contract is intended to provide unique services for a specific project. In the development of the Project, SANBAG has worked closely with various professional consultants, agencies, and others in the preparation of the construction documents and other Project related materials. SANBAG, however, is solely responsible for and will be the sole point of contact for all contractual matters related to the Project. CONSULTANT shall take direction **only** from SANBAG and shall regularly inform **only** SANBAG of Project progress, outstanding issues, and all Project related matters.

During the course of the Project, CONSULTANT may find occasion to meet with Caltrans, City or County representatives, the design engineer, Project consultants, or other third parties who have assisted with the Project. These entities may, from time to time, offer suggestions and/or recommendations regarding the Project or elements of the Project. While SANBAG enjoys a close relationship with and has considerable confidence in the capabilities of these other parties, CONSULTANT shall not act on any suggestions, solicited or unsolicited, without obtaining specific direction from SANBAG. All oral and written communication with outside agencies or consultants related to the Project shall be directed only to SANBAG. Distribution of Project related communication and information shall be at the sole discretion of SANBAG representatives.

K. CONSTRUCTION SITE SAFETY

In addition to the requirements specified elsewhere in this contract, the following also will apply.

1. CONSULTANT will conform to the safety provisions of the Caltrans Construction Manual.
2. CONSULTANT's field personnel will wear white hard hats with proper suspension, orange vests with reflective tape, sleeved shirt, long pants, and leather boots with ankle support and rubber soled shoes at all times while working in the field.
3. CONSULTANT will provide appropriate safety training for all CONSULTANT's personnel, including work on and near highways.
4. All safety equipment will be provided by CONSULTANT.

L. BASIS FOR SURVEY AND MONUMENT STAKING

SANBAG will designate the existing horizontal and vertical control monuments that are the basis of CONSULTANT performed surveys. SANBAG will provide the California Coordinate System values and/or elevation values for these monuments. CONSULTANT shall adjust CONSULTANT performed surveys to be the designated control monuments and the values.

Monuments established by CONSULTANT shall be marked by CONSULTANT with furnished disks, plugs, tags. In addition, CONSULTANT shall identify CONSULTANT established monuments by tagging or stamping the monuments with the license or registration number of

CONSULTANT’S surveyor who is in “responsible charge” of the work.

M. PERSONNEL QUALIFICATIONS AND RESPONSIBILITIES

The quantity and qualifications of field personnel to be assigned will be determined by the scope of the Project and the degree of difficulty of required tasks to be performed. Again, all personnel and personnel assignments are subject to approval by SANBAG. While some areas of responsibility may overlap, as a guideline, CONSULTANT personnel assigned to the Project should have the following qualifications:

1. Project Manager

- a. A minimum of six (6) years' project management experience on similar construction projects is desired.
- b. Accessible to SANBAG at all times during normal working hours.
- c. A thorough understanding of Caltrans construction practices and procedures.
- d. A thorough understanding of Cal-OSHA practices and procedures.
- e. The Project Manager will assume the following functional responsibilities:
 - 1) Review, monitor, train, and provide general direction for CONSULTANT personnel.
 - 2) Assign personnel to projects on an as-needed basis.
 - 3) Administer personal leave.
 - 4) Prepare monthly reports for delivery to SANBAG.

2. Resident Engineer

- a. A minimum of eight (8) years' resident engineer experience on similar construction projects is desired.
- b. Licensed Professional Civil Engineer in the State of California.
- c. Ability to work independently, make effective decisions concerning construction work in progress, and solve field problems.
- d. Accessible to SANBAG at all times including weekends and holidays.
- e. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- f. A thorough understanding of Cal-OSHA practices and procedures.
- g. A thorough understanding of Caltrans field methods, practices, and construction office procedures. The Resident Engineer will assume the following functional responsibilities:
 - 1) Monitor and provide daily direction to CONSULTANT Resident Engineers and inspection personnel.
 - 2) Assign field personnel to specific project tasks.
 - 3) Monitor and track Contractor progress.
 - 4) Prepare daily, weekly and monthly reports as required.
 - 5) Coordinate utility relocations with appropriate agencies and the utility inspector.

- 6) Act as prime field contact between various project Contractors and SANBAG's Project Manager.

3. Assistant Resident Engineer

- a. A minimum of four (4) years' experience on similar construction projects is desired.
- b. Licensed Professional Civil Engineer in the State of California.
- c. Ability to work independently, make effective decisions concerning construction work in progress, and solve field problems.
- d. Accessible to SANBAG at all times including weekends and holidays.
- e. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- f. A thorough understanding of Cal-OSHA practices and procedures.
- g. Thorough understanding of Caltrans field methods, practices, and construction office procedures. The Assistant Resident Engineer shall act under the direction of the Resident Engineer and will assume the following functional responsibilities:
 - 1) Monitor and provide daily direction to CONSULTANT inspection personnel.
 - 2) Assign field personnel to specific project tasks.
 - 3) Monitor and track Contractor progress.
 - 4) Prepare daily, weekly and monthly reports as required.
 - 5) Coordinate utility relocations with appropriate agencies.

4. Lead Field Inspector

- a. A minimum of six (6) years' construction inspection experience in public works or similar projects or a four-year degree in the field of civil engineering, transportation and four years of similar construction experience is desired.
- b. A thorough understanding of Cal-OSHA practices and procedures.
- c. Knowledge of Caltrans construction practices, physical characteristics and properties of highway construction materials, and approved methods and equipment used in making physical tests of construction materials.
- d. Ability to work independently, make effective decisions concerning construction work in progress, and solve field problems.
- e. Ability to direct the efforts of subordinate inspectors.
- f. Ability to use an automatic level and transit for the purpose of verifying line and grade.
- g. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- h. Understanding of Caltrans field and construction office procedures. The Lead Field Inspector will assume the following functional responsibilities:

- 1) Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of construction.
- 2) Assist in the preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project.
- 3) Coordinate field testing of materials to monitor compliance with Project specifications and Caltrans Quality Assurance Program.
- 4) Maintain accurate and timely Project records. Perform quantity calculations for progress pay estimates.
- 5) Perform analytical calculations such as basic earthwork, grading, profiles, and special staking procedures.
- 6) Provide input for the redesign of facilities to fit existing field conditions.
- 7) Monitor and track Contractor progress. Prepare daily, weekly, and monthly reports as required.

5. Field Inspector

- a. Two (2) years' construction inspection experience in public works or similar projects or a four-year degree in the field of civil transportation engineering is desired.
- b. A thorough understanding of Cal-OSHA practices and procedures.
- c. Knowledge of construction practices, physical characteristics and properties of construction materials, and approved methods and equipment used in making physical tests of construction materials.
- d. Ability to work independently. Ability to make minor decisions concerning construction work in progress and to solve field and office problems.
- e. Ability to use an automatic level and transit for the purpose of verifying line and grade.
- f. Certified as a Qualified SWPPP Developer or Practitioner is desired.
- g. Understanding of Caltrans construction methods and practices. The Field Inspector will assume the following functional responsibilities:
 - 1) Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of project construction.
 - 2) Assist in preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project.
 - 3) Coordinate field testing of materials to monitor compliance with Project specifications and Caltrans Quality Assurance Program.
 - 4) Perform quantity calculations for progress pay estimates and maintain Project records.
 - 5) Perform analytical calculations such as basic earthwork, grading, profiles, and special staking procedures.
 - 6) Provide input for the redesign of facilities to fit existing field conditions.
 - 7) Perform construction materials sampling.
 - 8) Perform labor compliance interviews of the Contractors' personnel.

6. Structural Representative

- a. A minimum of six (6) years' of bridge or structural construction inspection as related to major public works projects and a four-year degree in civil engineering is desired.
- b. A minimum of four (4) years as a Structural Representative on major public works projects associated with railroad bridges.
- c. Licensed Professional Civil Engineer in the State of California.
- d. Knowledge of stress analysis, structural mechanics, and strength of materials.
- e. A thorough understanding of Cal-OSHA practices and procedures.
- f. Knowledge of Caltrans and UPRR/BNSF construction practices and the physical characteristics and properties of various bridge construction materials including concrete.
- g. Experience in the following areas: foundations, pile driving, concrete prestressing, bridge deck construction, cast-in-place wall construction, falsework, and shoring.
- h. Ability to work independently. Ability to perform duties in the construction field office and effectively make decisions concerning construction work in progress and solving field problems.
- i. Ability to direct the efforts of subordinate inspectors.
- j. Ability to use an automatic level and transit for the purpose of verifying line and grade.
- k. Thorough understanding of Caltrans field methods, practices, and construction office procedures. The Structural Representative shall assume the following functional responsibilities:
 - 1) Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of structural construction such as bridges, foundations, walls, falsework, shoring, and drainage structures.
 - 2) Make grade, alignment, quantity, falsework, and shoring calculations.
 - 3) Assist in the preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project. Coordinate the sampling and testing of construction materials to monitor compliance with contract specifications.
 - 4) Monitor and track Contractor progress. Prepare daily, weekly, and monthly reports as required.
 - 5) Coordinate with Resident Engineer, as well as the Construction Staking and Material Testing consultants.
 - 6) Direct the daily activities of subordinate inspectors.

7. Structural Inspector

- a. A minimum of four (4) years' of bridge design or structural construction

inspection as related to Caltrans or major public works projects and a four-year degree in civil or structural engineering is desired.

- b. Knowledge of stress analysis, structural mechanics, and strength of materials.
- c. A thorough understanding of Cal-OSHA practices and procedures.
- d. Knowledge of construction practices and the physical characteristics and properties of various highway bridge construction materials including concrete.
- e. Experience in one or more of the following areas: pile driving, concrete prestressing, bridge deck construction, retaining wall construction, falsework, and shoring.
- f. Ability to work independently and make minor decisions concerning construction work in progress and to solve field and office problems.
- g. Ability to use an automatic level and transit for the purpose of verifying line and grade.
- h. Understanding of Caltrans construction methods and practices. The Structural Inspector will assume the following functional responsibilities:
 - 1) Assist in inspections to assure compliance with contract plans, specifications, and special provisions on all phases of structural construction such as bridges, foundation, walls, falsework, shoring, and drainage structures.
 - 2) Make grade, alignment, quantity, falsework, and shoring calculations.
 - 3) Assist in the preparation of contract change orders, contract estimates, progress pay estimates, and other documents or reports required for the Project.
 - 4) Sampling and testing of construction materials to monitor compliance with contract specifications and Caltrans Quality Assurance Program.

8. Office Engineer

- a. A minimum of two (2) years' experience as an office engineer on similar construction projects is desired.
- b. Knowledge of Caltrans Office of Highway Construction forms used to administer construction projects.
- c. Knowledge of Caltrans system of document organization.
- d. Knowledge of construction records and accounting procedures.
- e. Knowledge of documentation, procedures, and reporting for federally funded projects.
- f. Knowledge of laws and regulations governing the payment of prevailing wages.
- g. The Office Engineer will assume the following functional responsibilities:

- 1) Process monthly progress pay estimates, monthly status reports, extra work reports, and weekly statements of working days.
- 2) Prepare and process contract change orders.
- 3) Monitor construction budget and schedule.
- 4) Prepare, maintain, and/or file project documents including labor and equipment records, correspondence, memoranda, meeting minutes, claims, personnel records, labor compliance reports, and daily, weekly, and monthly reports.
- 5) Perform routine calculations and checking of quantities.
- 6) Coordinate all office activities and functions with SANBAG representatives.

9. Materials Testing/Source Inspection Project Manager

- a. A minimum four (4) years' project management experience on a similar highway/bridge construction project is desired.
- b. Licensed Civil Engineer in the State of California.
- c. Ability to use typical computer programs including word processing and spreadsheets.
- d. The Materials Testing/Source Inspection Project Manager will assume the following functional responsibilities:
 - 1) Review, monitor, train, and provide general direction for CONSULTANT's laboratory, field and source inspection personnel.
 - 2) Assign personnel to projects on an as-needed basis in coordination with the Resident Engineer.
 - 3) Administer personal leave, subject to approval of the Resident Engineer.
 - 4) Prepare monthly reports for delivery to the Resident Engineer.
 - 5) Provide direction, administration, and responsibility for Materials Certification per Caltrans Construction Manual, Section 8-01.
 - 6) Assist SANBAG and Resident Engineer in preparing the project specific Source Inspection Quality Management Plan (SIQMP) for Caltrans review and approval. (Reference Caltrans "Source Inspection Quality Management Plan (SIQMP Outline dated 04/17/12).
 - 7) Provide direction, administration, and responsibility for implementation of the approved SIQMP per Caltrans Construction Procedures Directive (CPD) 08-5 and FHWA Title 23 requirements.

Material testing/source inspection personnel will be certified by a California Registered Civil Engineer as being experienced and competent in the test procedures required for the work involved (and possess a current certificate of proficiency (Form MR-0111) in accordance with Quality Assurance Program Manual (Section 3-5). Independent certification of Caltrans test procedures may be performed at the discretion of the SANBAG Project Manager.

10. Materials Technicians

CONSULTANT personnel provided under this contract will have a variety of skills and experience appropriate for the level of tasks to be assigned. Field personnel shall be certified by Caltrans and should have a minimum of two (2) years' experience in

conducting material sampling and testing of the type required for the projects involved and possess the following additional capabilities:

- a. Have the ability to establish specific locations for appropriate tests when construction contract administration personnel are not available.
- b. Be familiar with construction practices and be fully aware of construction activities at the Project site.
- c. Have knowledge of and comply with safety and health regulations and requirements applicable to the Project.
- d. Specific qualifications for technicians are as follows:

1) CONSTRUCTION TECHNICIAN I

- a) Performs a variety of semi-skilled activities. Examples of duties assigned to this classification are:
 - i. Conducting quality control tests such as soil densities, sieve analysis tests, operation scales and inspecting spread operations.
 - ii. Sampling and transporting produced construction materials from point of application or production to testing laboratory.
- b) Knowledge and Skills Required
 - i. Knowledge of tools, equipment and vehicles utilized in construction.
 - ii. Knowledge of standard equipment and materials used for the sampling and testing of construction material.
 - iii. Knowledge of basic mathematics used in the computation of a variety of construction items.
 - iv. Knowledge of record keeping, preparing of documents and reports.

2) CONSTRUCTION TECHNICIAN II

- a) Performs a variety of skilled activities. Examples of duties assigned to this classification are:
 - i. Inspecting minor construction items, sampling and inspection of steel reinforcement, sampling and inspection of concrete placing operation.
 - ii. Collect and analyze soil samples of construction materials to determine compaction and moisture content.
 - iii. Inspection and sampling of all phases of asphalt concrete and PCC paving operation, including plant inspection.
 - iv. Confers with construction engineers and contractors regarding construction in progress and is conformance to specifications and construction plans.

- v. Answers questions and resolves problems.
- vi. Inspects construction in progress to ensure conformance with specification, agreements, and established requirements.
- vii. Keeps daily diary of work progress.
- viii. Prepares reports on all field inspections and submits project quantities on a daily basis.
- ix. Keeps accurate documentation for force accounts and possible claims.

b) Knowledge and Skills Required

- i. All knowledge and skills required of lower classification.
- ii. Knowledge of currently accepted methods, procedures and techniques used in highway construction inspection, survey, materials testing, and quality control equipment.
- iii. Skill in interpersonal relations as applied to contact with contractors, representatives of other governmental jurisdictions, and other SANBAG/Caltrans staff.

3) CONSTRUCTION TECHNICIAN III

a) Exercises considerable independent judgment within general Caltrans standards and guidelines. Examples of duties assigned to this classification are:

- i. Inspect Project construction on an ongoing basis to assure compliance with contract and in accordance with State and local standards.
- ii. Perform a variety of structural material tests and inspections.
- iii. Reviews construction plans and verified that these are in accordance with designated specifications and other requirements.
- iv. Participates in the preparation of completed work estimates, to calculate compensation due contractor.
- v. Examines and verifies numeric data and material specifications on project cost source documents, utilizing geometry and trigonometry calculations.
- vi. Supervises all work activities involved in construction projects, laboratory, and quality control work.
- vii. Recommends approval of proposed Project changes.

b) Knowledge and Skills Required

- i. All knowledge and skills required of lower classifications.
- ii. Knowledge of the principles and practices of Civil Engineering as applied to the construction of state highways.
- iii. Skill in analyzing and evaluating a wide variety of highly technical engineering data, including construction plans, field survey and quality control documents.

- iv. Skill in interpreting and implementing Caltrans standards, policies, procedures and regulations.
- v. Skill in interpersonal relations, as applied to contacts with contractors, representatives of other governmental jurisdictions, and other SANBAG/Caltrans staff.

11. Construction Surveying Project Manager

- a. A minimum four (4) years' project management experience on similar construction projects is desired.
- b. Licensed Surveyor or pre-January 1, 1982 Registered Professional Engineer in the State of California.
- c. Accessible to the Resident Engineer and SANBAG at all times during normal working hours as specified in this Scope of Services.
- d. Under the direction of the Resident Engineer, the Survey Project Manager will be responsible for:
 - 1) Review, monitor, train, and provide general direction for CONSULTANT survey personnel.
 - 2) Assign personnel to projects on an as-needed basis.
 - 3) Administer personal leave, subject to approval of the Resident Engineer.
 - 4) Prepare monthly reports for delivery to the Resident Engineer.

12. Field Party Chief(s)

- a. The person(s) holding the position of Party Chief shall meet at least one of the following licensing requirements:
 - 1) A licensed Land Surveyor in the State of California.
 - 2) A pre-January 1, 1982, Registered Professional Civil Engineer in the State of California.
 - 3) An experienced surveyor who serves as chief under the direction or supervision of a person who is a licensed Land Surveyor or pre-January 1, 1982 Registered Professional Civil Engineer in the State of California. The direction or supervision shall place the supervisor in "responsible charge" of the work. "Responsible Charge" is defined in Chapter 15 of the Business and Professions Code (the Land Surveyor's Act) and Title 16, Chapter 5, of the California Administrative Code (regulations adopted by the Board of Registration for Professional Engineers and Land Surveyors).
- b. The Party Chief(s) should have a minimum two (2) years' survey experience on similar construction projects and possess the following additional capabilities:
 - 1) Thorough knowledge of construction survey practices and the ability to read and interpret plans and specifications.
 - 2) Ability to make effective decisions concerning field problems and work in progress.
 - 3) Familiarity with typical coordinate geometry computer programs.
 - 4) Familiarity with safety requirements for surveying near traffic.

- c. The Party Chief(s) will assume the following responsibilities:
- 1) Perform construction staking services for Project construction.
 - 2) Administer day to day activities for the survey party.
 - 3) Perform analytical survey calculations for items such as grading, horizontal and vertical control, right of way, and minor in-field design.
 - 4) Maintain continuous communication with the Resident Engineer, field personnel, and construction administration staff.

13. Survey Crews

- a. Qualifications for survey crew members should include the following:
- 1) A minimum of one (1) year of survey experience on similar construction projects is desired.
 - 2) Fundamental knowledge of construction survey practices and the ability to read and interpret plans and specifications.
 - 3) Ability to assist Party Chiefs and office personnel in all required surveying work.
 - 4) One survey crew member must have the ability to assume temporary leadership of the survey party in the absence of the Party Chief.
- b. Under the direction of the Resident Engineer and the Party Chief, the survey crew members will assume the following responsibilities:
- 1) Perform basic calculations to support construction staking.
 - 2) Maintain continuous communication with Party Chiefs and office personnel.

Minute Action

AGENDA ITEM: 13

Date: *January 6, 2016*

Subject:

Development of a Regional Safe Routes to School Plan Phase II

Recommendation:

That the Board, acting as the San Bernardino County Transportation Commission, approve Contract No. 15-1001193 with KOA Corporation for the Safe Routes to School Plan in an amount not-to-exceed \$380,824.

Background:

On September 9, 2015, the SANBAG Executive Director authorized the advertisement of Request for Proposals (RFP) 15-1001193 for Professional Services for the Development of a Countywide Safe Routes School (SRTS) Plan in accordance with SANBAG Contracting Procurement Policy 11000, Section VII.B.1. The scope of work for the RFP as described in Exhibit A of the Contract includes updating the Non-Motorized Transportation Plan (NMTP) to incorporate more robust SRTS program focused components to comprehensively manage the regional Active Transportation projects in the County.

The Request for Proposals (RFP) 15-1001193 was released on September 9, 2015, on SANBAG's website and was sent electronically to consultants registered on Planet Bids, approximately twenty-nine (29) vendors downloaded the RFP. The solicitation was issued in accordance with current SANBAG policies and procedures for procurement of professional services. A shortlisting meeting was held on October 13, 2015, followed by the interview of the consultants on October 22, 2015.

Three (3) proposals submitted by KOA Corporation, Alta Planning+Design, and Ryan Snyder Associates, were received by the date and time specified in the RFP. A responsiveness review was conducted by the Procurement Analyst which found all three (3) proposals to be responsive.

An evaluation committee consisting of two SANBAG representatives, one representative from Southern California Association of Governments (SCAG), one representative from the County of San Bernardino Department of Public Health, one representative from the Safe Routes to School National Partnership, and one representative from the San Bernardino County Superintendent of Schools evaluated the proposals based on the following criteria and weight:

- Qualifications of the Firm (20%)
- Proposed Staffing and Project Organization (30%)
- Technical Approach/Work Plan (40%)
- Cost (10%)

Entity: CTC

Board of Directors Agenda Item

January 6, 2016

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The weight of each of these criteria was identified in the RFP. The RFP identified that overall scoring would weigh an interview as 60% and the technical proposal as 40%, for a maximum possible score of 100%. On October 13, 2015, the evaluation committee reviewed and scored the three proposals based on the evaluation criteria. Alta Planning+Design received a highest score based on their technical proposal. On October 22, 2015, interviews were held with all three firms. At the conclusion of the interviews, the evaluation committee discussed their interview scores for all three firms. The overall highest score was given to KOA Corporation. KOA Corporation indicated a superior knowledge of the San Bernardino County specific community and school collaboration plan. They put together an experienced project team that addressed well each element of the scope of work, thus subsequently leading to their selection by the panel. The selection panel agreed on recommending KOA Corporation to develop the Countywide Safe Routes to School Plan.

Staff is requesting approval to award Contract 15-1001193 to KOA Corporation in an amount not to exceed \$380,824, to be funded with Active Transportation - State funds.

Financial Impact:

This item is consistent with the Fiscal Year 2015/2016 SANBAG approved budget. The contract is to be funded with Active Transportation – State grant funds which were specifically awarded for the purpose of creating a Countywide Safe Routes to School Plan.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015. SANBAG General Counsel and Contract Administrator have reviewed this item and the draft agreement.

Responsible Staff:

Steve Smith, Director of Planning

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 15-1001193 Amendment No.: _____ Vendor No.: 01196
 Vendor/Customer Name: _____ KOA Sole Source? Yes No
 Description: Development of a Regional Safe Routes to School Plan Phase II
 Start Date: 1/6/2016 Expiration Date: 6/30/2017 Revised Expiration Date: _____
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: _____

Dollar Amount			
Original Contract	\$ 380,824.00	Original Contingency	\$ -
Revised Contract (Inclusive of Prior Amendments)	\$ -	Revised Contingency (Inclusive of Prior Amendments)	\$ -
Current Amendment	\$ -	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 380,824.00	TOTAL CONTINGENCY VALUE	\$ -
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 380,824.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 1/6/2016
 Board of Directors Action: Approve Contract No. 15-1001193

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: Josh Lee

Attachment: Contract Summary Sheet (2430 : Safe Routes to School)

EXHIBIT A – “SCOPE OF WORK”

SCOPE OF WORK:

San Bernardino County Regional Safe Routes to School Plan Phase II

Introduction:

The San Bernardino County Transportation Commission (SANBAG) is soliciting services from Consultant to develop phase II of a regional safe routes to schools plan throughout San Bernardino County.

Background:

SANBAG is in the process of expanding the historically bicycle-focused Countywide Non-Motorized Transportation Plan (NMTP) to include more robust pedestrian and safe routes to school components (see http://www.sanbag.ca.gov/planning2/plan_non-motor.html for more information). The NMTP is available both as a static document and as an interactive Geographic Information Systems (GIS) web application. The NMTP has been amended roughly twice a year since its 2011 version and provides a variety of benefits to local and regional governments as well as to San Bernardino County citizens and businesses.

Impetus for expanding the NMTP in large part comes as a result of the Complete Streets Act of 2008 (Assembly Bill 1358) which requires consideration of complete streets with any substantive revision to general plan circulation elements in order to reduce greenhouse gas emissions in California as outlined in the California Global Warming Solutions Act of 2006 (AB 32). Local jurisdiction circulation elements must therefore plan for a balanced, multimodal transportation network that meets the safety and access needs of all users, regardless of age or abilities.

SANBAG has recently completed the development of the countywide Complete Streets Strategy to assist local jurisdiction with implementation of complete streets policies and projects. Efforts are also already underway to develop a Points of Interest Pedestrian Plan (PIPP) section for the NMTP to address the needs of the pedestrian elements of the NMTP. The purpose of the Safe Routes to School Plan (SRTSP) is to address the active transportation needs at school locations around San Bernardino County.

In 2014-2015, SANBAG received a Sustainable Communities Grant from SCAG to start on the development of the SRTSP. Phase I of the SRTS is near completion and is awaiting for the final draft to be published. It is found in the Reference Document titled "SANBAG SRTS Strategy". The phase one report was focused on developing implementable SRTS strategies within a framework of small area analysis. The analysis identified focus areas within San Bernardino County that could benefit from SRTS investments relative to other areas within the region by looking at several criteria.

- o **Benefits to safety** in areas with poor bicycle or pedestrian facilities, a history of collisions involving bicyclists and pedestrians, or other barriers to active transportation,
- o **Benefits to mode share** in areas where investments in SRTS have the potential to shift trips to walking and cycling, based on population and existing facilities.

- o **Project readiness** identifies the most ready projects, based on previous planning efforts, grants received, and demonstrated interest in SRTS activities.
- o **Equity considerations** to identify areas that have a high need for services, including areas with poor environmental quality or areas with low household incomes.

The phase I report also included site specific walking and bicycling audit toolkits to identify barriers to students walking or bicycling between home and school. Audits generally require a tour of the “school zone,” which includes the school campus as well as adjacent streets, sidewalks, trails, and crosswalks, within a quarter- to half-mile of campus. The Walk Audit Toolkit provided materials to promote, plan, implement, and report on the walk audits. The Toolkit materials were developed specifically to expedite the Phase II work effort.

In 2014, SANBAG was awarded funds from the California Active Transportation Program (ATP) for a SRTS Phase II project, which will further the development of the SRTSP by including walk audits (bike audit is assumed in the walk audit), data collection strategies for ongoing performance monitoring, and developing an inventory of needed infrastructure improvements and priority list of projects.

Objectives:

The approach to the project will involve various stakeholders connected with Safe Routes School (SRTS) programs to examine, in depth, the opportunities and barriers to creating an environment where students and parents can feel safe to choose an alternate mode of transportation when travelling to and from the schools. The project will lay the foundation for a more systematic approach to building safe routes to school infrastructure throughout the County. Each school corridor and site has its own character, issues, and constraints that require unique solutions. By approaching SRTS in a comprehensive way, this project will help our County to approach SRTS funding in a systematic manner and put agencies in a better position to compete for active transportation program funding.

There will be two main components to the project. First, a Student Travel Data Collection Strategy will be developed. The data collection strategy will inventory existing school data sources and propose a methodology for regularly collecting data on student travel trends. This data will be used by SANBAG and SCAG to prioritize investments and improve regional active transportation modeling efforts.

Second, the Safe Routes to School focus area analysis from phase I will be used to help planning efforts in developing an inventory of needed infrastructure improvements for approximately ten percent (10%) of San Bernardino County’s schools through an actual walk audit of the school sites. The template for how the walk audit will be conducted and presented is also included in the walk audit strategy toolkit in phase I report.

Project Objectives:

- Support the overall countywide vision and implementation strategy for providing safe routes to schools in San Bernardino County that encourage alternate mode choices for students and parents.

- Build upon the phase I inventory and prioritization study to better integrate SRTS sites and corridors with countywide active transportation efforts and Non-Motorized Transportation Plan.
- Develop a student data collection strategy to document the benefits of active transportation in order to leverage more SRTS funding for local jurisdictions.
- Conduct and document walk audits around selected school sites and corridors to better identify the exact infrastructural needs and provide access accommodations for students to bicycle and walk to school.
- Define a series of possible implementation efforts to identify and remove barriers, over time, to active transportation for all of the schools in the County.
- Develop a process for cities to incorporate SRTS projects into SANBAG's Non-Motorized Transportation Plan and to prepare them to secure funding for the SRTS portion of the State's newly proposed Active Transportation Program (ATP).
- Develop a Financial Plan that analyzes existing funding programs and identifies strategies to increase funding opportunities for bicycle and pedestrian infrastructure.
- Address actual and perceived safety concerns, together with strategies that could significantly decrease bicycle and pedestrian fatalities and injuries.

1. Project Initiation

Task 1.1 Project Kick-off Meeting

- SANBAG will hold a kick-off meeting with the Consultant team, the San Bernardino County Active Transportation Network, County Superintendent of Schools, and SCAG staff to discuss project expectations including overview of the project schedule, project elements, invoicing, reporting, and all other relevant project information. An informal Technical Advisory Committee (TAC) will be established to ensure progress of the project. Meeting summary will be documented.
- **Responsible Party: SANBAG/Consultant**

Task 1.2 Staff Coordination

- Monthly project team meetings with Consultant team to ensure effective communication on upcoming tasks and to ensure the project remains on time and within budget. TAC meetings with cities and school districts will be held on a quarterly basis.
- **Responsible Party: SANBAG/Consultant**

Task 1.3 Identify Existing Conditions and Review Phase I Inventory Report

- As part of the SCAG Sustainability Program, SANBAG has developed a focus area study with walk audit toolkits to identify high need schools and conduct a walk audit of the schools identified in the focus area study. Throughout the project the consultant will continue to build on this phase I work by expanding the inventory of the focus area school sites as much as possible, in collaboration with school districts willing to participate. This inventory will be the basis for prioritizing future project grant applications and developing SRTS corridors that are consistent with SANBAG's overall active transportation efforts. It is imperative that the consultants expand and continue on the SRTS inventory work effort. The consultant will strategize to integrate the 2014 SRTS inventory effort into the project.

- **Responsible Party: Consultant**

Task	Deliverable
1.1	Meeting Notes
1.2	Monthly Meeting Notes
1.3	Detailed Plan of Action and Schedule

2. Project Management

Task 2.1 Project Management

- SANBAG staff and the Consultant will regularly coordinate and meet to discuss and track progress of the project to ensure project schedule and budget adherence.
- A parallel SANBAG effort is also underway to develop a Countywide Points of Interest Pedestrian Plan (PIPP) to assist member agencies with the development of tools and guidelines for identifying and prioritizing pedestrian improvements. The consultant will coordinate effort with the PIPP project to make sure both projects move forward expeditiously.

Task 2.2 Invoicing

- Submit complete invoice packages to Caltrans District staff based on milestone completion—at least quarterly, but no more frequently than monthly.

Task 2.3 Reporting

- Submit written or verbal reports to SANBAG staff providing a summary of project progress and grant expenditures.
- **Responsible Party: SANBAG/Consultant**

Task	Deliverable
2.1, 2.2, 2.3	<i>Invoices and Reports</i>

3. Public Outreach

Outreach will occur at strategic points in the project with various stakeholders including cities and school districts. The meetings will involve invited stakeholders and community based organizations that may be willing to offer valuable input and assistance for the project. The Consultant will lead the effort to arrange a project working group with the invited organizations and individuals. The starting point will be the continuation of a database of existing and past SRTS projects, their locations, and basic facts about each (age of school, number of students, challenges in delivering projects, lessons learned, etc.). Much of the macro level outreach has been completed with the phase I project, thus the phase II outreach should focus more on the detailed SRTS program level input from the stakeholders and the community.

Outreach will include meetings and conference calls with the school districts and community based organizations established through the first phase. Given that there are approximately 550 public schools in San Bernardino County and 10 percent will involve 55 schools, there will need to be a well-organized phasing strategy to ensure projects are implemented in an efficient manner.

In preparation for public workshops, the consultant will develop a draft process for conducting student travel data collection strategy specific to school sites and use walk audit toolkit to develop infrastructure need and recommendation list for sidewalk and bicycle facilities around various school sites and corridors. The consultant will also outline and present an overview of the phase I products and introduce a work schedule for phase II. Conditions for on-site verification will also be established. The information presented in the workshops will be packaged for local jurisdictions and school districts to incorporate into grant applications to leverage available funding for SRTS. Technical meetings will be held throughout the project to ensure sufficient detailed discussion and analysis occurs.

Task 3.1 Coordination with TAC (School Districts/Local Jurisdictions/Community Organizations)

- The TAC will have an initial technical forum to discuss issues, assumptions, and solutions for both travel trend data development and infrastructure walk audits. Materials and presentations to be distributed during site specific outreach will be discussed in this forum.
- The on-going quarterly meetings will be established as the forum for the Technical Advisory Committee (TAC) meetings.
- Reports and collateral materials will be developed and presented to the stakeholders to keep members engaged throughout the process.
- **Responsible Party: Consultant**

Task 3.2 Site Specific Community Meetings (Data Collection Strategy Presentation and Walk Audits)

- The consultant will discuss general description, background, and vision of the project with local jurisdictions, school district representatives, and community members. A presentation reporting on overall SRTS Programs in the County as developed by the phase I process will be prepared and a discussion will be held to identify issues of concern to the local jurisdictions and school locations.
- The consultant will present student travel data collection strategies that will inventory existing school data sources and methodology for regularly collecting future data on student travel trends.
- Inform stakeholders of quarterly technical working group meetings to collect, analyze and develop data and project reports.
- Consultant will conduct Walk Audit of the school sites with stakeholders and community members.
- Consultant will gather and incorporate feedback from the outreach event on project needs and priority.
- **Responsible Party: Consultant**

Task 3.3 SANBAG Technical Advisory Committee (TTAC) and Planning and Development Technical Forum (PDTF) Meeting Presentations

- At the start of the project, the consultant will discuss general description, background, and vision of the project with local jurisdictions at one of the TTAC and PDTF meetings.
- Draft findings and recommendations will be presented to both TTAC and PDTF meetings toward the end of the project. The consultant will incorporate comments and suggestions

received from the jurisdictions prior to the end of the project before the release of the final draft.

- **Responsible Party: Consultant**

Task	Deliverable
3.1	TAC Report, Project Outreach Strategy and Schedule, Outreach Toolkits, Presentations
3.2	Powerpoint Presentation, Meeting Summary, Photo
3.3	Powerpoint Presentation, Meeting Summary, Photo

4. Student Travel Data Collection Strategy

Task 4.1 Literature Review and Best Practices

- Information will be collected on examples and models of data collection efforts from various jurisdictions that have implemented student travel data collection program related to SRTS programs. The goal of the data collection is to have a more comprehensive understanding of issues to discuss with school districts regarding collection of data that can assist agencies in leveraging future SRTS funds. The process will serve as the basis for the development of various elements of the data collection strategy.
- **Responsible Party: Consultant**

Task 4.2 Review Current School District Data and Collection Procedures

- The consultant will survey school districts or school sites located within the focus areas to determine existing data collection methods currently in place with the districts/schools to define the most cost effective method for developing a regional longitudinal dataset for student travel needs.
- The consultant will strategize on the most appropriate strategy to collect relevant information from the school districts.
- **Responsible Party: Consultant**

Task 4.3 Development of Data Collection Strategies

- The consultant will utilize the best practices on the longitudinal data collection strategies from task 4.2 on student travel behavior to develop short, mid, and long term methods in effectively gathering student travel data on a periodic basis. It will also identify responsible agency and method of distribution.
- As part of the strategy, use phase I sample survey materials developed for school districts or other entities that may be responsible for collecting the periodic dataset. It is important to gather periodic data in a consistent manner to analyze the trends and patterns of student travel to school.
- Consultant will include and work with the County Superintendent of Schools in developing the collection strategy.
- **Responsible Party: Consultant**

Task 4.4 Alternate Collection Strategies for Colleges and Universities in the County

- A similar assessment process will be developed for colleges and universities in the County. Because of the distinct difference in characteristics, a separate work plan will be

developed on how best to address the unique needs and challenges of these institutions. The consultant will research and develop similar survey and data collection strategies for colleges and universities.

- **Responsible Party: Consultant**

Task	Deliverable
4.1	Existing Conditions and Best Practices Report
4.2	Current School District Data Collection Effort Report
4.3	Draft Data Collection Strategies
4.4	Implementation Tech Memo for Colleges and Universities in the County

5. Walk/Bike Audits

Task 5.1 Review Current School District and Local Jurisdiction Needs and Readiness Analysis (founded on phase I)

- Review phase I final report of the SRTS focus area project. The phase I SRTS project is designed specifically to lead into the phase II process where actual walk audits and specific safety and access recommendations can be developed, including infrastructure recommendations. The elements of the phase I final report serve as the foundation for the phase II walk/bike audit formats.
- SANBAG and SCAG have developed an award winning “*Improvement to Transit Access for Cyclists and Pedestrians*” plan through a previous Caltrans planning grant. Through walk audits around Metrolink stations and the Omnitrans sbX Bus Rapid Transit (BRT) stations, the study outlines existing barriers to access while providing planning level improvements. SANBAG is now in the process of implementing recommended measures in the plan at several Metrolink stations. The Consultant will review the Transit Access Plan document and the phase I Walk Audit Toolkit to incorporate similar concepts into the SRTS Walk Audit structure and reports.
- **Responsible Party: Consultant**

Task 5.2 Focus Area Analysis on Safe Routes to School Sites/Corridors (Coordinate with phase I)

- As part of the phase I SRTS project, an initial focus area have been developed. The consultant will review the priority list in light of practicability of walk audits and recommend modification of the list if need arises.
- If elements of the phase I report needs to be modified, a technical memo highlighting the changes will need to be developed to improve the phase I report. For instance, if a site specific analysis on the potential number of students who will walk/bike to school is needed, phase I study can be modified to accommodate the necessary analysis and changes.

Task 5.3 School Site Selection of the Walk/Bike Audit

- The consultant will select schools and corridors from the focus area list to conduct walk audits. The further selection process will be based on a combination of interest, need, and budget with the goal of creating improvement plans around as many schools as resources

will allow. Since the goal is around 10 percent or 55 plus school sites, cost could be minimized in locations that already have a walk audit document completed and available for incorporation into the project.

- Although some school district interest analysis was generated by the phase I process, in phase II, further outreach to the school district will be done to gauge the school district interests by looking at long term SRTS program commitments. SANBAG Project Manager will approve the walk/bike audit list in phases since not all 50 plus outreach efforts can start and end at the same time.
- **Responsible Party: Consultant**

Task 5.4 Conduct Walk/Bike Audits of Identified Corridors and Schools

- SRTS walk audits are processes that involve the gathering of data around the built environment of school sites usually with a catchment area of $\frac{1}{4}$ to $\frac{1}{2}$ mile or around a corridor using specific analysis tools (already developed in phase I). The Consultant will develop site specific auditing tools that will be localized to different school district's needs using the phase I toolkit.
- Based on Task 5.3, each outreach meetings and walk audits will be coordinated with the school district or school sites to maximize the input from the community and school officials.
- The Consultant and the selected community members will use the auditing tools to identify infrastructural hindrance or "gaps" to walking and bicycling around selected sites and areas during the community outreach phase of the project. They will also identify and recommend solutions to create change in the transportation system. However, recommendations for improvements should also incorporate and address other "Es" of the SRTS program. (Evaluation, Education, Encouragement, Enforcement, and Engineering)
- **Responsible Party: Consultant**

Task 5.5 Develop Infrastructure Needs Analysis and Improvement Recommendations (Include Graphic and Mapping Tools)

- The Consultant will use the information and results from the walk audits from Task 5.3 to develop a needs analysis document with improvement recommendations.
- The document should include an existing conditions report and recommendations report for the selected areas through the application of mapping and graphic visualization tools.
- If a scoring criteria tool is applied, a clear and concise matrix outlining all measures should be included.
- **Responsible Party: Consultant**

Task 5.6 Develop Cost Estimates Associated with Recommended Improvements

- The recommended improvements should include a planning-level financial constraint analysis that can be applied by agencies for implementation.
- The consultant will use the cost information developed to identify strategies for implementation.
- **Responsible Party: Consultant**

Task 5.7 Development of Safe Routes to School Grant Application Strategies and Template

- To leverage more SRTS funding and streamline the application process for implementing agencies, develop a sample grant application with specific application strategies that will allow smaller jurisdictions with staffing and resource constraints to easily incorporate into their proposal.
- **Responsible Party: Consultant**

Task 5.8 Final Report Production

- Prepare a final report that integrates all of the information, including support materials, prepared during the project. (Existing Conditions, Best Practice Review, Survey Strategies, Walk Audit Results, Cost Estimate Report, etc.)
- The final report should integrate both the **Student Travel Data Collection Strategy** and the **Prioritization of School Plans** projects.
- If any policy recommendations are identified to incorporate into SANBAG's Non-Motorized Transportation Plan, document format should be consistent with the NMTP document.
- **Responsible Party: Consultant**

Task	Deliverable
5.1	Expanded Phase I Report if necessary
5.2	Expanded Phase I Report if necessary
5.3	Phased Walk Audit School Site Selection List and Schedule
5.4	Community Outreach Meeting/Walk Audit materials Draft Infrastructural Needs and Recommendations, Mapping Analysis, and Graphics
5.5	Implementation Tech Memo
5.6	Cost Estimate Report
5.7	SRTS Grant Support Documents
5.8	Final Report, Supporting Documents and Graphics for both Student Travel Data Collection and School Prioritization Plan Methodology Report

Minute Action

AGENDA ITEM: 14

Date: *January 6, 2016*

Subject:

Transportation Development Act Article 3 Phase 2 Pedestrian and Bicycle Facilities and Transit Stop Access Improvement Call for Projects

Recommendation:

Authorize the release of Transportation Development Act (TDA) Article 3 Call for Projects for the following two programs:

- A. Pedestrian and Bicycle Facility Projects (\$887,977)
- B. Transit Stop Access Improvement Projects (\$634,287)

Background:

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

In July 2013, the Board awarded \$3,029,621 for Pedestrian and Bicycle Projects and \$767,405 for Transit Stop Access Improvement projects. These projects are to be completed within a three year time frame, or December 2016. This year, a total of \$3,421,433 of Article 3 Bike and Pedestrian funds and Transit Stop Access funds were estimated to be available for award. However, in March of this year, the SANBAG Board approved the allocation of \$1.89 million of the Bike and Pedestrian funds toward assisting local jurisdictions to better compete in the State's Active Transportation Program (ATP). As a result, San Bernardino County jurisdictions were able to leverage more funding from the State in this cycle of the ATP program.

As in the past, staff is proposing to issue two calls-for-projects which will be issued concurrently. Attachment 1 presents the call-for-projects for Pedestrian and Bicycle Projects representing the Article 3 funds available following the allocation to successful ATP applications, or \$887,977. Out of the \$887,977, the Board also approved 10 percent set-aside (\$253,715) from the original TDA Article 3 Bicycle and Pedestrian Projects this year for maintenance of existing bicycle and pedestrian facilities. Proposed projects must be consistent with the most recent Non-Motorized Transportation Plan approved by the SANBAG Board. Eligible expenditures include:

Entity: CTC

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- Preliminary engineering leading to construction of pedestrian or bicycle facilities
- Right-of-way acquisition necessary for pedestrian or bicycle facilities
- Construction or reconstruction of Class I, II and III bicycle facilities and sidewalks
- Provision of curbs, gutters and driveway ramp paving on a sidewalk project
- Purchase and installation of bicycle locker and/or racks at major employment centers, park-and-ride lots and transit terminals

Attachment 2 presents the call-for-projects for Transit Stop Access Improvement Projects representing 20 percent of the available Article 3 funds, or \$634,287. Under this call, no single jurisdiction shall receive more than 10 percent of the funds available unless there are an insufficient number of project applications to fully utilize the amount available. Eligible expenditures include:

- Retrofitting sidewalks with accessibility ramps to improve access to existing bus stops
- Construction of bus stop pads, including pads for bus shelters, but not including purchase and installation of bus shelters or benches at existing bus stop locations
- Construction of bus stop pads, including pads for bus shelters, but not including purchase and installation of bus shelters or benches at new bus stop locations
- Construction of new sidewalks to serve existing bus stop locations
- Construction of new sidewalks to serve new bus stop locations
- Web-based mapping, photography or other visual imagery to provide information on stop accessibility to users of a transit system

Staff anticipates issuing the calls-for-projects on January 6, 2016 with project applications due to SANBAG by February 5, 2016. The application review would occur during February with a recommendation on projects provided to the March General Policy Committee and the Board of Directors on April 6, 2016.

Currently, it is tentatively anticipated that the evaluation panel for each call-for-projects will be comprised of two members from SANBAG, one member from Caltrans, one from a neighboring County Transportation Commission, one member from Southern California Association of Governments (SCAG), and one from a bicycle or transit user group.

Financial Impact:

This item has no financial impact on the Fiscal Year 2015/2016 Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

Responsible Staff:

Steve Smith, Director of Planning

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Attachment 1

**TRANSPORTATION DEVELOPMENT ACT
ARTICLE 3 BIENNIAL CALL FOR PROJECTS
FOR
BICYCLE AND PEDESTRIAN FACILITIES**



Issued: January 6, 2016
Submittal Deadline: February 5, 2016

Background:

In August 1999, the SANBAG Board approved a policy that 80% of the Transportation Development Act (TDA) Article 3 funds would be made available for projects that implement or improve bicycle and pedestrian facilities. The remaining 20% of TDA Article 3 funds will be made available through a separate Call for Projects specifically for projects that improve access to transit stops for pedestrians and persons with disabilities. The total amount available in this call for projects is \$887,977 and is comprised of funds from unused allocation of prior TDA awards and two fiscal years of revenue (FY 2014/2015 & FY 2015/2016), but subtracting the phase I call for projects to assist with local match funds for the Statewide Active Transportation Program. (\$1.4 million)

Upon approval of a project list by the SANBAG Board, Article 3 funds will be allocated to the project sponsor agency. Allocated funds will remain available for three full years after Board approval. Unspent allocated funds may revert back to the subsequent Bicycle and Pedestrian Facilities Call for Projects after the three year term has expired. Two one-year extensions may be granted at the discretion of SANBAG for projects that are moving forward but cannot be completed by the award sunset date. Subsequent extensions are at the discretion of the SANBAG Board. Extension requests must include appropriate justification for an extension and provide a revised project schedule with an expected completion date. Requests must be received in writing by SANBAG prior to sunset of the allocation.

Proposed bicycle and pedestrian facility projects must meet the following guideline requirements:

- Bicycle projects submitted for consideration must be included in the latest SANBAG Non-Motorized Transportation Plan (NMTP). Project costs do not necessarily need to match.
- Sidewalk or other pedestrian projects do not need to be included in the latest Non-Motorized Transportation Plan.
- The minimum match for this grant program is 10%. No award of Article 3 Bicycle and Pedestrian funds will be for more than 90% of the total project cost. However, overmatching is encouraged and provides additional application points as outlined in the scoring criteria below. There is no maximum amount that is available per project request, however, in the event that a project cannot be fully funded, SANBAG may recommend partial funding for award.
- Agencies awarded funds will not be reimbursed for any project cost overruns. The allocated amount represents the maximum amount eligible for reimbursement. For projects completed under the allocated amount, the agency will be reimbursed at the matching ratio in effect at the time of project selection and approval. Example: If an agency commits to a 25% match for a \$10,000 project, the amount of Article 3 awarded would be \$7,500. If the completed project cost was \$8,000, the amount of Article 3 funds disbursed to the agency would be \$6,000.
- Design and construction of facilities must conform to the general design criteria for non-motorized facilities as outlined in the Caltrans Highway Design Manual.

Eligible Expenditures:

1. Preliminary engineering leading to construction of pedestrian or bicycle facilities
2. Right-of-way acquisition necessary for pedestrian or bicycle facilities
3. Construction or reconstruction of Class I, II and III bicycle facilities and/or cycle tracks and sidewalks
4. Provision of curbs, gutters, and driveway ramp paving on a sidewalk project
5. Purchase and installation of bicycle lockers and/or racks at major employment centers, park-and-ride lots and transit terminals
6. Maintenance of existing Class I facilities (no more than 10% of the available funds for the Bicycle and Pedestrian Facilities Call for Projects can be allocated to maintenance of existing facilities)

The construction of sidewalks fronting undeveloped land on a project may not exceed 15% of the total project length. Match paving for sidewalk projects is not an eligible project cost. Roadway improvements performed in conjunction with bicycle or pedestrian facility improvements are not an eligible expense. Detailed project cost estimates must be provided that clearly demonstrates the portion of a comprehensive project that is directly attributable to bicycle or pedestrian facilities. If the funds requested for bicycle or pedestrian facilities cannot be clearly determined from project cost estimates or funding is not deemed appropriate for bicycle or pedestrian facilities the evaluation panel reserves the right to eliminate the submittal from consideration or adjust the cost according to what it deems appropriate for the bicycle or pedestrian facility. Railroad grade crossing pedestrian projects are no longer considered eligible expenses under this program.

Additional Information:

Jurisdictions shall submit one application per project and transmit the application to SANBAG electronically based on the submittal instructions. The application must include the following:

- Cover letter. Cover letter should note all of the projects submitted by a jurisdiction with a prioritized list of projects. Funding awards will not necessarily be based on prioritizations but rather based on the scores developed from the scoring criteria.
- Clear project description discussing the nature and type of project being proposed for funding. The description shall include important design considerations and identify the location of the project and the transportation purpose to be served.

- Map depicting the project location and limits along with principle streets, transit routes, nearby city and county boundaries, and prominent landmarks shall be included.
- Discussion of safety or other concerns that the project is expected to address.
- Description of the connectivity of the project to the local and regional active transportation network.
- Acknowledgement of previous TDA awards and status of those projects.
- Project cost estimate that addresses various components of project cost. If a bicycle or pedestrian facility proposed project is part of another larger project (i.e. street widening), the bicycle/pedestrian facility components must be clearly delineated from non-eligible roadway or other expenses.
- Detailed application questions are included in the electronic submittal form.

Project applications will be reviewed by an evaluation panel. The evaluation panel, using the criteria contained in this call-for-projects, will score the proposed project applications. The evaluation panel is anticipated to be comprised of at least two SANBAG staff and potentially a member from a bicycle/pedestrian stakeholder group such as the Inland Empire Biking Alliance, an adjacent county transportation commission, and Caltrans. Based on the evaluation panel proposed project scores, the evaluation panel will make its recommendation to SANBAG General Policy Committee who will forward its recommendation to the full SANBAG Board of Directors.

Project Evaluation Criteria:

Evaluation Criteria	Possible Score
Overall Quality of Application – Overall quality of the application submitted for a project considering clarity of project description, project purpose and need and satisfactorily addressing evaluation criteria.	20
Project Purpose and Need – Describe the purpose and need of the project including the extent of the potential use of the facility. Provide socioeconomic data, historic or current bicycle or pedestrian count volumes, ADT/trip generation information or other data to support the forecasted use and/or need for the project. The relation of the proposed project to the regional and local active transportation network. The level of connectivity the proposed project offers to intermodal opportunities. The extent to which the proposed project will improve safety for the non-motorized public. Consideration will be given to number of accidents in a project area, severity of accidents in an area.	30
Destinations Served – The extent that the proposed project serves destinations, the nature of destinations served and the likelihood of proposed project usage by destination related activity. (e.g., employment center, school or college, retail center and/or downtown area, park and other recreational use, public building, including library, museum and civic center).	15
Local Matching Funds – Proposed projects will receive the following points based upon the extent of local match provided: 5 points for 15-24%; 10 points for 25-34%; 15 points for 35-49%; and 20 points for 50% or greater.	20
Project readiness –Existing infrastructure such as roadways, pavement conditions and intersection signalization that may accelerate project development and delivery with ten points awarded where project design and environment clearances are complete and can be verified.	10
Timeliness of Prior Project Completion – Ability to demonstrate project completion in a timely manner.	5
Total Possible Score	100

Call for Projects Schedule:

Issue Call for Projects	Wednesday, January 6, 2016
Project Proposals Due	Friday, February 5, 2016
Recommendation to General Policy Committee	Wednesday, March 9, 2016
Recommendation to Board	Wednesday, April 6, 2016

Submittal Instructions:

Applications must be submitted online. The online form has been attached for reference purposes. Once the form is submitted online it is directed to the appropriate SANBAG

department. A confirmation email will be forwarded to each applicant to confirm that an application has been submitted. For questions regarding the submittal process or application, please contact Josh Lee at (909) 884-8276 or jlee@sanbag.ca.gov. The online application form can be found at the following link:

<http://maps.sanbag.ca.gov/website/TDAGrant>

Applications must be submitted by 5:00 pm on the proposal due date specified above. This call and associated information is also available on the SANBAG website at www.sanbag.ca.gov.

Project Completion and Payment:

Sponsor agencies receiving an allocation of \$250,000 or less shall be reimbursed in arrears and upon proof of satisfactory project completion. Agencies receiving an allocation of \$250,000 or more may request progress payments, however, 20% of the awarded funds shall be held by SANBAG until proof of satisfactory project completion. Each recipient shall prepare a project completion report, including pictures of completed project(s) when requesting reimbursement. SANBAG will reimburse the recipient within 45 days. Recipient must retain all records necessary for the fiscal and compliance audit that will be conducted at the end of each fiscal year. Projects selected under this process must be completed within the three full fiscal year period. Any funds allocated and not disbursed by the end of the three full fiscal year period shall be unallocated and returned the Article 3 Bicycle and Pedestrian Facilities fund.

Attachment 2

TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 BIENNIAL CALL FOR PROJECTS FOR TRANSIT STOP ACCESS IMPROVEMENTS



Issued: January 6, 2016
Submittal Deadline: February 5, 2016

Background:

In August 1999 the SANBAG Board approved a policy that 20% of the Transportation Development Act (TDA) Article 3 funds would be made available for projects that improve access to transit stops for pedestrians and persons with disabilities. The remaining 80% of TDA Article 3 funds will be made available through a separate Call for Projects specifically for bicycle and pedestrian facilities.

This program has been developed in recognition of the importance of providing safe and accessible paths of travel to existing and proposed bus stop locations. In some instances, the provision of accessible pathways to bus stops may reduce the demand for complementary paratransit service provided by the Americans with Disabilities Act (ADA). The total amount available in this Transit Stop Access Improvements call for projects is estimated to be \$634,287 and is comprised of funds from unused prior allocations and funds from two fiscal years (FY 2014/2015 and 2015/2016).

Applicants may be cities, the county or transit operators/claimants. No single jurisdiction shall receive more than 10% of the funds available under this call for projects unless there are an insufficient number of project applications to fully utilize the amount available. Joint power agency transit operators who are the lead agency for implementing the proposed projects may receive awards above the 10% limit.

Upon approval of a project list by the SANBAG Board, Article 3 funds will be allocated to the project sponsor agency. Allocated funds will remain available for three full fiscal years after the year of Board approval. Unspent allocated funds will revert back to the subsequent Transit Stop Access Improvements call for projects after the three year term has expired. Extensions may be granted at the discretion of SANBAG for projects that are moving forward but cannot be completed by the award sunset date. Extension requests must include appropriate justification for an extension and provide a revised project schedule with an expected completion date. Requests must be received in writing by SANBAG prior to sunset of the allocation.

Eligible Expenditures:

1. Web-based mapping, photography or other visual imagery to provide information on stop accessibility to users of a transit system.
2. Retrofitting sidewalks with accessibility ramps to improve access to existing bus stops.
3. Construction of bus stop pads, including pads for bus shelters, but not including purchase and installation of bus shelters or benches at existing bus stop locations.
4. Construction of bus stop pads, including pads for bus shelters, but not including purchase and installation of bus shelters or benches at new bus stop locations.

5. Construction of new sidewalks to serve existing bus stop locations.
6. Construction of new sidewalks to serve new bus stop locations.

Eligible project costs include expenses associated with: right of way acquisition or easement; preliminary engineering and design; plans, specifications and estimates; and construction. All projects must comply with the applicable Americans with Disabilities Act Accessibility Guidelines (ADAAG), Health and Safety Code, Sections 18901 to 18949.6 of the State Building Standards Law as issued by the California Building Standards Commission, and comply with local building and construction codes and requirements.

Additional Information:

If multiple improvement projects are included in an application, the application should include a prioritized listing of access improvement projects. All applications are to be submitted based on the submittal instructions. The application must include the following:

- Projects shall be classified as one of the six types of projects identified under the eligibility section above.
- Project description should identify whether the existing right of way or a new easement is required for the proposed project.
- Documentation that the proposed project addresses a problem area identified by current users of the transit service or through a survey of bus stop accessibility.
- The number of bus routes and daily buses serving the stop.
- Current or forecast daily boardings and alightings.
- Key activity generators or attractors served at the proposed project location including project location in relations to the SANBAG's Regional Non-Motorized Transportation Plan (NMTP).
- Map demonstrating specific location of proposed project.
- Pictures of the improvement site(s) and/or location(s).
- Schedule for project completion by project.
- Project cost estimate.
- Acknowledgement of previous TDA awards and status of those projects.

Project applications will be reviewed by an evaluation panel. The evaluation panel, using the criteria contained in this call-for-projects, will score the proposed projects. The evaluation panel is anticipated to be comprised of at least two SANBAG staff and potentially a member from a bicycle/pedestrian stakeholder group such as the Inland Empire Biking Alliance, an adjacent county transportation commission and Caltrans. Based on the evaluation panel proposed project scores, the evaluation panel will make its recommendation to SANBAG General Policy Committee who will forward its recommendation to the full SANBAG Board of Directors.

Project Evaluation Criteria:

Evaluation Criteria	Possible Score
Overall Quality of Application – Overall quality of the application submitted for a project considering clarity of project and satisfactorily addressing evaluation criteria.	15
Project Need and Purpose - Project addresses identified access issues at new or existing bus stops or fills a gap in accessibility to transit system users. Describe how stop and increased accessibility serves local activity generators/destinations, provides increased connectivity to the multi-modal transportation system, and potential safety/ADA benefits.	40
Cost Effectiveness –Consideration of project cost compared to daily boardings and alightings and/or complementary paratransit cost avoidance achieved by making the bus stop location accessible to individuals with disabilities.	15
Timeliness of Prior Project Completion – Consideration of likelihood to deliver within a timely manner	5
Matching funds – Proposed projects will receive the following points based upon the extent of match provided: 5 points for 10-19%; 10 points for 20-29%; 15 points for 30-49%; and 25 points for 50% or greater	25

¹ Matching funds from applicant may consist of Federal Transit Administration funds, Community Development Block Grant funds or other local funds, including LTF Article 8a.

Call for Projects Schedule:

Issue Call for Projects	Wednesday, January 6, 2016
Project Proposals Due	Friday, February 5, 2016
Recommendation to General Policy Committee	Wednesday, March 9, 2016
Recommendation to Board	Wednesday, April 6, 2016

Submittal Instructions:

Applications must be submitted online. The online form has been attached for reference purposes. A form must be completed for each specific project identified for funding with the prioritization defined for each project by jurisdiction/agency. All application forms from a jurisdiction/agency for similarly classified projects shall be submitted jointly in one master submittal. Jurisdictions/agencies may submit multiple applications if projects from more than one classification are submitted for consideration.

Once the form is submitted online it is directed to the appropriate SANBAG department. A confirmation email will be forwarded to each applicant to confirm that an application has been submitted. For questions regarding the submittal process or application, please contact Josh Lee at (909) 884-8276 or jlee@sanbag.ca.gov. The online application form can be found at the following link:

<http://maps.sanbag.ca.gov/website/TDAGrant>

Applications must be submitted by 5:00 pm on the proposal due date specified above. This call and associated information is also available on the SANBAG website at <http://maps.sanbag.ca.gov/website/TDAGrant>.

Project Completion and Payment:

Article 3 funds are not automatically distributed to agencies. Recipients of funding approved by the SANBAG Board shall be reimbursed for expenses incurred up to the amount approved based on claims submittals to SANBAG. Each recipient shall prepare and submit a project completion report, including pictures of the completed project(s) to accompany the request for reimbursement. SANBAG shall reimburse the recipient within 45 days. Recipient must retain all records necessary for the compliance and fiscal audit that will be conducted at the end of each fiscal year. SANBAG will provide funding recipients with the Transportation Development Act Local Transportation Funds Article 3 – Pedestrian, Bicycle Facilities and Access to Transit Claim Form Instructions and appropriate forms for submittal to request reimbursement. Agencies awarded funds will not be reimbursed for any project cost overruns. If an agency is providing a local match on a project and the project is completed under budget, the agency will be reimbursed at the matching ratio in effect at the time of project selection and approval. Example: If an agency commits to a 25% match for a \$10,000 project, the amount of Article 3 awarded would be \$7,500. If the completed project cost was \$8,000, the amount of Article 3 funds disbursed to the agency would be \$6,000.

Minute Action

AGENDA ITEM: 15

Date: *January 6, 2016*

Subject:

Amendment to Contract C11206 with Epic Land Solutions, Incorporated for Additional Graffiti Removal Services

Recommendation:

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

A. Allocate \$175,000 of Valley Local Transportation Funds for graffiti removal along SANBAG railroad right-of-way.

That the Board of Directors, acting as the San Bernardino County Transportation Authority:

B. Approve Amendment No. 2 to Contract No. C11206 with Epic Land Solutions, Incorporated in the amount of \$175,000 for Maintenance of Way Services – Graffiti Removal.

C. Approve an expense budget amendment to the SANBAG Fiscal Year 2015/2016 Budget to increase Task No. 0377 Commuter Rail Operating by \$175,000 in Valley Local Transportation Funds – Rail for a new task total of \$16,961,597.

Background:

Between 1991 and 1993, San Bernardino Associated Governments (SANBAG) acquired the Baldwin Park Branch Line, the Pasadena Subdivision now known as the San Gabriel Subdivision, and the Redlands Branch Line for the commuter rail program resulting in SANBAG owning 58.8 miles of railroad right-of-way. Currently, the San Gabriel Subdivision is the only corridor owned by SANBAG that has active service with Metrolink operating thirty eight trains each weekday as part of their San Bernardino Line service. Along much of the right-of-way serving the San Bernardino Line there is extensive graffiti which can be seen by Metrolink patrons.

SANBAG staff has received requests from the cities along the San Bernardino Line as well as Metrolink for graffiti removal. Some cities have offered to remove the graffiti themselves but due to railroad regulations the staff would need specific railroad training and a railroad flagman due to the proximity to the railroad operating envelope making it more costly and time consuming. As such, staff requested an estimate from Epic Land Solutions, Incorporated (Epic) under Contract No. 11206 for graffiti removal along the San Bernardino Line as well as the first five miles of the Redlands Branch Line. The estimate of services provided totaled \$178,754, however staff believes \$175,000 is sufficient as staff does not foresee doing graffiti removal in the Downtown San Bernardino Passenger Rail Project construction zone as this is the responsibility of the contractor.

Entity: CTA, CTC

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These services will be performed by Epic's sub-consultant Joshua Grading & Excavating, Incorporated who currently performs maintenance of way activities under Contract No. 11206. Contract No. 11206 currently includes funds for graffiti removal however these funds are also for other activities such as weed abatement and trash removal and are insufficient to fund the level of graffiti removal needed. SANBAG staff is currently going through the request for proposals process for railroad maintenance of way activities. As part of this procurement process SANBAG staff will be reviewing the process and costs required to perform graffiti removal on a more regularly basis. Previously, the railroad property management and maintenance contract has been funded solely with Rail Assets funds which are limited. Using Local Transportation Funds for graffiti removal will introduce a new source of funds for property management activities.

Financial Impact:

This item is not consistent with the Fiscal Year 2015/2016 Budget. An expense budget amendment to the SANBAG Fiscal Year 2015/2016 Budget to increase Task No. 0377 Commuter Rail Operating by \$175,000 in Valley Local Transportation Funds - Rail for a new task total of \$16,961,597 is being requested as part of the recommendation.

Reviewed By:

This item was reviewed and recommended for approval (14-0-3; Abstained: Rutherford, Hagman, and Wapner) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the contract amendment.

Responsible Staff:

Carrie Schindler, Director of Transit and Rail

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: C11206 Amendment No.: 2 Vendor No.: 02727
 Vendor/Customer Name: Epic Land Solutions, Inc. Sole Source? Yes No
 Description: Railroad Right-of-Way Property Management
 Start Date: 5/4/2011 Expiration Date: 5/31/2016 Revised Expiration Date:
 Has Contract Term Been Amended? No Yes - Please Explain Amendment #1
 List Any Related Contracts Nos.:

Dollar Amount			
Original Contract	\$ 1,851,860.00	Original Contingency	\$ -
Revised Contract (Inclusive of Prior Amendments)	\$ 3,995,670.00	Revised Contingency (Inclusive of Prior Amendments)	\$ -
Current Amendment	\$ 175,000.00	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 4,170,670.00	TOTAL CONTINGENCY VALUE	\$ -
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 4,170,670.00

Contract Authorization

Executive Director Date:
 Executive Director Action:
 Board of Directors Date: 1/6/2016
 Board of Directors Action:

Contract Management: Payable/Miscellaneous

Invoice Warning: 20% Renewals: 0 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: Monica Morales

Attachment: Contract Summary Sheet (2448 : Amendment to Contract C11206 with Epic Land Solutions, Inc.)

AMENDMENT NO. 2 TO CONTRACT NO. C11206
FOR
ON-CALL PROPERTY MANAGEMENT SERVICES FOR
RAILROAD RIGHT-OF-WAY
(EPIC LAND SOLUTIONS, INC.)

This Amendment, made and entered into by and between the San Bernardino Associated Governments, acting in its capacity as the San Bernardino County Transportation Authority (referred to hereafter as "SANBAG"), whose address is 1170 W. 3rd Street, 2nd Floor San Bernardino, California 92410-171; and the firm of Epic Land Solutions, Inc. (hereinafter referred to as "CONSULTANT") whose address is: 2601 Airport Drive, Suite 115, Torrance, California 90505. The SANBAG and CONSULTANT are each a "Party" and collectively the "Parties" herein.

RECITALS

- A. The parties previously entered into that certain Contract # C11206 on June 8, 2011 for the provision of Railroad Right-of-Way Property Management by Consultant;
- B. On April 9, 2014, CONSULTANT and SANBAG entered into Amendment No. 1 to the Contract, to exercise option years and increased the contract value.
- C. SANBAG wishes amend the contract for Maintenance of Way services to provide for enhanced graffiti removal services;
- D. CONSULTANT has confirmed that the required services can be completed for a total Contract amount increase of \$175,000.

NOW, THEREFORE, the Parties hereto agree to amend the Contract as follows:

- 1. **ARTICLE 3. "PRICE"**, paragraph 3.2 is hereby amended to delete "\$3,995,670" as the not-to-exceed amount and replace it with "\$4,170,670".
- 2. The Contract is incorporated into this Amendment.
- 3. Except as amended by this Amendment, all other provisions of the Contract shall remain in full force and effect.
- 4. This Amendment No. 2 is effective on the date executed by SANBAG.

----- SIGNATURES ON FOLLOWING PAGE -----

Attachment: C11206-02 (2448 : Amendment to Contract C11206 with Epic Land Solutions, Inc.)

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 2 below.

EPIC LAND SOLUTIONS, INC.

SANBAG

By: _____
James L. Overcamp, Jr.
Vice President

By: _____
Ryan McEachron
President, Board of Directors

Date: _____

Date: _____

APPROVED AS TO FORM

By: _____
Robert D. Herrick
Asst. General Counsel

Date: _____

CONCURRENCE

By: _____
Jeffery Hill
Procurement Manager

Date: _____

Attachment: C11206-02 (2448 : Amendment to Contract C11206 with Epic Land Solutions, Inc.)

Minute Action

AGENDA ITEM: 16

Date: *January 6, 2016*

Subject:

Summary of Measure I Capital Improvement Plans of Member Agencies

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Authority, accept the Measure I Summary Report of the Five-Year Capital Improvement Plans for Local Pass-Through Funds for Fiscal Year 2015/2016 through Fiscal Year 2019/2020.

Background:

The Measure I Expenditure Plan requires each local jurisdiction to annually adopt a Five-Year Capital Improvement Plan (CIP) that details the specific projects to be funded using Measure I Local Pass-Through Funds. Expenditures must be detailed in the CIP and adopted by resolution of the governing body.

In accordance with Measure I Strategic Plan Policy, the CIP shall:

- (1) Specifically identify improvements to be funded with Measure I Local Pass-Through Funds by street name, boundaries, and project type and must be adopted by resolution of the governing body.
- (2) Constrain the total amount of planned expenditures to 150% of SANBAG forecasted revenue for Measure I Local Pass-Through Funds plus any fund balances and/or revenue resulting from bonds secured by Measure I revenue.
- (3) Include no more than 50% of estimated annual revenue to general program categories, which are programs or projects without any identified streets (examples are pavement management programs, general maintenance and system improvements).
- (4) Include total estimated cost of capacity enhancing projects to Nexus Study roadways, the Measure I share of project cost and the development share of cost. Maintenance projects or projects that do not enhance the capacity of a roadway do not require a development contribution in the Five-Year Plan.
- (5) List any single project expenditure in excess of \$100,000 as an individual project and not in a general program category.

In the San Bernardino Valley subarea, 20% of the total Measure I revenue is distributed monthly to the jurisdictions for their Local Streets projects.

Entity: CTA

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In the Mountain/Desert subarea, 70% of the total Measure I revenue is distributed monthly to the jurisdictions for their Local Streets projects, after reservation of 2% by SANBAG to fund future Project Development/Traffic Management Systems projects.

Jurisdictions have flexibility to move projects around in their CIP based on the necessities of the jurisdiction. However, in order for a project to be eligible for expenditure of Local Streets funds, the project must be included in the Five-Year CIP. If the change happens after the plan has been approved, a revised plan must be prepared and submitted to SANBAG prior to the end of the fiscal year. As the CIP is the basis for the annual audit, if a revised plan is not submitted it will result in an audit finding.

Attachment 1 summarizes the revenue available and the amount programmed for projects by each jurisdiction for 2015/2016 through 2019/2020. The CIPs contain locally prioritized and eligible projects for road maintenance, repair and construction. Staff has confirmed that the plans meet the eligibility requirements of Measure I.

Attachment 2 provides the Expenditure Strategy provided by each jurisdiction. The Expenditure Strategy provides a general description of the types of uses of Measure I and provides an opportunity for jurisdictions to explain large balances being accumulated for future projects.

A copy of the submittals from all of the Member Agencies has been posted on the SANBAG website, www.sanbag.ca.gov/funding/projects.html

Financial Impact:

This item has no direct impact upon the adopted SANBAG Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on December 9, 2015.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
 Board of Directors
 Date: January 6, 2016

Witnessed By:

Attachment 1
CAPITAL IMPROVEMENT PLAN SUMMARY REPORT

All Member Agencies
FY 2015/2016 - FY 2019/2020

Agency	MI Local Pass-through Ending Balance @ 6/30/15 (unaudited)	5 Year MI Local Pass-Through Revenue Estimate	Total 5 Year MI Local Pass-Through Available for Projects	150% of Estimated Measure I Plus Ending Balance @ 6/30/15	5 Year Total CIP Projected Projects	Do Projects Meet Measure Eligibility Requirements?	Resolution Number
Adelanto	\$1,594,305	\$3,408,248	\$5,002,553	\$ 7,503,829	\$ 5,002,553	Yes	15-46
Apple Valley	\$4,695,095	\$9,151,373	\$13,846,468	\$ 20,769,702	\$ 19,278,380	Yes	2015-39
Barstow ⁽¹⁾	\$1,952	\$9,430,529	\$9,432,481	\$ 14,148,721	\$ 10,462,481	Yes	4814-2015
Big Bear Lake	\$171,000	\$1,819,125	\$1,990,125	\$ 2,985,188	\$ 1,924,100	Yes	2015-21
Chino	\$1,232,625	\$6,939,467	\$8,172,092	\$ 12,258,138	\$ 7,696,645	Yes	2015-065
Chino Hills	\$2,429,384	\$6,386,321	\$8,815,705	\$ 13,223,558	\$ 7,782,500	Yes	2015R-52
Colton	\$912,603	\$4,387,453	\$5,300,056	\$ 7,950,084	\$ 5,300,056	Yes	R-105-15
Fontana	\$7,933,126	\$16,795,522	\$24,728,648	\$ 37,092,972	\$ 15,389,376	Yes	2015-067
Grand Terrace	\$560,794	\$1,018,291	\$1,579,086	\$ 2,368,629	\$ 1,639,760	Yes	2015-35
Hesperia	\$2,604,038	\$14,210,963	\$16,815,001	\$ 25,222,501	\$ 16,216,963	Yes	2015-37
Highland	\$6,954,000	\$4,462,882	\$11,416,882	\$ 17,125,323	\$ 10,565,582	Yes	205-038
Loma Linda	\$212,100	\$1,947,584	\$2,159,684	\$ 3,239,526	\$ 2,299,294	Yes	2862
Montclair	\$1,193,672	\$3,168,018	\$4,361,689	\$ 6,542,534	\$ 4,725,000	Yes	15-3086
Needles	\$494,000	\$631,277	\$1,125,277	\$ 1,687,916	\$ 1,125,295	Yes	2015-40
Ontario	\$1,361,350	\$13,878,935	\$15,240,285	\$ 22,860,427	\$ 14,205,200	Yes	2015-073
Rancho Cucamonga	\$6,115,212	\$14,318,937	\$20,434,149	\$ 30,651,223	\$ 18,499,550	Yes	15-66
Redlands	\$2,266,727	\$5,782,887	\$8,049,614	\$ 12,074,421	\$ 5,782,887	Yes	7565
Rialto	\$3,849,309	\$8,397,761	\$12,247,070	\$ 18,370,605	\$ 15,557,973	Yes	6775
San Bernardino	\$4,372,831	\$17,587,527	\$21,960,358	\$ 32,940,536	\$ 16,511,402	Yes	2015-273
Twentynine Palms	\$1,312,759	\$2,397,966	\$3,710,725	\$ 5,566,088	\$ 3,081,330	Yes	15-24
Upland	\$1,829,345	\$6,201,144	\$8,030,489	\$ 12,045,733	\$ 7,325,000	Yes	6304
Victorville ⁽²⁾	\$204,200	\$24,531,042	\$24,735,242	\$ 37,102,863	\$ 33,491,271	Yes	15-063
Yucaipa	\$1,791,205	\$4,349,739	\$6,140,944	\$ 9,211,415	\$ 7,636,394	Yes	2015-30
Yucca Valley	\$1,523,083	\$3,690,110	\$5,213,193	\$ 7,819,790	\$ 4,840,314	Yes	15-21
San Bernardino County							
--Colorado River Subarea	\$54,539	\$189,526	\$244,065	\$ 366,097	\$ 155,365	Yes	2015-181
--Morongo Basin Subarea	\$724,429	\$1,789,849	\$2,514,278	\$ 3,771,417	\$ 1,741,000	Yes	2015-181
--Mountains Subarea	\$2,186,138	\$4,771,155	\$6,957,293	\$ 10,435,940	\$ 5,917,416	Yes	2015-181
--North Desert Subarea	\$4,935,617	\$9,685,005	\$14,620,622	\$ 21,930,933	\$ 14,118,396	Yes	2015-181
--Valley Subarea	\$6,937,667	\$10,001,845	\$16,939,512	\$ 25,409,268	\$ 18,527,501	Yes	2015-181
--Victor Valley Subarea	\$3,592,850	\$7,445,617	\$11,038,467	\$ 16,557,701	\$ 9,640,794	Yes	2015-181
TOTALS	\$74,045,955	\$218,776,098	\$292,822,053	\$439,233,080	\$ 286,439,779		

NOTES:

(1) Acceleration of projects due to Barstow's Total Road Improvement Pooled Financing Program

(2) Victorville's MI local pass-through funds will be used to pay down the LaMesa/Nisqualli Interchange costs per Agreement C11200-2.

**ATTACHMENT 2
MEASURE I EXPENDITURE STRATEGY
Valley Subarea**

Chino	<p>The City of Chino will continue to place emphasis on both the regional and sub-regional arterial roadway system during the next five years of the Measure I program. At least 50% (percent) of the Measure I funds will be earmarked for specific capital projects that are geared toward improving traffic flow and motorist convenience. Failing pavement surfaces will be rehabilitated, and traffic striping modified as needed to accommodate increased traffic demand, and intersection capacity will be improved with new and modified traffic signals.</p> <p>In addition to the above capital projects program, Chino will continue to allocate up to 50% (percent) of the annual Measure I funds toward public works maintenance activities. Maintenance work will continue to include the City's traffic signal maintenance, sidewalk and curb repair, and pavement repair and overlay on the local street system.</p>
Chino Hills	<p>It is the City of Chino Hill's intent to expend Measure I revenue for the following types of projects:</p> <ul style="list-style-type: none"> * Construction of the City's Annual Street Improvement Program: Overlay and/or slurry seal of specified streets to maintain a high level of pavement trafficability; * Make on-going repairs/improvements to the City's sidewalks; * Conduct the Annual Striping Program; * Provide funding to address ADA accessibility issues within the City's public right of way; and * Systematically replace traffic signal LED signals and traffic signal controllers to ensure the highest level of public safety.
Colton	<p>The City of Colton allocates approximately seventy-five percent of annual Measure I revenue for system improvements to streets infrastructure. Delivery of these improvements is focused on streets requiring rehabilitation or capacity enhancement improvements. Measure I funds are also being used to provide local match for federal and state grant funded projects; these projects are focused on improving Colton's infrastructure and/or transportation system for pedestrian/bicycle/vehicular traffic.</p> <p>The remaining twenty-five percent of the City's annual Measure I revenue are allocated to traffic safety such as traffic sign installation/replacement, striping and traffic signal upgrade. All identified improvements are consistent with the goals of the city's General Plan Circulation Element.</p>
Fontana	<p>The City intends to expend the funds on projects that relieve traffic congestion through improvement and maintenance of streets and local highways.</p> <p>The City will use less than 50% of its pass-through revenue on Categorical Projects of which the vast majority funds the maintenance of City-wide traffic signal system.</p>
Grand Terrace	<p>The City of Grand Terrace has adopted a Measure I expenditure strategy which focuses on the delivery of significant capital improvements on a pay-as-you-go basis. The City intends to accumulate Measure I revenues for arterial improvements. The City also plans to construct missing links, such as the Commerce Way extension, for vehicle capacity expansion as well as assistance with the Interstate 215 Barton Road Interchange improvements.</p>
Highland	<p>The City of Highland intends to expend not more than half of Measure I Local Street Program Pass-Through revenue on a yearly basis for various pavement management programs, and the remaining for pavement rehabilitation and/or street improvements of existing roadways.</p>
Loma Linda	<p>The City of Loma Linda is intent upon efficiently maintaining our existing roadway system. The streets in Loma Linda are constructed of asphalt concrete (AC). These streets are in various stages of their life expectancy. A typical AC street improvement has a life expectancy of 15-20 years. Through proper pavement management, this can be extended by as much as 20 years. Our strategy is to utilize a combination of slurry seal method, grind and overlay the top 0.1' and pulverize existing AC for base and repave for rehabilitation. This pavement management program has shown to be effective in delaying the eventual complete reconstruction, including subgrade, of a roadway segment.</p>

Montclair	<p>The City of Montclair plans on using Measure I as matching funds for federal funds associated with the development of plans for the construction of a grade separation project at Monte Vista Avenue and the Union Pacific Railroad tracks. The City may also use Measure I funds to accomplish work related to this project for which there are no federal funds.</p> <p>The City also intends to expend Measure I funds on maintenance of City streets to the extent permissible under SANBAG policies.</p>										
Ontario	<p>The City of Ontario's Expenditure Strategy is to improve the regional, sub-regional, and collector street roadway system by programming up to fifty percent of annual Measure I revenue towards its long term Pavement Management Program. The remaining funds will be programmed by individual projects such as traffic signals, and other roadway rehabilitation work designed to improve traffic flow and motorist's convenience.</p>										
Rancho Cucamonga	<p>The Measure "I" Capital Improvement Plan Expenditure Strategy for the expenditure of Measure I funds will use the City's General Plan Circulation Element as a basis. It is anticipated that the funds will be allocated in the following manner:</p> <table border="1" data-bbox="316 661 1429 798"> <thead> <tr> <th><u>Percent</u></th> <th><u>Type of Improvement</u></th> </tr> </thead> <tbody> <tr> <td>71</td> <td>Maintenance, Rehabilitation and Repair of Existing Roadways</td> </tr> <tr> <td>22</td> <td>Traffic Signal Improvements, Payment Striping and Maintenance</td> </tr> <tr> <td>5</td> <td>Concrete Services (ADA, Repairs and Sidewalk)</td> </tr> <tr> <td>2</td> <td>Pavement Management</td> </tr> </tbody> </table>	<u>Percent</u>	<u>Type of Improvement</u>	71	Maintenance, Rehabilitation and Repair of Existing Roadways	22	Traffic Signal Improvements, Payment Striping and Maintenance	5	Concrete Services (ADA, Repairs and Sidewalk)	2	Pavement Management
<u>Percent</u>	<u>Type of Improvement</u>										
71	Maintenance, Rehabilitation and Repair of Existing Roadways										
22	Traffic Signal Improvements, Payment Striping and Maintenance										
5	Concrete Services (ADA, Repairs and Sidewalk)										
2	Pavement Management										
Redlands	<p>The City of Redlands intends to use Measure "I" dollars to partially fund the City's City Council-approved Pavement Accelerated Repair Implementation Strategy (PARIS) program which will pave 2/3 of City streets over a five-year period. The City's Pavement Management Program, which provides a decision making matrix in identifying streets that are priority paving projects, will be used to determine future Measure "I" Capital Improvement Plans. Additionally, banked Measure "I" revenues will be used in Fiscal Year 2015-16 for the construction of the Redlands, Alabama & Colton Intersection Improvement project.</p>										
Rialto	<p>The City Council of the City of Rialto intends to use the Measure I Revenues for the Period of Fiscal Year 2010 to Fiscal Year 2040 for public roads and right of way maintenance programs, street reconstruction and other improvements within the City of Rialto's city limits.</p>										
San Bernardino	<p>The City of San Bernardino will continue to place emphasis on both its regional and sub-regional arterial roadway system. At least fifty percent of our Measure I funds allocation will be earmarked for specific capital projects that are geared towards improving traffic flow and motorist convenience. Failing pavement surfaces will be rehabilitated and traffic striping modified as needed to accommodate increased traffic demand; and intersection capacity will be improved with new and modified traffic signals.</p> <p>In addition to the above capital projects program, San Bernardino will continue to allocate up to fifty percent of its annual Measure I funds towards public works maintenance activities. Maintenance work will continue to include the City's traffic signal systems, sidewalk and curb repair, and pavement repair and overlay on the local street system.</p>										
Upland	<p>The City of Upland's existing road network is fairly well established. Therefore, the City's primary use of Measure I funds will be for the reconstruction and maintenance of existing City streets. It is the City's intent to design and begin construction of the project the same year the project is identified in the Five-Year Capital Improvement Plan.</p>										
Yucaipa	<p>Beginning with the 2014-2015 Fiscal Year, the City of Yucaipa has allocated 100% of Measure I revenues to the maintenance of existing streets. Those maintenance efforts are delivered through the City's annual Pavement Management Program (PMP) included in the Capital Improvement Program (CIP) approved and adopted as part of the City's annual budget in June of every year.</p>										

San Bndo County

The County intends to expend Measure "I" revenue for a variety of eligible transportation related projects, which includes the rehabilitation and maintenance of pavement surfaces countywide (including but not limited to, asphalt concrete reconstruction, asphalt concrete overlay, surface seals, routine patching of existing asphalt concrete and ADA improvements); and may include projects to improve circulation, drainage and traffic control devices.

**MEASURE I EXPENDITURE STRATEGY
Colorado River Subarea**

Needles

Measure I pass through funds will be used by the City of Needles for a variety of transportation related projects, including reconstruction and maintenance of existing roadways.

The intent is to accumulate Measure I revenue for specific projects. If there is not enough revenue in one year, the plan is to accumulate enough funds in order to be able to do larger projects.

The local streets that are tagged for sealing are the badly deteriorated streets.

San Bndo County

The County intends to expend Measure "I" revenue for a variety of eligible transportation related projects, which includes the rehabilitation and maintenance of pavement surfaces countywide (including but not limited to, asphalt concrete reconstruction, asphalt concrete overlay, surface seals, routine patching of existing asphalt concrete and ADA improvements); and may include projects to improve circulation, drainage and traffic control devices.

**MEASURE I EXPENDITURE STRATEGY
Morongo Basin Subarea**

Twentynine Palms

The City of Twentynine Palms funds projects with a pay as we go strategy. For larger projects, we have banked multiple years. In the 15/16 year, we are spending the banked proceeds.

Yucca Valley

Measure I Local Streets revenues are allocated to a number of projects, including reconstruction/rehabilitation/maintenance and engineering/design of arterials and residential roads, annual studies and/or reports such as pavement management program updates, traffic census reports, and similar activities.

San Bndo County

The County intends to expend Measure "I" revenue for a variety of eligible transportation related projects, which includes the rehabilitation and maintenance of pavement surfaces countywide (including but not limited to, asphalt concrete reconstruction, asphalt concrete overlay, surface seals, routine patching of existing asphalt concrete and ADA improvements); and may include projects to improve circulation, drainage and traffic control devices.

**MEASURE I EXPENDITURE STRATEGY
Mountains Subarea**

Big Bear Lake

Measure I pass through funds will be used by the City of Big Bear Lake for a variety of transportation related projects, including reconstruction of existing roadways, installation of drainage systems with associated road widening, maintenance of existing roadways and support of the local transit authority. The funds are allocated at 25%, 70% and 5% respectively for arterial, local, and transit projects. It is the intent of the City to expend all Measure I pass through funds as they are received.

The City of Big Bear Lake is in the process of engineering design on projects for FY15/16. The major project will be street and drainage improvements. Several of the major projects scheduled through year 2020 include, Cinega Road, Knight Avenue, Starvation Flats, Ironwood Road, Talbot Drive and Park Avenue.

Streets identified for re-construction are chosen based on their classification within the City's Pavement Management Plan and in coordination with the local utilities. Extensive re-construction of existing utilities by the utility companies is scheduled for the next five years and is being carefully coordinated with City paving projects to minimize conflicts in newly reconstructed roads. All construction funds are being expended to maintain, improve and/or re-construct existing city roadways.

San Bndo County

The County intends to expend Measure "I" revenue for a variety of eligible transportation related projects, which includes the rehabilitation and maintenance of pavement surfaces countywide (including but not limited to, asphalt concrete reconstruction, asphalt concrete overlay, surface seals, routine patching of existing asphalt concrete and ADA improvements); and may include projects to improve circulation, drainage and traffic control devices.

**MEASURE I EXPENDITURE STRATEGY
North Desert Subarea**

Barstow

Each year, the City receives approximately \$2.2 Million in Measure "I" funds. On September 17, 2012 the City Council approved joining the Statewide street financing program called the Total Road Improvement Program (TRIP) offered by the California Statewide Communities Development Authority (California Communities). Through the TRIP program, the City can pledge two-thirds (2/3) of its annual Measure "I" allocation towards a financing measure to raise funds for the rehabilitation and reconstruction of City streets in failing conditions.

The remaining one-third of Measure "I" allocations will be used by the City in the pavement reconstruction, preservation and maintenance of the streets, and constructing the Lenwood Grade Separation project.

San Bndo County

The County intends to expend Measure "I" revenue for a variety of eligible transportation related projects, which includes the rehabilitation and maintenance of pavement surfaces countywide (including but not limited to, asphalt concrete reconstruction, asphalt concrete overlay, surface seals, routine patching of existing asphalt concrete and ADA improvements); and may include projects to improve circulation, drainage and traffic control devices.

**MEASURE I EXPENDITURE STRATEGY
Victor Valley Subarea**

Adelanto

The City of Adelanto's Measure I expenditure strategy for 2015-2020 is to utilize the existing funding reserves that have been accumulated over previous cycles and the anticipated revenues over the next 5 years to retrofit the City's infrastructure towards a more complete streets approach. Half of the annual revenues will be expended on categorical maintenance projects like pothole and crack sealing, striping and signage replacement, and concrete repairs. The remaining funds will be used primarily in targeting gaps in pedestrian and bicycle improvements along existing corridors. The identified improvements also include some priority projects needed to be performed to minimize traffic congestion and increase safety and vehicular and pedestrian awareness.

Apple Valley

Measure I Local Pass-Through Funds will be used by the Town of Apple Valley for a variety of transportation related projects, including adding capacity to our regional arterial system, reconstruction, and regular and periodic maintenance of existing roadways. These Measure I funds allocated for the Town's local street program (68%) are allocated with a minimum of 50% of the funds expended on these roads identified specifically on our plan (categorical). For those roads specifically identified within the plan, some require that the Town accumulate Measure I revenue for such large projects. The balance of these funds, up to 50% of the total are identified for reconstruction and regular maintenance chosen based on the Town's priority within the Town's Pavement Management Program (non-categorical).

Hesperia

The majority of Measure I revenue is planned to be utilized for the following types of eligible transportation improvements and policy prioritizations:

* Intent to allocate 50% or less of anticipated annual revenue on General Program Categorical expenditures. Specifically, the Measure I funds will be utilized annually to supplement the City's Street Division General Maintenance Program. This includes preservation and upkeep of existing and newly reconstructed roads to original constructed condition in order to maintain its integral useful life and to provide safe, convenient, and practical intercity transportation.

*Intent to allocate the remaining 50% of the anticipated annual revenue on the rebuilding and betterments of local roadways and alternative transportation. Local roadway betterments are scheduled to be completed under the Annual Street Improvement Project which includes full removal and reconstruction efforts designated to roads in the City in the worst condition. Targeted construction areas included in the current annual project will provide a third reconstructed section of Main Street and 14 miles of slurry seal to local roads which have been rehabilitated in the last five years. Other transportation projects in the current fiscal year program include the Willow Street Bike/Pedestrian Paseo and the Park and Ride Expansion project which will help to improve circulation and encourage alternative modes of transportation thereby alleviating traffic congestion and improving mobility.

*Beginning in Fiscal Year 2017/18, the first payment of the Rancho Road Interchange Public Share Reimbursement is due to SANBAG. This 10 year payback agreement between the City and SANBAG allowed the advancement of the Rancho Road Interchange project whereby the City borrowed its local share of the project funding from SANBAG. The City obligated Development Impact Fees (DIF) as the source of this repayment, but if insufficient DIF fees are collected, SANBAG will withhold the City's annual Measure I allocation to make the payment whole on an annual basis. It is estimated that approximately 250 new homes will need to be constructed each year to meet the demands of this agreement. Due to the slow economic recovery throughout the Victor Valley, staff is anticipating that a portion of the City's Measure I annual allocation will have to be schedule to cover the agreement.

Victorville

The City of Victorville's Measure I Capital Improvement Expenditure Strategy balances expenditures between different categories of projects based on the City's needs. The project categories include the following: Capacity increasing, reconstruction and rehabilitation; maintenance, preliminary engineering and environmental studies; right of way acquisition; and final design. Also included are categorical expenditures for maintenance of roads, traffic controls, traffic signals, traffic engineering and purchase of vehicles or equipment for street related purposes.

Capacity increasing projects include modified or new interchanges, new road construction and widening existing roads, and new traffic signals. Reconstruction and rehabilitation of roads can include removing and replacing pavement sections, asphalt-concrete overlays of one inch or more in thickness or various other methods. Maintenance of roads can include overlays less than one inch, cape seals, and slurry seals. Traffic control includes the maintenance and operation of signing and striping including sign and marking replacements and new signs and markings. Traffic signal maintenance includes operations and maintenance for traffic signals and various equipment replacements or upgrades. Traffic engineering encompasses all traffic engineering activities.

San Bndo County

The County intends to expend Measure "I" revenue for a variety of eligible transportation related projects, which includes the rehabilitation and maintenance of pavement surfaces countywide (including but not limited to, asphalt concrete reconstruction, asphalt concrete overlay, surface seals, routine patching of existing asphalt concrete and ADA improvements); and may include projects to improve circulation, drainage and traffic control devices.

Minute Action

AGENDA ITEM: 17

Date: *January 6, 2016*

Subject:

Loan Concept for Green Tree Boulevard

Recommendation:

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

- A. Approve in concept a loan to the City of Victorville toward the required development share contribution for the Yucca Loma Corridor – Green Tree Boulevard Extension Project.
- B. Direct staff to examine options for a development share loan for the Yucca Loma Corridor – Green Tree Boulevard Extension Project in development of the 2016 update to the Ten-Year Delivery Plan.

Background:

The City of Victorville (City) has requested SANBAG evaluate the opportunities for a development share loan to fund two-thirds of the estimated local development share contribution for the Yucca Loma Corridor – Green Tree Boulevard extension project (Project). With approval in concept by the Board, and approval of a loan program in the Measure I Victor Valley Major Local Highways Program (MLHP) policy, staff will examine the feasibility of the MLHP to fund a loan toward the required development share in the construction phase of the Project.

The Project is the final segment of the Yucca Loma Corridor and will provide a connection between the Yucca Loma Bridge/Yates Road improvement projects currently under construction and the existing Green Tree Boulevard/Hesperia Road intersection in the City. The Project limit on the west is the intersection of Hesperia Road and Green Tree Boulevard and on the east is the re-aligned Ridgecrest Road, a portion of Yates Road and an extension of Chinquapin Road. When completed, the Yucca Loma Corridor will serve as the connection between the I-15/LaMesa-Nisqualli Interchange in the City and Apple Valley Road in the Town of Apple Valley and provide a new east/west corridor in the Victor Valley.

The other phases of the project are scheduled to open to traffic in September 2017. The Right of Way and Final Design of the Green Tree Boulevard Project is anticipated to be completed in 2017. Without the development share loan, a firm date to begin construction cannot be determined. With a development share loan, construction should begin by 2018, with the entire corridor open to traffic by approximately 2020. These dates are contingent upon further analysis of funding availability and cash-flow that will occur during the development of the 2016 update to the Ten-Year Delivery Plan and agreement by the other Victor Valley jurisdictions. Based on current cost estimates, the loan amount for the development share could be up to approximately \$12.7 million (Attachment 1).

Entity: CTA

Board of Directors Agenda Item

January 6, 2016

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In a concurrent item, staff is recommending that Measure I Victor Valley Major Local Highway Program Policy 40013 be amended to allow loans against future revenue, similar to Policies 40005 and 40006 for the Valley Freeway Interchange Program and Valley Major Streets Program, respectively. The proposed Victor Valley policy modification provides for, on an exception basis, project sponsors to receive loans from SANBAG for the development contribution to facilitate project delivery. The loan is subject to approval after a risk assessment and a complete analysis of the impact of the proposed loan on other projects in the subarea. The amount of the loan will be limited by Victorville's equitable share of forecasted revenue, including the public share that is required for the Project. The debt costs for any bonding required will be the responsibility of the City.

Financial Impact:

This action has no impact on the adopted SANBAG Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on December 11, 2015.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

ATTACHMENT 1
GREEN TREE BOULEVARD COSTS AND PROJECT SHARES

Green Tree Blvd. Cost & Shares		Nexus Shares
Est. ROW Cost	\$ 2,000,000.00	
Est. PS&E Cost	\$ 3,188,000.00	
Est. Construction Cost	\$ 36,600,000.00	
Total Est. Cost	\$ 41,788,000.00	
In City	\$ 37,220,337.60	
In County	\$ 4,567,662.40	
(City/County share PS&E/Const at 88.52%/11.48%)		
In City	\$ 37,220,337.60	
Victorville Share	\$ 18,237,965.42	49.00%
SANBAG Share	\$ 18,982,372.18	51.00%
In County	\$ 4,567,662.40	
SB County Share	\$ 813,043.91	17.80%
SANBAG Share	\$ 3,754,618.49	82.20%
Project Shares		
Victorville*	\$ 18,237,965.42	
SB County	\$ 813,043.91	
SANBAG	\$ 22,736,990.67	
TOTAL	\$ 41,788,000.00	
Maximum Loan Amount	\$ 12,700,672.89	
Required Contribution	\$ 6,350,336.44	

Attachment: Attachment 1: Green Tree Blvd Costs and Shares (2437 : Loan Concept for Green Tree Blvd)

Minute Action

AGENDA ITEM: 18

Date: *January 6, 2016*

Subject:

Amendment to Victor Valley Major Local Highways Program Policy 400013

Recommendation:

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

- A. Amend the San Bernardino Associated Governments Measure I 2010-2040 Strategic Plan Policy 40013 (Victor Valley Major Local Highways Program) to establish a development share loan program.
- B. Direct staff to develop term loan agreement templates for use in the Victor Valley Major Local Highways Program.

Background:

The Victor Valley cities and sphere areas must implement development mitigation programs that generate development contributions for regional transportation improvements equal to or greater than fair share contributions determined through the SANBAG Development Mitigation Nexus Study. Regional transportation facilities addressed by the Nexus Study include freeway interchanges, railroad grade separations, and regional arterial highways on the Nexus Study Network. Each of the jurisdictions has adopted a compliant development mitigation program based on the requirements established in the Nexus Study and in accordance with Chapter 4 and Appendix J of the Congestion Management Plan.

A similar requirement is in place for the San Bernardino Valley cities and sphere area; however, Policies 40005 and 40006 of the Measure I 2010-2040 Strategic Plan allow for development share loans for interchange and arterial projects.

Staff recommends an amendment to Policy 40013 “Victor Valley Major Local Highway Program” of the Strategic Plan to allow the Victor Valley jurisdictions to obtain a cash loan from SANBAG for up to 2/3 of the development share for eligible projects.

Under the loan program, project sponsors and other participating local jurisdictions may request loans from SANBAG for the development share to facilitate project delivery. Any such loan is subject to approval by the SANBAG Board of Directors on a case-by-case basis after a risk assessment and a complete analysis of the impact of the proposed loan on the other projects in the subarea. The loan request must first be approved by a simple majority of the other jurisdictions in the Victor Valley subarea prior to the recommendation of a loan agreement to the Mountain/Desert Policy Committee and SANBAG Board.

Entity: CTA

Board of Directors Agenda Item

January 6, 2016

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A loan agreement, separate from any other cooperative agreement or funding agreement, shall be approved by the jurisdiction City/Town Council or Board of Supervisors and SANBAG Board of Directors detailing agreement terms. As with the Valley subarea policy, there are three loan options available: to borrow from the jurisdiction's equitable share of the Victor Valley subarea Major Local Highways Program (MLHP) funds, to borrow from the local jurisdiction's Local Street Program (pass-through) funds, or a combination of both. If the MLHP loan option is requested and bonding is required to accommodate the loan, the jurisdiction would be responsible for the debt service on the bonded funds and this debt service would be considered part of their share of the MLHP funds. To receive the loan, the jurisdiction must pay at least 1/3 of the development share and commit to conveying development fees as they are collected toward repayment of the loan. As the loan is repaid, the Local Street Program or MLHP funds will be available to the jurisdiction for use on other projects.

Staff recommends development of a non-negotiable loan agreement template as has been implemented in the Valley subarea for future approval by the SANBAG Board.

Financial Impact:

This item has no direct impact upon the adopted SANBAG Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on December 11, 2015.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

San Bernardino Associated Governments	Policy	40013
Adopted by the Board of Directors	April 1, 2009	Revised 03/4/15 01/06/16
Victor Valley Major Local Highways (VVMLH) Program Measure I 2010-2040 Strategic Plan	Revision No.	<u>23</u>

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I. PURPOSE

The purpose of this policy is to establish the requirements for administration of the Victor Valley Major Local Highways Program for Measure I 2010-2040. The policy establishes the fund apportionment and allocation process, the equitable shares for individual jurisdictions, project eligibility, reimbursement mechanisms, limitations on eligible expenditures, and the role of SANBAG. The program will be funded by 25% of the total Measure I 2010-2040 revenue collected in the Victor Valley Subarea. This program will be used by local jurisdictions to fund Major Local Highways projects of benefit to the subarea.

II. REFERENCES

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

III. DEFINITIONS

Major Local Highways Projects: Major streets and highways serving as primary routes of travel within the subarea, which may include State highways and freeways, where appropriate. These funds may also be used to leverage other state and federal funds for transportation projects and to perform planning/project reports.

Development Share: The percentage share of total project cost assigned as the development contribution percentage as listed in the SANBAG Nexus Study.

Public Share – The share of project cost calculated as the total cost of the project minus the developer share.

Capital Project Needs Analysis (CPNA): A plan of projected local jurisdiction expenditures for the next five years on Major Local Highways eligible for Major Local Highways Program funds, updated annually and submitted to SANBAG by local jurisdictions. The Capital Project Needs Analysis includes anticipated funding sources, funding amounts, project phasing, and availability of development fair share funds.

IV. POLICIES FOR THE VICTOR VALLEY MAJOR LOCAL HIGHWAYS PROGRAM

A. Major Local Highways – Allocation to Eligible Projects

Policy VVMLH-1: The Major Local Highways Program of the Victor Valley Subarea shall be funded from 25% of the Measure I 2010-2040 revenue collected within the subarea. This amount shall be reserved in a special account to be expended on Major Local Highway Projects of benefit to the subarea. Major Local Highway Projects are defined as major streets and highways serving as primary routes of travel within the subarea, which may include State highways and freeways. Where

appropriate, Major Local Highway Projects funds can be utilized to leverage other state and federal funds for transportation projects and to perform advance planning/project reports.

Policy VVMLH-2: Victor Valley Major Local Highways funds shall be allocated to each jurisdiction over the 30-year life of the Measure, subject to the qualifications stated in the policies below.

- a. Each jurisdiction shall receive an approximately equivalent share of the total revenue raised by Major Local Highways Program over the life of the Measure, as adjusted to account for the time-value of money, per Policy VVMLH-4 listed below.
- b. If a jurisdiction receives proceeds from a bond sale secured by the Major Local Highways funds, then the portion of the debt service payment attributed to that jurisdiction's projects shall be counted toward that jurisdiction's equitable share percentage.
- c. Allocations shall be made with an objective of allowing projects from each jurisdiction of the subarea to be developed during each 10 year period of the Measure's life. The intent is to spread projects so that no jurisdiction has to wait until the last part of the Measure to receive benefits of Major Local Highway funds.
- d. Allocations shall be made to projects from candidate project lists, developed according to Policy VVMLH-3.
- e. Allocations may serve to maximize leveraging of private, local, federal, and State dollars, with attention to leveraging of Interregional Transportation Improvement Program Funds on the Interregional Road System in the rural areas of the Victor Valley Subarea as well.
- f. Allocations shall be made with an objective of delivering projects at the earliest possible date.
- g. SANBAG shall actively engage in planning and project delivery of Major Local Highway Projects in collaboration with local jurisdictions and Caltrans in a manner which will minimize the time and cost of project delivery.

Policy VVMLH-3: A master list of projects eligible for Victor Valley Major Local Highways Program funding shall be maintained and periodically updated. The list shall be consistent with the project eligibility criteria in Policy VVMLH-1 and shall be approved by the SANBAG Board, based on a recommendation of the Victor Valley subarea representatives and the Mountain/Desert Committee. In preparing the list, input shall be considered from each of the five local jurisdictions and from other public and private stakeholders, such as Caltrans, neighboring counties, transit agencies, federal agencies, business interests and other non-governmental organizations. The list shall represent the list of eligible projects and shall not represent a commitment by SANBAG to fund all or a portion of those projects. Funding commitments will be managed under the terms of Policy VVMLH-6 shown below.

Policy VVMLH-4: Adjustments for the time-value of money shall be based on comparisons of the net present value of Measure I Major Local Highway Program expenditures by Victor Valley jurisdictions, calculated using a discount rate based on the annual change in the Consumer Price Index for the State of California, as maintained by the California Department of Finance. The expenditure date shall be based on the date of consultant/contractor invoices provided to SANBAG for reimbursement on eligible Major Local Highways Program projects.

Policy VVMLH-5: By September 30 of each year, Victor Valley jurisdictions must submit a Five Year Capital Projects Needs Analysis (CPNA) for projects in the Victor Valley Major Local Highways Program. The CPNAs cover a five year prospective period that commences the following fiscal year. The needs analysis shall document project needs by fiscal year and include anticipated funding sources, funding amounts and project phasing where appropriate. The needs analysis shall also demonstrate the availability of the development mitigation fair share funds, where appropriate for projects in the urbanized Victor Valley. Approval of a jurisdiction's CPNA by the jurisdiction's Council/Board of Supervisors must be accommodated within the timeframe of the September 30 submittal date.

Policy VVMLH-6: The SANBAG Board of Directors shall apportion funds to the Major Local Highways Program in the Victor Valley by its February meeting, so that budget documents can be prepared for the subsequent fiscal year, based on a recommendation of the Victor Valley subarea representatives and the Mountain/Desert Committee. The Victor Valley Subarea and Mountain/Desert Committee recommendation shall be informed by requests of Measure I funds contained in the Capital Projects Needs Analysis (CPNA), the status of equitable share percentages from prior years, SANBAG's forecast of Measure I revenue that may be available for the Major Local Highways Program, and SANBAG's assessment of opportunities for leveraging of State and federal funds. The recommendation shall include a table of project phases recommended for funding, project costs, Measure I requests, other funding sources, and the allocation of costs to jurisdictions, at a minimum. SANBAG staff shall maintain a cumulative accounting of allocations to projects by jurisdiction, adding allocations to jurisdictions' accounts each year. Measure I funds shall be retained by SANBAG until reimbursed to jurisdictions based on invoices received.

Policy VVMLH-7: Each year, SANBAG staff will compile a list of each jurisdiction and the cumulative amount of Major Local Highway funds received for projects. This list will be used by members of the subarea and the Mountain/Desert Committee to make their allocation recommendation to the SANBAG Board of Directors.

Policy VVMLH-8: Equitable shares may be adjusted based on annexation of unincorporated areas into a city or the incorporation of previously unincorporated areas into a new city.

B. Development Fair Share Contribution

Policy VVMLH-9: Development Fair Share Contribution is required by Measure I 2010-2040 for Major Local Highway Projects covered under the Development Mitigation Nexus Study for the urbanized areas or a Traffic Impact Analysis in the non-urban areas, excluding any eligible freeway mainline projects. Development fair share for arterials, interchanges and railroad grade crossings are determined by the most recent version of the Nexus Study adopted by the SANBAG Board of Directors in the urbanized Victor Valley or by a Traffic Impact Analysis as required by the SANBAG Congestion Management Program in the non-urbanized areas.

Policy VVMLH-10: Jurisdictions may borrow from other internal accounts (i.e. within their own jurisdictions) to fund the required development fair share for projects. The internal accounts shall be reimbursed by development mitigation as development occurs..

C. Cost Reimbursement

Policy VVMLH-11: The Major Local Highway program shall be administered as a cost reimbursement program. Sponsoring agencies shall enter into Project Funding Agreements with SANBAG prior to receiving authorization from SANBAG to expend funds. Following the authorization to expend funds, the sponsoring agency may incur expenses for the components of the project identified in the scope of work included in the Project Funding Agreement.

Policy VVMLH-12: On an exception basis and subject to SANBAG Board approval, the advanced reimbursement of anticipated expenses may be permissible. Only the right-of-way and construction phases are eligible and are subject to the conditions stated below.

- Right-of-way: Only right-of-way transactions in excess of \$500,000 shall be considered for advance reimbursement. The advanced reimbursement shall be based on an accepted written appraisal or sales contract. Adjustments to this estimate based on actual costs shall be reconciled with SANBAG within 30 days of close of escrow and subject to the provisions governing right-of-way purchase established in Policy VVMLH-23.
- Construction: The advanced reimbursement shall be based on an awarded construction contract in excess of \$10,000,000. The amount to be advanced to the local jurisdiction shall not be greater than 10% of the public share of total project cost or of three months estimated peak burn rate for the project, whichever is less. The advanced reimbursement shall be used to help provide liquidity to the local jurisdiction for payment to the contractor and shall be reconciled at the end of the construction phase of the project. SANBAG shall reimburse jurisdiction invoices, in addition to the advanced reimbursement amount, until the public

share amount remaining in the contract is equivalent to the advanced reimbursement, after which the advanced reimbursement shall satisfy SANBAG reimbursement requirements.

Policy VVMLH-13: A local jurisdiction may begin expenditure of funds following the execution of the Project Funding Agreement. The Project Funding Agreement shall include the scope of work for a project or project phase and a commitment to provide the development share of the funding through all the phases of the project, as required by Policy VVMLH-9. The Project Funding Agreement shall be executed by the local jurisdiction and SANBAG prior to the expenditure of funding on any phase of the project. Local jurisdictions shall not be reimbursed for any costs incurred prior to the execution of the Project Funding Agreement.

Policy VVMLH-14: Local jurisdictions that desire to deliver a Major Local Highway project to which funds cannot be allocated in a given year shall be eligible for reimbursement through an Advance Expenditure Agreement.

D. Local Jurisdiction Invoices

Policy VVMLH-15: Local jurisdictions shall submit invoices to SANBAG for actual expenditures incurred for components of a project as identified in the scope of work included in the Project Funding Agreement. Invoices may be submitted to SANBAG no more frequently than monthly.

Policy VVMLH-16: Local jurisdictions shall provide adequate documentation to substantiate the costs included in the invoice. At a minimum, the jurisdiction must submit the invoice provided by the contractor to the agency, which shall include unit costs, quantities, labor rates and other documentation, as appropriate, to substantiate expenses incurred by the contractor.

Policy VVMLH-17: The sponsoring agency shall be reimbursed for the actual project costs minus the development mitigation fair share percentage documented in the SANBAG Development Mitigation Nexus Study, up to the limit of Measure I Major Local Highway funding specified in the Project Funding Agreement.

E. Local Jurisdiction Reimbursement Schedule

Policy VVMLH-18: SANBAG shall reimburse the local jurisdiction for eligible expenditures within 30 days of receiving a complete and satisfactory invoice package.

F. Development Mitigation Fair Share Credit Agreements

Policy VVMLH-19: Local jurisdictions and developers shall be allowed to enter into credit agreements or other arrangements approved by the City Council/Board of Supervisors. Such agreements will be strictly between the local jurisdiction and the developer. Jurisdictions are advised to provide these credit agreements to SANBAG for review to ensure they are structured in a way that will adequately document private share costs for which the jurisdiction desires credit.

Policy VVMLH-20: A copy of the credit agreement or other arrangement and invoices to substantiate quantities and unit costs for a Nexus Study project included in a credit agreement or other arrangement shall be provided when a local jurisdiction submits an invoice for reimbursement.

Policy VVMLH-21: Local jurisdictions that submit an invoice involving a credit agreement or other arrangement shall separate the development mitigation portion of construction costs from any non-development mitigation portion of the development project in a verifiable fashion.

Policy VVMLH-22: Reimbursement shall occur for only the public share of the Nexus Study project costs

G. Ineligible Expenditures

Policy VVMLH-23: The following costs are ineligible for reimbursement:

- Additional environmental or architectural enhancement not required as part of the mitigation established in the environmental document(s) prepared for a project.
- Project oversight costs, with the exception of construction support costs.

- Property acquired through the right-of-way acquisition process that is not required for the actual construction of a project. SANBAG will either:
 - 1) Reimburse the jurisdiction for the public share of the portion of the property acquisition required for the project, with the “project portion” calculated as the sales price times times the percentage of the acreage actually required for the project, or
 - 2) At the request of the jurisdiction, reimburse based on the difference between the total sales price of the parcel and the residual value of the excess land not needed for the construction of the project, as determined by a qualified appraisal.
- Additional project scope not included in the Project Funding Agreement between the sponsoring agency and SANBAG, except when SANBAG and the local agency mutually agree to a project scope change and amend the Project Funding Agreement.

H. Construction Cost Overruns

Policy VVMLH-24: Jurisdictions shall bear full responsibility for construction cost overruns, which is established as any amount in excess of the total cost of the accepted bid and contingencies up to 10% of the construction bid. On an exception basis, SANBAG and the local jurisdiction may agree to the modification of the project scope, and the jurisdiction may be reimbursed for the public share of the additional costs pursuant to an amendment to the Project Funding Agreement. On an exception basis, SANBAG and the local jurisdiction may agree to the modification of the project scope, and the jurisdiction may be reimbursed for the public share of the additional costs pursuant to an amendment to the Project Funding Agreement.

I. SANBAG Project Management

Policy VVMLH-25: SANBAG may manage development and delivery of Major Local Highway projects when requested to do so by the sponsoring jurisdiction. In such cases, SANBAG’s costs for project management shall be borne by the sponsoring agency.

Policy VVMLH-26: The following conditions are established for projects under SANBAG project management:

- The sponsoring agency must submit a written request for SANBAG oversight of the project
- SANBAG staff or SANBAG consultants must have available staff resources for project management
- The sponsoring agency shall pay actual SANBAG project oversight costs, to be estimated in advance by SANBAG, as documented by the SANBAG financial management system.

J. Cost Buy-down for Projects with a Development Share Contribution

Policy VVMLH-27: State, federal, or private funds may be used to buy down either the total cost of a project, the public share of the project cost, or the development share of the project cost based on the following criteria:

1. Funds that buy down the total cost of the project (after which the development fair share percentage is applied) include railroad contributions, State grants and Federal Congressional earmarks (through appropriations process, competition, etc.) from transportation sources that are not allocated or approved by SANBAG (e.g., IM, Demo, Caltrans ATP), TCRP, PNRS, or TIGER with local agency listed as lead recipient, PUC, and and HBP).
2. Funds considered part of the public share of the project cost include apportionments or allocations of State or federal transportation funds to SANBAG for funding of projects, whether managed by SANBAG or local agency (e.g., TCRP and PNRS with SANBAG listed as lead recipient, CMIA, TCIF, SLPP (non-competitive)), and State allocation and Federal apportionment by SANBAG (e.g., STIP, CMAQ, STP, TEA (SANBAG Allocation), TDA).

3. Funds that buy down the development share of the project cost include other state or federal appropriations of funding to a project from a non-transportation source (e.g., HUD, BIA, DOD) or SLPP competitive program (due to its DIF match requirement).

Fund definitions:

- ATP = Caltrans Active Transportation Program
- BIA = Bureau of Indian Affairs or individual tribal contributions
- CMAQ = federal Congestion Mitigation and Air Quality
- CMIA = Corridor Mobility Improvement Account (Proposition 1B)
- Demo = Demonstration project or similar project earmarked for a local jurisdiction in federal appropriations
- DOD = Department of Defense
- HBP = federal Highway Bridge Program
- HUD = federal Housing and Urban Development
- IM = federal Interstate Maintenance
- PNRS = federal Projects of National and Regional Significance
- PUC = California Public Utilities Commission
- SLPP = State/Local Partnership Program (Proposition 1B)
- STIP = State Transportation Improvement Program
- STP = federal Surface Transportation Program
- TCIF = Trade Corridor Improvement Funds (Proposition 1B)
- TCRP = Caltrans Traffic Congestion Relief Program
- TDA = state Transportation Development Act
- TEA = Transportation Enhancement Activities (supplanted by ATP)
- TIGER = federal Transportation Investment Generating Economic Recovery

K. Measure I Reserve

Policy VVMLH-28: SANBAG shall budget for a reserve for the Victor Valley subarea equivalent to 20% of the annual Measure I revenue from the Victor Valley Major Local Highways Program.

Policy VVMLH-29: The 20% reserve shall be established with the first year of Measure I 2010-2040 apportionment, and escalated annually to remain proportional to the growth in annual Measure I revenue.

Policy VVMLH-30: The reserve may be used to:

- Advance federal or state funds that require reimbursement.
- Manage cash flow for the Victor Valley Major Local Highways Program.
- Cover unforeseen expenses associated with projects that received an allocation of Measure I 2010-2040 funds.
- Leverage other state or federal funds to which SANBAG might otherwise lose access.

Policy VVMLH-31: Should Measure I reserves be used, revenue accrual within the year or revenue from the subsequent year's apportionment will be used to replenish the reserve.

L. Development Mitigation Fair Share Loans and Loan Repayment

Policy VVMLH-32: On an exception basis, project sponsors and other participating local jurisdictions may request loans from SANBAG for the development contribution to facilitate project delivery. Any such loan is subject to approval by the SANBAG Board of Directors on a case-by-case basis after a risk assessment and a complete analysis of the impact of the proposed loan on the other projects in the Major Local Highways Program and on the jurisdiction's equitable share of the Major Local Highways Program. A loan agreement, separate from any other cooperative agreement or funding agreement, shall be approved by the jurisdiction City Council/Board of Supervisors and SANBAG

Board of Directors detailing agreement terms. The following set of options for development share loans from SANBAG may be considered by the SANBAG Board:

1. Loans from a jurisdiction's Measure I Local Street Program funds (no bonding) - Allow loans for up to 2/3 of the development share (local share) from a jurisdiction's Measure I Local Street Program "pass-through" funds, with a commitment by the jurisdiction to reimburse the Measure I Local Street Program account with Development Impact Fee (DIF) funds as they are collected or with other legally appropriate non-Measure I funds. Other legally appropriate funds could include proceeds from a Community Facilities District (CFD) or other development-based sources (note: when DIF funds are referenced elsewhere in this policy, this implies other legally appropriate non-Measure I funds as well). This option assumes no bonding is required, i.e. cash flow in the jurisdiction's Local Street Program is sufficient to cover up to 2/3 of local share costs. Conditions for receipt of a loan under this option include:
 - a. Local pass-through funds would be transferred by the jurisdiction to the jurisdiction's DIF fund as an internal loan to pay up to 2/3 of the local share of project invoices. The jurisdiction would need to provide the other 1/3 in cash, as needed for project expenses, from either DIF funds or their own internal loans.
 - b. A maximum 10-year term, beginning at the completion of project construction, would be identified for DIF funds to replenish the local pass-through account. The first annual payment would be no later than the end of construction.
 - c. 100 percent of the jurisdiction's Nexus Study portion of DIF funds not previously committed to projects (or to funding the other 1/3 of the local share) would need to be committed to repayment of the loan by a transfer to the jurisdiction's local pass-through fund.
 - d. No interest would be charged.
 - e. SANBAG would monitor the repayment of the loan through the annual audit process and the annual development mitigation report provided to SANBAG. Records of the transfer of funds to and from the jurisdiction's DIF fund and the Local Street pass-through fund must be attached to the development mitigation report and will be subject to SANBAG audits of the Local Street Program.
 - f. The jurisdiction would need to show the use of the loan funds, its repayment plan, and the use of the funds repaid to the local pass-through fund in its 5-Year Measure I Capital Improvement Plan (CIP). Repaid funds must be used in accordance with the Measure I Local Street Program.
 - g. If the jurisdiction has not repaid the pass-through funds by the end of the term, the term would need to be renegotiated. The jurisdiction would need to continue to repay the loan until it is retired. If full repayment does not occur by the end of Measure I 2010-2040, (i.e. because insufficient DIF funds are collected) the loan obligation will be considered fulfilled.
 - h. In addition to the 2/3 cap on the local share portion to be covered by the loan, a limit on percentage of local pass-through funds may need to be set on a case-by-case basis as a potential hedge against Measure I revenue being lower than forecast.
 - i. Any additional cost of administration of the loan incurred by SANBAG may be included as a cost to be borne by the jurisdiction and may be included in the loan.
2. Loans from a jurisdiction's equitable share of Measure I Major Local Highway Program funds (no bonding) - Allow loans for up to 2/3 of the local share from a jurisdiction's Measure I Major Local Highway Program equitable share with a commitment to reimburse the Major Local Highway Program account with DIF funds as they are collected, or other legally appropriate non-Measure I funds. This option assumes that no bonding is required, i.e. cash flow in the jurisdiction's portion of the Major Local Highway Program is sufficient to cover up to 2/3 of local share costs. Conditions for receipt of a loan under this option include:
 - a. Funds from the Major Local Highway Program would be eligible to pay up to 2/3 of the local share of project invoices immediately after the initiation of work activities on the Major Local Highways

- project. The jurisdiction would need to provide the other 1/3 in cash, as needed for project expenses, from either DIF funds or their own internal loans.
- b. A maximum 10-year term, beginning at the completion of project construction, would be identified for DIF funds to replenish the Major Local Highway Program fund account. The first annual payment would be no later than the end of construction.
- c. 100 percent of the jurisdiction's Nexus Study portion of DIF funds not previously committed to projects (or to funding the other 1/3 of the local share) would need to be committed to repayment of the loan.
- d. No interest would be charged.
- e. SANBAG would release the Major Local Highway Program funds for use on other projects as the jurisdiction repays with DIF.
- f. The jurisdiction would need to show the use of the loan funds, its repayment plan, and the use of the funds repaid to the Major Local Highway Program fund account in its 5-Year Measure I CPNA. Repaid funds must be used in accordance with the Measure I Major Local Highways Program.
- g. If the jurisdiction has not repaid the Major Local Highway Program funds by the end of the term, the term would need to be renegotiated. The jurisdiction would need to continue to repay the loan until it is retired. If it becomes clear that full repayment will not occur by the end of Measure I 2010-2040, (i.e. because insufficient DIF funds are collected) the loan obligation would be considered fulfilled.
- h. In addition to the 2/3 cap on the local share portion to be covered by the loan, a limit on percentage of Major Local Highway Program funds may need to be set on a case-by-case basis. The reason for this would be as a potential hedge against Measure I revenue being lower than forecast.
- i. Any additional cost of administration of the loan incurred by SANBAG may be included as a cost to be borne by the jurisdiction and may be included in the loan.
3. Combination of 1 and 2 - Allow a combination of option 1 and option 2 as sources of funding for a local share loan for a Major Local Highways project. The terms would be consistent with the terms specified in each of the two options and negotiated on a case-by-case basis.
4. Short-term cash loan from SANBAG - Allow a short-term cash loan for up to 2/3 of the local share that would be made available from SANBAG, with a fixed term and an interest rate premium (i.e. 5 year maximum term; Local Agency Investment Fund (LAIF) interest rate plus 3%). This would be conditioned on SANBAG having cash flow available and there being no risk of delay to other SANBAG projects. The cash loan could only be utilized for the PA&ED and Design phases of the Major Local Highways project. The jurisdiction would be in default if it fails to maintain payments, and SANBAG would be given the authority to invoke the terms of options 1, 2, or 3 to make those payments.
5. Bonding against a jurisdiction's Local Street Program funds - Allow for a jurisdiction to bond for up to 2/3 of the local share against its Measure I Local Street Program "pass-through" funds, with the debt service to be paid by those funds. DIF funds would reimburse the jurisdiction's Local Street account as they are collected, and the additional Local Street funds could be expended on other projects in the jurisdiction's Measure I Local Street Capital Improvement Plan.
- a. The bond issue could be:
- i. Coordinated with another SANBAG bond issue, in which case SANBAG would make debt service payments from the jurisdiction's Local Street account before sending the remaining funds to the jurisdiction. The jurisdiction would then reimburse SANBAG for their Local Street funds with DIF funds as they are collected, and SANBAG would release a comparable amount of Local Street funds back to the jurisdiction for other projects, or

- ii. Arranged independently by the jurisdiction, with the debt service paid directly by Local Street funds the jurisdiction receives from SANBAG. In this case, the loan would be internal to the jurisdiction. The CIP would document the loan, and auditing of the Local Street account would track the loan repayment.
 - b. If full repayment of the Local Street account does not occur by the end of Measure I 2010-2040, (i.e. insufficient DIF funds are collected) the repayment obligation to the Local Street account will be considered fulfilled. This is considered consistent with Measure I, given that Measure I funds will not have replaced the development contribution if development has not occurred.
 - SANBAG reserves the right to audit local jurisdiction development mitigation accounts to verify development fee collections used as the basis of loan repayment.
6. Bonding against a jurisdiction's equitable share of Major Local Highways Program funds - Allow for a jurisdiction to bond for up to 2/3 of the local share against its equitable share of Measure I Major Local Highways Program funds, with the debt service to be paid by those funds. DIF funds would reimburse the Major Local Highways Program fund account as they are collected. Conditions for receipt of a loan under this option include:
- a. The bond issue must be approved by the SANBAG Board of Directors based on a recommendation of the Victor Valley subarea representatives and the Mountain/Desert Committee. The Victor Valley subarea representatives and Mountain/Desert Committee recommendation shall be informed by the status of equitable share percentages from prior years, forecast expenditures on other Major Local Highways projects, and SANBAG's forecast of Measure I revenue that may be available for the Major Local Highways Program.
 - b. The bond issue must be coordinated with another SANBAG bond issue, in which case SANBAG would make debt service payments from the Major Local Highway Program fund account.
 - c. Funds from the Major Local Highway Program would be eligible to pay up to 2/3 of the local share of project invoices immediately after the initiation of work activities on the Major Local Highways project. The jurisdiction would need to provide the other 1/3 in cash, as needed for project expenses, from either DIF funds or their own internal loans.
 - d. The term would be identified for DIF funds to replenish the Major Local Highway Program fund account at the time of bond issuance. The first annual payment would be due no later than the end of construction.
 - e. 100 percent of the jurisdiction's Nexus Study portion of DIF funds not previously committed to projects (or to funding the other 1/3 of the local share) would need to be committed to repayment of the loan.
 - f. SANBAG would release the Major Local Highway Program funds for use on other projects as the jurisdiction repays with DIF. However, a limit on the availability of Major Local Highway Program funds may need to be set on a case-by-case basis. The reason for this would be as a potential hedge against Measure I revenue being lower than forecast.
 - g. The jurisdiction would need to show the use of the loan funds, debt service, its repayment plan, and the use of the funds repaid to the Major Local Highway Program fund account in its 5-Year Measure I CPNA. Repaid funds must be used in accordance with the Measure I Major Local Highways Program.
 - h. If the jurisdiction has not repaid the Major Local Highway Program funds by the end of the term, the term would need to be renegotiated. The jurisdiction would need to continue to repay the loan until it is retired. If it becomes clear that full repayment will not occur by the end of Measure I 2010-2040, (i.e. because insufficient DIF funds are collected) the loan obligation would be considered fulfilled.
 - i. In addition to the 2/3 cap on the local share portion to be covered by the loan, a limit on percentage of Major Local Highway Program funds may need to be set on a case-by-case basis.

The reason for this would be as a potential hedge against Measure I revenue being lower than forecast.

j. Any additional cost of administration of the loan or the bond incurred by SANBAG may be included as a cost to be borne by the jurisdiction and may be included in the loan.

V. REVISION HISTORY

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors.	04/01/2009
1	Amended to include policies VVMLH-28 through VVMLH-31 establishing and maintaining a Measure I reserve.	07/07/2010
2	Amended to clarify funds that buy down total project cost versus funds that are applied to the public share and development share of costs in VVMLH-27	03/04/15
<u>3</u>		

Minute Action

AGENDA ITEM: 19

Date: *January 6, 2016*

Subject:

Major Local Highway Program Subarea Project Lists for Colorado River and Mountains Subareas

Recommendation:

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

Approve the 2016 Summary of Major Local Highway Program Funding Needs for the Colorado River and Mountains Subareas of the Mountain/Desert.

Background:

Strategic Plan Rural Mountain/Desert Subareas Major Local Highways Program (MLHP) Policy 40017, subsection MDMLH-3, states that a master list of projects eligible for MLHP funds shall be maintained and periodically updated by each subarea. The Board is to approve a master list of projects eligible for MLHP funding after a recommendation by the subarea representatives. Input is also to be considered from other public and private stakeholders, such as Caltrans, neighboring counties, transit agencies, federal agencies, business interests and other non-governmental organizations.

The master list represents eligible projects and does not represent a commitment by SANBAG to fund all or a portion of those projects. Also, the project scopes, schedules and funding requests may change over time and will be reflected in future reports to the Board. These projects will also be included in the Rural Mountain/Desert section of the 2016 update to the Ten-Year Delivery Plan. SANBAG staff has been working with local agency staff in the Rural Mountain/Desert subareas to develop master lists for their respective subareas. The proposed master lists for the Colorado River and Mountains subareas are included as Attachment 1.

With reference to the list of projects for the Colorado River subarea, representatives from the City of Needles and the County of San Bernardino provided the information on the projects and their funding needs. The Needles Highway project has been phased based on the jurisdictional boundaries. The Needles project, Needles Highway/Pashard to Budweiser is 100% funded by the federal Corridors & Borders Program, but there may be additional non-participating costs that may result in a request of MLHP funds in the future. The County project, Needles Highway Phase "N" is also 100% funded by the federal Public Lands Highways Program but may also need additional MLHP funding in the future if costs increase. The County's remaining phases of the Needles Highway project are unfunded at this time.

Entity: CTA

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With reference to the list of projects for the Mountains subarea, representatives from the City of Big Bear Lake and the County of San Bernardino provided their list of projects and their funding needs. As the Mountain Area Traffic Study (MATS) has not yet been completed, any suggested projects from MATS have not been considered in determining the current project lists.

Big Bear Lake's priority projects 1 and 2 have firm estimates; their project 3 is a rough estimate and there are no city funds allocated at this time. The County has applied for funding through the federal Highway Bridge Program for their priority project 1, Stanfield Cutoff. They have requested MLHP as the match for those funds. The County's Pineview and Arrowbear Bridge and Widening projects are in the preliminary design phase, so costs may increase. The County is requesting 100% MLHP funding for these projects.

SANBAG staff will continue to regularly meet or have contact with agency staff to determine whether any projects need reprioritization or have a more urgent funding need than what had previously been reported. In those instances, staff will request a subarea meeting to allow the subarea representatives to review the requests prior to a funding agreement being brought to the Mountain/Desert Policy Committee for approval.

Financial Impact:

This action has no impact on the adopted SANBAG Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on December 11, 2015.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

TYPE FONT LEGEND:
 Bold = Funding Agreement
 Normal = Potential Future Project
 Italics = Expenditure Plan Project

ATTACHMENT 1

COLORADO RIVER SUBAREA											
MAJOR LOCAL HIGHWAY PROGRAM FUNDS NEEDS AND COMMITMENTS											
City	Project	Project Priority	Named in Expenditure Plan?	MLHP Eligible?	In 10-Yr. Delivery Plan?	Phase or Status	Est CON Start Date	Total Project Cost	SANBAG Public Share	Current Funding Request	MLHP Commitment
Needles	J Street Connector (Funding Agreement Approved Sept 2013 and November 2015)	1	Yes	Yes	Yes	R/W	2016	\$ 5,571,000	N/A	\$ 190,290	\$ 190,290
Needles	Highway 95 South/I-40 to City Boundary Grind and Overlay Project	2	No	Yes	No	PA&ED	2016	\$ 1,693,000	N/A	\$ 230,440	\$ -
Needles	Needles Highway/Pashard to Budweiser Reconstruction Project	3	Yes	Yes	Yes	R/W	2018	\$ 2,500,000	N/A	\$ -	\$ -
Needles	Construction of New Bridge in Needles connecting I-40 to Arizona		Yes	Yes	No			Unknown		\$ -	\$ -
Needles	Total							\$ 9,764,000		\$ 420,730	\$ 190,290
	Percentage of Subarea Funding*									64.16%	44.74%
County	Needles Highway/Segment "N" (Phase 1 - PLH Funded; no match required)	1	Yes	Yes	Yes	R/W	2016	\$ 10,000,000	N/A	\$ -	\$ -
County	Needles Highway (remaining phases)	2	Yes	Yes	Yes	R/W	2017	\$ 50,000,000	N/A	\$ 235,000	\$ 235,000
County	Needles Highway/Park Ave.	3	Yes	Yes	Yes	R/W	2020	\$ 40,000,000	N/A	-	-
County	Total							\$ 100,000,000		\$ 235,000	\$ 235,000
	Percentage of Subarea Funding*									35.84%	55.26%
TOTAL COLORADO RIVER NEED & REQUESTS THROUGH 2025										\$ 655,730	\$ 425,290
ESTIMATED COLORADO RIVER MEASURE I REVENUE 2010 THROUGH 2025										\$ 918,202	

MOUNTAINS SUBAREA											
MAJOR LOCAL HIGHWAY PROGRAM FUNDS NEEDS AND COMMITMENTS											
City	Project	Project Priority	Named in Expenditure Plan?	MLHP Eligible?	In 10-Yr. Delivery Plan?	Phase or Status	Est CON Start Date	Total Project Cost	SANBAG Public Share	Current Funding Request	MLHP Commitment
Big Bear Lake	Village "L" Street Improvements-Village & Pine Knot (Funding Agreement approved 2013)		No	Yes	Yes	Completed		\$ 5,826,256	N/A	\$ 1,200,000	\$ 1,200,000
Big Bear Lake	Village "L" Street Improvements-Village & Pine Knot (Advance Expenditure Agreement approved 2013)		No	Yes	Yes	Completed		see above	N/A	\$ 1,200,000	\$ 1,200,000
Big Bear Lake	Changeable Message Sign "CMS" at Big Bear Dam	1	No	Yes	Yes	PS&E	2020	\$ 400,000	N/A	\$ 160,000	\$ -
Big Bear Lake	Hwy 38: North Shore/pave shoulders and add bike lane	2	Yes	Yes	Yes	PA&ED	2020	\$ 185,000	N/A	\$ 185,000	\$ -
Big Bear Lake	Hwy 18/Arctic Circle Slope Stabilization	3	Yes	Yes	Yes	PA&ED	Future	\$ 5,400,000	N/A	\$ 5,400,000	\$ -
Big Bear Lake	Hwy 38: passing lanes		Yes	Yes	Yes	N/A		\$ 8,000,000	N/A	\$ -	\$ -
Big Bear Lake	SR18: Left turn lanes		Yes	Yes	Yes	N/A		\$ 900,000	N/A	\$ -	\$ -
Big Bear Lake	SR18 Safety and Traffic Flow Improvements		Yes	Yes	No	N/A		Unknown		\$ -	\$ -
Big Bear Lake	SR18 Safety and Intersection Improvements		Yes	Yes	No	N/A		Unknown		\$ -	\$ -
Big Bear Lake	Total							\$ 20,711,256		\$ 8,145,000	\$ 2,400,000
	Percentage of Subarea Funding*									49.58%	100.00%
County	Maple Lane - drainage and slope improvement (Funding Agreement for SLPP approved 2013)		No	Yes	Yes	Completed		\$ 2,600,000	N/A	\$ 1,301,000	\$ -
County	Arrowbear Bridge & Widening	1	No	Yes	No	PA&ED	2018	\$ 3,000,000	N/A	\$ 3,000,000	\$ -
County	Pineview Drive	2	No	Yes	No	PA&ED	2018	\$ 1,000,000	N/A	\$ 1,000,000	\$ -
County	Stanfield Cutoff - reconstruction (funding agreement in preparation)	3	No	Yes	Yes	PA&ED	2020	\$ 26,000,000	N/A	\$ 2,982,200	\$ -
County	SR18, SR38 and SR330 Safety and Traffic Flow Improvements		Yes	Yes	No	N/A		Unknown		\$ -	\$ -
County	SR18 and SR138 Safety and Intersection Improvements		Yes	Yes	No	N/A		Unknown		\$ -	\$ -
County	Realignment and Rehabilitation of Daley Canyon Rd and Kuffel Canyon Road		Yes	Yes	No	N/A		Unknown		\$ -	\$ -
County	Total							\$ 27,000,000		\$ 8,283,200	\$ -
	Percentage of Subarea Funding*									50.42%	0.00%
TOTAL MOUNTAINS NEED & REQUESTS THROUGH 2025										\$ 16,428,200	\$ 2,400,000
ESTIMATED MOUNTAINS MEASURE I REVENUE 2010 THROUGH 2025										\$ 8,199,411	

* Measure I Policy requires that geographic equity in the distribution of MLHP funds be considered over the life of the Measure.

Attachment: Attachment 1 Project List (2435 : Major Local Highway Program Subarea Project Lists)

Minute Action

AGENDA ITEM: 20

Date: *January 6, 2016*

Subject:

Allocation to Park Boulevard Reconstruction Project and Project Funding Agreement

Recommendation:

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

- A. Allocate \$1,411,000 in Morongo Basin Major Local Highway Program funds to the County of San Bernardino for the Park Boulevard Reconstruction Project.
- B. Approve Funding Agreement No. 16-1001374 in the amount of \$1,411,000 with the County of San Bernardino for the Park Boulevard Reconstruction Project.
- C. Approve a Fiscal Year 2015/2016 budget amendment to increase Task 0516 Measure I Mountain Desert Apportionment and Allocation by \$161,000 from Fund 4530 MSI Morongo Basin Fund-Major Local Highway.

Background:

The County of San Bernardino nominated Park Boulevard as their first project for Morongo Basin Major Local Highway Program funding in June 2015. The total cost of the project is \$1,411,000 and the County has requested 100% funding. There is no development fair share contribution for this project. The project, however, is consistent with the eligibility requirements of Measure I Rural Mountain/Desert policy. The subarea representatives reviewed the request and recommended approval of the project at a meeting on August 3, 2015.

Park Boulevard is one of the main North-South roadways in the unincorporated community of Joshua Tree and also provides access to the western entrance to Joshua Tree National Park. The project scope includes a full depth reconstruction of the travel ways and overlay of shoulder areas between State Route 62 and Alta Loma Drive North.

The environmental phase of the project is expected to begin in January 2016, with construction to begin in June 2016, and completion in July 2016.

Entity: CTA

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Financial Impact:

This item is not consistent with the Fiscal Year 2015/2016 Budget. A budget amendment is required to increase Task No. 0516 from Fund 4530 Morongo Basin Fund - Major Local Highway.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on December 11, 2015. This item and the draft agreement have been reviewed by General Counsel and the Contract Administrator.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 16-1001374 Amendment No.: _____ Vendor No.: 01907
 Vendor/Customer Name: _____ County of San Bernardino Sole Source? Yes No
 Description: Funding Agreement for Park Boulevard Reconstruction Project
 Start Date: 1/6/2016 Expiration Date: 11/30/2018 Revised Expiration Date: _____
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: _____

Dollar Amount			
Original Contract	\$ 1,411,000.00	Original Contingency	\$ -
Revised Contract (Inclusive of Prior Amendments)	\$ -	Revised Contingency (Inclusive of Prior Amendments)	\$ -
Current Amendment	\$ -	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 1,411,000.00	TOTAL CONTINGENCY VALUE	\$ -
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 1,411,000.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 1/6/2016
 Board of Directors Action: Approve Agreement 16-110374

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: Ellen Pollema

Attachment: Contract Summary Sheet (2431 : Park Boulevard Funding Agreement)

Minute Action

AGENDA ITEM: 21

Date: *January 6, 2016*

Subject:

Fiscal Year 2015/2016 Low Carbon Transit Operations Program - Population Share

Recommendation:

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

A. Approve a Low Carbon Transit Operations Program – Population Share Apportionment for Fiscal Year 2015/2016 of \$2,038,266 million to be apportioned to the Valley and the Mountain/Desert Areas based on the 2015 California Department of Finance Population Data as follows:

- i. Valley Fiscal Year 2015/2016 Apportionment: \$1,480,800
- ii. Mountain/Desert Fiscal Year 2015/2016 Apportionment: \$557,466

B. Allocate \$2,038,266 million of Low Carbon Transit Operations Program – Population Share funding to the following projects:

- i. Transit Marketing and Fare Subsidies for Mountain/Desert Transit Operators - \$461,683
- ii. Victor Valley Transit Authority Bus Stop and Transfer Center Enhancements and Improvements - \$282,148
- iii. Omnitrans Route 290 Pilot Program Expansion - \$440,000
- iv. Omnitrans Freeway Express Pilot Program serving Yucaipa, Redlands, Hospitality Lane and San Bernardino Transit Center - \$300,000
- v. Omnitrans Ontario Airport Shuttle Service Pilot Program - \$554,435

C. Adopt Resolution No. 16-004 Authorizing the Execution of the Certifications and Assurances and related documents for the Low Carbon Transit Operations Program.

Background:

The Low Carbon Transit Operations Program (LCTOP), established by the California Legislature in 2014 by Senate Bill 862, is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program. The LCTOP was created to provide transit operating and capital assistance to eligible project sponsors in an effort to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. This program is funded by auction proceeds from the California Air Resources Board (CARB) Cap-and-Trade Program where proceeds are deposited into the Greenhouse Gas Reduction Fund (GGRF). The LCTOP will receive 5 percent of the proceeds deposited in the GGRF annually in future years.

Eligible projects funded by the LCTOP include new or expanded bus or rail services, expanded intermodal transit facilities, and may include equipment acquisition, fueling, maintenance and other costs to operate those services or facilities, with each project required to reduce greenhouse

Entity: CTC

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gas emissions. For agencies whose service area includes a Disadvantaged Community (DAC), at least 50 percent of the total moneys received shall be expended on projects that will benefit the DAC.

As with State Transit Assistance (STA) Funds, LCTOP funding is allocated pursuant to California Public Utilities Code (CPUC) Sections 99313 and 99314. A County Transportation Commission (CTC), such as SANBAG, that is eligible to receive STA funds per CPUC Section 99313 is eligible to receive LCTOP funds by formula based on the ratio of the population of the area under the CTC's jurisdiction to the total population of the state. A transit operator that is eligible to receive STA funds per CPUC Section 99314 is eligible to receive LCTOP funds by formula based on the ratio of the revenue of the transit operator's jurisdiction to the total revenue of all operators in the state. The transit operators receiving LCTOP funds per CPUC Section 99314 work directly with Caltrans to receive their LCTOP funds. In San Bernardino County the transit operators include Morongo Basin Transit Authority (MBTA), Mountain Area Regional Transit Authority (MARTA), Victor Valley Transit Authority (VVTA), Omnitrans, and Southern California Regional Rail Authority (SCRRA).

On September 10, 2015, the Commuter Rail and Transit Committee (CRTC) reviewed and unanimously recommended this item for approval by the SANBAG Board. Because the California State Controller's Office had not released the final apportionment amounts as of the preparation of the agenda item for the September CRTC meeting, the CRTC item included an estimated apportionment amount of \$2.7 million. On October 30, 2015, the State Controller's Office distributed a list of eligible project sponsors and the formulaic share of funds each is to receive for Fiscal Year 2015/2016 in accordance with CPUC Sections 99313 and 99314. SANBAG has been allocated \$2,038,266 under CPUC Section 99313.

As is done for STA funds that SANBAG receives pursuant to CPUC Section 99313 and in accordance with LCTOP allocation principles adopted by the SANBAG Board in July 2015, staff is recommending that LCTOP funds received under the population formula be further apportioned to the Valley and Mountain/Desert based on population as shown in the table below. The estimated apportionment amounts that were indicated in the September CRTC item are shown below in addition to the updated final apportionment amounts.

Fiscal Year 2015/2016 LCTOP Funds Per CPUC Section 99313			Formula Share ¹		
Apportionment Area	Population ²	Percentage	Fiscal Year 2015/2016 Apportionment	Fiscal Year 2014/2015 Allocation Adjustment	Fiscal Year 2015/2016 Available For Allocation
			\$2,700,000		
			\$2,038,266		
Valley	1,528,823	72.65%	\$1,961,550 \$1,480,800	\$(186,365)	\$1,775,185 \$1,294,435
Mountain/Desert	575,468	27.35%	\$738,450 \$557,466	\$186,365	\$924,815 \$743,831
Total	2,104,291	100.00%	\$2,700,000 \$2,038,266		\$2,700,000 \$2,038,266

¹Formula Share amount determined by the State Controller's Office.

²Population Source: California Department of Finance January 2015.

Because the Valley was allocated in excess of its apportionment in Fiscal Year 2014/2015, the Mountain/Desert Transit Operators have a carry-over apportionment of \$186,365. For this reason, a total of \$743,831 is recommended to be allocated to the Mountain/Desert Area and a total of \$1,294,435 is recommended to be allocated to the Valley Area.

SANBAG staff requested that the Transit Operators develop and submit to SANBAG a list of potential projects for the LCTOP 2015/2016 grant cycle. SANBAG received nominations from VVTA and Omnitrans as described below. Other operators expect to have projects eligible for LCTOP in the future but are not ready to submit project applications at this time. In accordance with the LCTOP allocation principles approved by the SANBAG Board in July 2015, staff is recommending \$2,038,266 be allocated to the following projects:

Transit Marketing and Fare Subsidies for Mountain/Desert Transit Operators - ~~\$642,667~~ \$461,683

This project entails the development of a “tool kit” that provides a menu of marketing strategies (template campaigns, social media, slogans, flyers, materials) to be customized to each transit agency. This “tool kit” would be beneficial to the smaller agencies, providing guidance in tailoring strategies to their communities and consistent, countywide, public communications would assist in reaching multi-transit jurisdiction commuters. Additionally, the SANBAG County-wide Transit Efficiency Study identified this project as offering potential to improve transit services and operations.

VVTA Bus Stop and Transfer Center Enhancements and Improvements - \$282,148

VVTA will utilize the LCTOP funds to enhance transfer centers and bus stops in the VVTA service area. It is anticipated that enhancing bus stops and transfer centers will increase ridership and promote mode share. VVTA’s next Comprehensive Operations Analysis will include an analysis of transfer centers and bus stops in order to determine which locations are most in need of improvement.

Omnitrans Route 290 Pilot Program Expansion – \$440,000

This program is currently funded with Local Transportation Funds and Omnitrans’ Fiscal Year 2014/2015 LCTOP funds. This is a pilot program implemented in September 2015. With additional LCTOP funding, Omnitrans will be able to increase the number of weekday trips on Route 290, adding a total of eight trips earlier and later in the day.

Omnitrans Freeway Express Pilot Program serving Yucaipa, Redlands, Hospitality Lane and San Bernardino Transit Center – \$300,000

Following an analysis conducted by Omnitrans staff, the Yucaipa, Redlands, Hospitality Lane and San Bernardino Transit Center Freeway Express Route was ranked the next highest priority freeway express project. The analysis was based on ridership potential, service duplication, and fit of the route into the overall network. With an allocation of LCTOP funding, Omnitrans will implement this route as a pilot program.

Ontario Airport Shuttle Service Pilot Program - ~~\$1,035,185~~ \$554,435

The Ontario Airport Shuttle Service involves partnership with Ontario area hotels and may serve both Haven Avenue and Milliken Avenue with high-quality and high-frequency transit. The shuttle service will be developed to meet the needs of Metrolink, the Ontario Airport, and area hotels, and is expected to run with a 20 – 30 minute frequency between the hours of 5:00am and 11:00pm. The service may be utilized by tourists, travelers, local residents, and employees. Omnitrans will utilize LCTOP funds to procure four vehicles initially needed for this

service and to begin operation of the service following local control of the Ontario Airport. The annual operating cost of the shuttle service is estimated at \$1.5 million and will be eligible for future LCTOP allocations. Omnitrans is able to backfill the shortfall in LCTOP revenue with other sources to keep the project fully funded.

The following projects were submitted to SANBAG but are not recommended for funding:

Omnitrans Mobile Phone Ticketing (Seek Partnerships with VVTA, MARTA and Omnitrans on hardware and software to accept Mobile Phone based Payment) – This project is currently not funded and partnerships have not yet been initiated with VVTA or MARTA. This was identified as a lower priority for Omnitrans. SANBAG staff recommends this be delayed until coordination can also occur with Metrolink.

Omnitrans Employer Pass/Corporate Pass Pilot Program – This program is not recommended for funding due to the fact that SANBAG, as a sub-recipient of the Southern California Association of Governments, received a Federal Transit Administration (FTA) Section 5304 grant award in April 2015 to fund a Customer-based Ridesharing and Transit Interconnectivity Study. The objectives of the study include identifying employers and activity centers that may benefit from improved interconnectivity; documenting service gaps and inefficiencies; and identifying costs, funding opportunities, and a funding strategy for improving services to employers and activity centers. SANBAG staff recommends waiting to fund an Employer Pass or Corporate Pass Pilot Program until the conclusion of the study is available for review.

Omnitrans Conversion of Access Vehicles to CNG – This project is currently funded with FTA Section 5307, 5339, and Congestion Mitigation and Air Quality Improvement (CMAQ) Program funds. This was identified as a lower priority for Omnitrans, and due to the availability of multiple funding sources for this project, SANBAG staff recommends funding projects with greater needs for funding.

VVTA Service Expansion – SANBAG staff does not recommend this project for funding at this time. VVTA currently returns surplus Local Transportation Funds to the cities for local streets and roads purposes. Before using LCTOP for service expansion, SANBAG staff recommends VVTA analyze the impact sustaining the services will have on their use of Local Transportation Funds should LCTOP funds not be available for allocation in the future.

Caltrans requires an executed “Certifications and Assurances” with project applications, which outlines special requirements with which grantees must comply in order to receive the LCTOP funds. A sample is included as Attachment 1. Additionally, Caltrans requires that SANBAG submit an authorizing resolution from its governing board that approves the submission of the Certifications and Assurances, authorizes project allocation amounts, and authorizes SANBAG’s Executive Director to execute the Certifications and Assurances, future funding agreement(s) and other relevant documents necessary for funding and completing the LCTOP-funded projects. Caltrans had not yet made the LCTOP Certifications and Assurances document and authorizing resolution template available for Fiscal Year 2015/2016 as of the preparation of the September CRTC item. Resolution 16-004 that is being presented to the Board for adoption has been revised after approval by the CRTC to remain consistent with the resolution template required by Caltrans. Attachment 1 has also been updated to reflect the 2015/2016 Certifications and Assurances document. Both templates were made available by Caltrans on December 1, 2015.

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Project applications for Fiscal Year 2015/2016 LCTOP funding are due to Caltrans on February 1, 2016.

Financial Impact:

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

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on September 10, 2015. The final allocation amounts have been updated to reflect the final Fiscal Year 2015/2016 apportionment, as detailed in the agenda item background. SANBAG General Counsel has reviewed this item and the Resolution.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Low Carbon Transit Operations Program (LCTOP) CERTIFICATIONS AND ASSURANCES

Project Sponsor: _____

Agency Name: _____

Effective Date of this Document: _____

The California Department of Transportation (Department) has adopted the following certifications and assurances for the Low Carbon Transit Operations Program. As a condition of the receipt of LCTOP funds, project lead must comply with these terms and conditions.

A. General

- (1) The project lead agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
- (2) The project lead must submit to the Department a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

B. Project Administration

- (1) The project lead certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The project lead assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
- (2) The project lead certifies that a dedicated bank account for LCTOP funds only will be established within 30 days of receipt of LCTOP funds.
- (3) The project lead certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
- (4) The project lead certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
- (5) The project lead certifies that they will notify the Department of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
- (6) The project lead must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
- (7) Any interest the project lead earns on LCTOP funds must be used only on approved LCTOP projects.
- (8) The project lead must notify the Department of any changes to the approved project with a Corrective Action Plan (CAP).
- (9) Under extraordinary circumstances, a project lead may terminate a project prior to completion. In the event the project lead terminates a project prior to completion, the project lead must (1) contact the Department in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to

verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.

- (10) Funds must be encumbered and liquidated within the time allowed.

C. Reporting

- (1) The project lead must submit the following LCTOP reports:
 - a. Semi-Annual Progress Reports by May 15th and November 15th each year.
 - b. A Final Report within six months of project completion.
 - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to the Department within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.
- (2) Other Reporting Requirements: ARB is developing funding guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with ARB’s funding guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

D. Cost Principles

- (1) The project lead agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The project lead agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
 - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and
 - b. Those parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (3) Any project cost for which the project lead has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 49 CFR, Part 18, are subject to repayment by the project lead to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the project lead to the State. Should the project lead fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the project lead from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.



E. Record Retention

- (1) The project lead agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the project lead, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), and enable the determination of incurred costs at interim points of completion. All accounting records and other supporting papers of the project lead, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years after the “Project Closeout” report or final Phase 2 report is submitted (per ARB Funding Guidelines, Vol. 3, page 3.A-16), and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the project lead, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the project lead pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the project lead’s external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the project lead’s contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the project lead shall furnish copies thereof if requested.
- (3) The project lead, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

The Department may perform an audit and/or request detailed project information of the project sponsor’s LCTOP funded projects at the Department’s discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

BY: _____
AUTHORIZING OFFICER, Title
Unit/Department/Agency

Attachment: Attachment 1 - LCTOP Certs and Assurances Updated Dec 1 2015 [Revision 1] (2238 : LCTOP Expenditure Plan 15-16)

RESOLUTION NO. 16-004

**RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION
COMMISSION AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND
ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON
TRANSIT OPERATIONS PROGRAM AND FOR THE PROJECTS FUNDED BY LOW
CARBON TRANSIT OPERATIONS PROGRAM FUNDS**

WHEREAS, the San Bernardino County Transportation Commission (SANBAG) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the California Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, SANBAG wishes to delegate authorization to execute these documents and any amendments thereto to Raymond W. Wolfe, Executive Director; and

WHEREAS, SANBAG wishes to implement the LCTOP projects listed below;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino County Transportation Commission (Commission), as follows:

Section 1. The fund recipient, SANBAG, agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations, and guidelines for all LCTOP funded transit projects.

Section 2. The SANBAG Executive Director, Raymond W. Wolfe, is authorized to execute all required documents of the LCTOP Program and any amendments thereto with the Department.

Section 3. The submittal of the following project nominations and allocation requests to the Department in Fiscal Year 2015/2016 LCTOP funds are hereby authorized:

Project Name: Transit Marketing and Fare Subsidies for Mountain/Desert Transit Operators

Amount of LCTOP Funds Requested: \$461,683

Project Description: This project entails the development of a “tool kit” that provides a menu of marketing strategies (template campaigns, social media, slogans, flyers,

materials) to be customized to each transit agency. This “tool kit” would be beneficial to the smaller agencies, providing guidance in tailoring strategies to their communities and consistent, countywide, public communications would assist in reaching multi-transit jurisdiction commuters.

Contributing Sponsor: SANBAG

Project Lead: SANBAG

Project Name: Victor Valley Transit Authority Bus Stop and Transfer Center Enhancements and Improvements

Amount of LCTOP Funds Requested: \$282,148

Project Description: VVTA will utilize the LCTOP funds to enhance transfer centers and bus stops in the VVTA service area. It is anticipated that enhancing bus stops and transfer centers will increase ridership and promote mode share.

Contributing Sponsor: SANBAG

Project Lead: Victor Valley Transit Authority

Project Name: Omnitrans Route 290 Pilot Program Expansion

Amount of LCTOP Funds Requested: \$440,000

Project Description: This is a pilot freeway express program, implemented in September 2015. With additional LCTOP funding, Omnitrans will be able to increase the number of weekday trips on Route 290, adding a total of eight trips earlier and later in the day.

Contributing Sponsor: SANBAG

Project Lead: Omnitrans

Project Name: Omnitrans Freeway Express Pilot Program serving Yucaipa, Redlands, Hospitality Lane and San Bernardino Transit Center

Amount of LCTOP Funds Requested: \$300,000

Project Description: This is a freeway express pilot program, serving Yucaipa, Redlands, Hospitality Lane and San Bernardino Transit Center. This freeway express route was ranked the next highest priority freeway express project based on ridership potential, service duplication, and fit of the route into the overall network. With an allocation of LCTOP funding, Omnitrans will implement this route as a pilot program.

Contributing Sponsor: SANBAG

Project Lead: Omnitrans

Project Name: Ontario Airport Shuttle Service Pilot Program

Amount of LCTOP Funds Requested: \$554,435

Project Description: The Ontario Airport Shuttle Service involves partnership with Ontario area hotels and may serve both Haven Avenue and Milliken Avenue with high-quality and high-frequency transit. The shuttle service will be developed to meet the needs of Metrolink, the Ontario Airport, and area hotels, and is expected to run with a 20 – 30 minute frequency between the hours of 5:00am and 11:00pm. The service may be utilized by tourists, travelers, local residents, and employees. Omnitrans will utilize LCTOP funds to procure four vehicles initially needed for this

service and to begin operation of the service following local control of the Ontario Airport.
Contributing Sponsor: SANBAG
Project Lead: Omnitrans

Section 4. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the San Bernardino County Transportation Commission held on January 6, 2016.

Ryan McEachron
Commission Chairperson

ATTEST:

Clerk of the Commission

Minute Action

AGENDA ITEM: 22

Date: *January 6, 2016*

Subject:

Hearings to Consider Resolutions of Necessity for Parcels for the Interstate 215 (I-215) Barton Road Interchange Improvement Project in the City of Grand Terrace

Recommendation:

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

- A. Conduct public hearings to consider condemnation of real property required for the I-215 Barton Road Interchange Improvement Project in the City of Grand Terrace; and
- B. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No.16-010 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring necessary right-of-way and real property interests from: Robert T. Tilley and Susan A. Tilley (Assessor's Parcel Number [APN] 1167-121-02; Caltrans Parcel Number [CPN] 23367). The Resolution must be approved by at least a two-thirds majority of the Board; and
- C. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No.16-011 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring necessary right-of-way and real property interests from: Woodrow A. Hughes and Famou L. Hughes (APN 0275-223-27; CPN 23370). The Resolution must be approved by at least a two-thirds majority of the Board.

Background:

Steady progress has been made towards the start of construction on the Interstate 215(I-215) Barton Road Interchange Improvement Project (Project). One of the remaining critical path items is right-of-way acquisition. The SANBAG Board acting as the San Bernardino County Transportation Commission (Commission) has authorized the acquisition of property necessary for this interchange project. Some parcels are being acquired through negotiated sale. The purpose of this agenda item is to present information regarding the upcoming Hearings for Resolutions of Necessity for two properties needed for construction of the Project which have not reached settlement. The Commission's right-of-way agent, Overland, Pacific & Cutler, Inc. (OPC) presented offers to each property owner. The property owners are: Robert T. Tilley and Susan A. Tilley (Tilley), and Woodrow A. Hughes and Famou L. Hughes (Hughes). Although negotiations are ongoing, dialogue with the property owners for the parcels listed has not yet resulted in settlements, and these parcels need to be acquired through eminent domain which requires compliance with a statutorily prescribed process. During the eminent domain process, the Commission's right-of-way agent will continue to negotiate with the property owners and attempt to achieve negotiated sales for the necessary property interests.

Entity: CTC

The Commission is authorized to acquire property by eminent domain pursuant to the California Public Utilities Code Section 130220.5. Eminent domain will allow the Commission to obtain legal rights to the properties needed for the Project if a negotiated sale cannot be reached. Since the process takes several months, it is necessary to start this process now to ensure that the property interests are obtained to meet the scheduled start of construction in the summer of 2017.

In order to adopt the Resolutions of Necessity, the Commission must make the four findings discussed below for each of the parcels. The issue of just compensation for these property interests is not addressed by these Resolutions of Necessity and is not to be considered at the hearings. The four necessary findings are:

1. The public interest and necessity require the Project.

The Project is located in City of Grand Terrace where if no improvements are made to the interchange, the existing and future traffic congestion will not be mitigated. The proposed improvements, which are consistent with the circulation element of the City of Grand Terrace General Plan, are necessary to reduce existing and future traffic congestion. The congestion is reduced by increasing capacity and enhanced traffic operations.

The Project includes the following improvements:

- Replacement of the existing Barton Road Overcrossing (Bridge No. 54-0528)
- Reconstruction/widening of Barton Road
- Realignment of the existing entrance and exit ramps and roadway improvements on local streets
- Traffic signal modifications
- Roundabout at intersection of Barton Road/southbound ramps/La Crosse Avenue

On Barton Road, the Project construction limits extend from 0.3 miles to 0.4 miles west and east of the I-215 centerline, respectively. The Project construction limits on I-215 begin at 0.73 miles and end at 0.35 miles south and north of the Barton Road centerline, respectively.

2. The Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury.

During the environmental phase of the Project three alternatives were studied. The City of Grand Terrace, SANBAG, and Caltrans selected this alternative to construct as it included the least right-of-way impacts to the community and provided the greatest improvement to circulation. The Project is being constructed in phases to maximize the traffic circulation during construction to the greatest extent possible and to minimize right-of-way impacts to adjacent properties. The proposed design minimizes the property required for the Project, but still requires full acquisitions, partial acquisitions, and temporary construction easements. During the design phase, project planners, engineers, and a construction manager/general contractor considered alternative alignments, work windows, and work area reductions that would provide access to adjacent properties where access to those properties would be affected by the Project. Each alternative was assessed based on the needs and constraints of each property owner. Staff and OPC have also had numerous communications with the property owners about their needs in order to design the Project in a manner that causes the least private injury while accomplishing the greatest public good through construction of the Project.

3. The properties sought to be acquired are necessary for the Project.

While some of the Project is being constructed within existing right-of-way, some acquisition from the subject properties is needed to allow the construction of a new bridge, new road, existing roadbed widening, sound wall, drainage systems, and required utility relocations. For the subject properties, the following right-of-way interests are required:

- A partial acquisition and temporary construction easement are needed from the Tilley property (APN 1167-121-02; CPN 23367). A partial acquisition is needed to accommodate the widening of Barton Road and a temporary construction easement is also needed to allow for construction of the Project. The property is improved industrial land, but the area taken does not include any structures and no relocations are anticipated.
- A partial acquisition and temporary construction easement are needed from the Hughes property (APN 0275-223-27; CPN 23370). A partial acquisition is needed to accommodate the widening of Barton Road and a temporary construction easement is also needed to allow for construction of the Project. The property is improved with a single-family residence, but the area taken does not include the residence and no relocations are anticipated.

4. Offers required by Section 7267.2 of the Government Code have been made to the owner or owners of record.

The subject properties were appraised and offers for the full amount of the appraisals were made to the owner or owners of record in accordance with Section 7267.2 of the Government Code.

- The offer for the Tilley property (APN 1167-121-02; CPN 23367) was presented on June 3, 2015.
- The offer for the Hughes property (APN 0275-223-27; CPN 23370) was presented on April 21, 2015.

Upon completion of the Project, the Commission will transfer properties acquired for this Project to Caltrans or to the City of Grand Terrace for those real property interests that will be incorporated into the State Highway System or the City facility, respectively.

Financial Impact:

This item has no financial impact to the Fiscal Year 2015/2016 Budget.

Reviewed By:

This item was reviewed and recommended (17-0-0) to proceed to Hearings of Resolutions of Necessity by the Board of Directors with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel has reviewed this item and drafts of the Resolutions.

Responsible Staff:

Paula Beauchamp, Project Delivery Manager

Approved
 Board of Directors
 Date: January 6, 2016

Witnessed By:

TILLEY
RESOLUTION OF
NECESSITY

RESOLUTION NO. 16-010

A RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION COMMISSION FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY FOR PUBLIC USE AND AUTHORIZING AND DIRECTING CONDEMNATION OF A PORTION OF ASSESSOR PARCEL NUMBER 1167-121-02.

WHEREAS, the San Bernardino County Transportation Commission (the "Commission") is undertaking the I-215 and Barton Road Interchange Project (the "Project") that necessitates the Commission to acquire by eminent domain interests in the property located at 21823 - 21831 Barton Road in the City of Grand Terrace, California; and

WHEREAS, the Project is intended to lengthen and widen the Barton Road Bridge over the I-215 and to widen and reconfigure ramps, modify traffic signals and construct a roundabout at the intersection of Barton Road/southbound ramps/La Crosse Avenue to improve public safety and alleviate traffic congestion; and

WHEREAS, the Project requires the acquisition of property interests from private parties; and

WHEREAS, the Project will be a transportation improvement project serving the public interest; and

WHEREAS, subsection (a) of the California Public Utilities Code section 130220.5, authorizes the Commission to exercise the power of eminent domain to acquire these property interests for public use by condemnation; and

WHEREAS, the real property required for the Project includes a fee interest as legally described in Exhibit "A" and depicted in Exhibit "C" and located at 21823 - 21831 Barton Road in the City of Grand Terrace, California; and

WHEREAS, the real property required for the Project includes a temporary construction easement as legally described in Exhibit "B" and depicted in Exhibit "C" and located at 21823 - 21831 Barton Road in the City of Grand Terrace, California; and

WHEREAS, reasonable pedestrian and vehicular access to the subject property will be maintained during construction; and

WHEREAS, in accordance with section 1245.235 of the California Code of Civil Procedure, on December 2, 2015 there was mailed a Notice of Hearing on the Intent of the Commission to consider adoption of a Resolution of Necessity for acquisition by eminent domain of the real property described and depicted in Exhibits "A" through "C" herein. The Notice of Hearing was mailed to the listed address of all persons whose names appear on the last

equalized county assessment roll as the owner or owners of the property described and depicted in Exhibits "A" through "C" (collectively the "Property"); and

WHEREAS, the Commission provided written notice to the City of Grand Terrace as required by subsection (c) of California Public Utilities Code section 130220.5; and

WHEREAS, the Project, including all amendments thereto, together with the staff reports, environmental documents and all other evidence presented to the Commission at the times the Project and the amendments thereto were adopted, are incorporated herein by this reference and made a part hereof as though fully set forth herein; and

WHEREAS, pursuant to section 1245.235 of the California Code of Civil Procedure, the Commission scheduled a hearing for January 6, 2016 at 10:00 a.m. at Santa Fe Depot---SANBAG Lobby 1st Floor, 1170 W. 3rd Street, San Bernardino, California and gave to each person whose property is to be acquired notice and a reasonable opportunity to appear at said hearing and to be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, said hearing has been held by the Commission and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on those matters specified in the Commission's notice of intention to conduct a hearing on whether to adopt a Resolution of Necessity as referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, the Commission may adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, by a vote of two-thirds or more of its members, the San Bernardino County Transportation Commission does hereby find, determine, resolve and order as follows:

Section 1. Incorporation of Findings and Recitals. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Compliance with California Code of Civil Procedure. The Commission has complied with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

Section 3. Public Use. The public use for which the Property is to be acquired is for the construction and future maintenance of the Project, a public transportation improvement, as more fully described hereinabove. Subsection (a) of California Public Utilities Code section 130220.5 authorizes the Commission to acquire by eminent domain property and interests in property necessary for such purpose and for all uses incidental or convenient thereto.

Section 4. Necessity.

(a) The Project is necessary to improve public safety and alleviate traffic congestion; and

(b) The public interest and necessity require the acquisition by eminent domain proceedings of real property as legally described in Exhibits "A" and "B" and depicted in Exhibit "C" attached to this Resolution of Necessity.

Section 5. Description of Property Interests. The property interests to be acquired are more particularly described and depicted in Exhibits "A" through "C" attached hereto and incorporated herein by reference.

Section 6. Findings. The Commission hereby finds, determines and declares each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;

(c) The above-described property interests, as described and depicted in Exhibits "A" through "C", are necessary for the proposed Project; and

(d) The offer required by section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 7. Existing Public Use(s). Pursuant to sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that any of the real property to be acquired is already devoted to a public use, the use proposed by this Project is a more necessary public use than the use to which the real property, or any portion thereof, is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the real property, or any portion thereof, is already devoted.

Section 8. Authority to Exercise Eminent Domain. The Commission is hereby authorized and empowered to acquire the real property as legally described in Exhibits "A" and "B" and depicted in Exhibit "C", including the improvements thereon, if any, by eminent domain for the Project.

Section 9. Further Activities. Legal Counsel for the Commission ("Counsel") is hereby authorized and empowered to acquire the hereinabove described interests in real property in the name of and on behalf of the Commission by eminent domain, and is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Counsel is further authorized to take such steps as may be authorized and required by law, and to make such security deposits as may be required by order of court and to permit the Commission to take possession of and use real property at the earliest possible time. Counsel is further

authorized to correct any errors in this Resolution of Necessity or to make or agree to non-material changes in the legal descriptions of the real property that are deemed necessary for the conduct of the eminent domain action or other proceedings or transactions required to acquire the interests in the subject real property.

Section 10. Effective Date. This Resolution shall take effect upon adoption.

Adopted by the San Bernardino County Transportation Commission on _____, 2016 by the following vote:

AYES:

NOES:

ABSENT:

Ryan McEachron, Board President
San Bernardino County Transportation Commission

ATTEST:

Vicki Watson,
Clerk of the Commission

EXHIBIT "A"

The north 17.00 feet of that certain parcel of land in the City of Grand Terrace, County of San Bernardino, State of California, as described in a deed to Robert T. Tilley and Susan A. Tilley, husband and wife as joint tenants, recorded February 19, 1997 as Document No. 19970056130 of Official Records of said county.

Parcel contains approximately 3,995 Sq. Ft.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5. Divide distances shown by 0.9999594 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature Kyle G. Esqate
Professional Land Surveyor

Date December 1, 2015



EXHIBIT "B"

**TEMPORARY CONSTRUCTION EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
APN: 1167-121-02**

The parcel of land in the attached legal description and map is to be used for temporary construction purposes in connection with the construction of the Interstate 215 (I-215) Barton Road Interchange Improvement Project. The right of usage acquired for the temporary construction easement parcel described in the attached legal description and depicted in the attached map shall be for a period of thirty (30) months.

Reasonable pedestrian and vehicular access to the remainder property will be maintained.

The San Bernardino County Transportation Commission is expressly granted the right to convey, transfer or assign the easement rights described above.

That portion of that certain parcel of land in the City of Grand Terrace, County of San Bernardino, State of California, as described in a deed to Robert T. Tilley and Susan A. Tilley, husband and wife as joint tenants, recorded February 19, 1997 as Document No. 19970056130 of Official Records of said county, lying North of the following described line:

Beginning at a point on the east line, distant thereon 33.50 feet south of the northeast corner of that certain parcel as described in the above said Document; thence North 89°58'31" West, 191.43 feet; thence North 0°34'26" West, 14.50 feet to a line 17.00 feet south of and parallel with the North line of said certain parcel.

Excepting therefrom, the north 17.00 feet of said certain parcel of land.

All rights granted herein shall terminate on August 30, 2019.

Parcel contains approximately 2,967 Sq. Ft.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5. Divide distances shown by 0.9999594 to obtain ground level distances

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: *Kyle G. Esqate*
Professional Land Surveyor
Date: December 1, 2015



08-SBd-215-PM 1.10-23367 (23367-2)

EXHIBIT "C"

HUGHES
RESOLUTION OF
NECESSITY

RESOLUTION NO. 16-011

A RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION COMMISSION FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY FOR PUBLIC USE AND AUTHORIZING AND DIRECTING CONDEMNATION OF A PORTION OF ASSESSOR PARCEL NUMBER 0275-223-27.

WHEREAS, the San Bernardino County Transportation Commission (the "Commission") is undertaking the I-215 and Barton Road Interchange Project (the "Project") that necessitates the Commission to acquire by eminent domain interests in the property located at 21842 Palm Avenue in the City of Grand Terrace, California; and

WHEREAS, the Project is intended to lengthen and widen the Barton Road Bridge over the I-215 and to widen and reconfigure ramps, modify traffic signals and construct a roundabout at the intersection of Barton Road/southbound ramps/La Crosse Avenue to improve public safety and alleviate traffic congestion; and

WHEREAS, the Project requires the acquisition of property interests from private parties; and

WHEREAS, the Project will be a transportation improvement project serving the public interest; and

WHEREAS, subsection (a) of the California Public Utilities Code section 130220.5, authorizes the Commission to exercise the power of eminent domain to acquire these property interests for public use by condemnation; and

WHEREAS, the real property required for the Project includes a fee interest as legally described in Exhibit "A" and depicted in Exhibit "C" and located at 21842 Palm Avenue in the City of Grand Terrace, California; and

WHEREAS, the real property required for the Project includes a temporary construction easement as legally described in Exhibit "B" and depicted in Exhibit "C" and located at 21842 Palm Avenue in the City of Grand Terrace, California; and

WHEREAS, reasonable pedestrian and vehicular access to the subject property will be maintained during construction; and

WHEREAS, in accordance with section 1245.235 of the California Code of Civil Procedure, on December 2, 2015 there was mailed a Notice of Hearing on the Intent of the Commission to consider adoption of a Resolution of Necessity for acquisition by eminent domain of the real property described and depicted in Exhibits "A" through "C" herein. The Notice of Hearing was mailed to the listed address of all persons whose names appear on the last

equalized county assessment roll as the owner or owners of the property described and depicted in Exhibits "A" through "C" (collectively the "Property"); and

WHEREAS, the Commission provided written notice to the City of Grand Terrace as required by subsection (c) of California Public Utilities Code section 130220.5; and

WHEREAS, the Project, including all amendments thereto, together with the staff reports, environmental documents and all other evidence presented to the Commission at the times the Project and the amendments thereto were adopted, are incorporated herein by this reference and made a part hereof as though fully set forth herein; and

WHEREAS, pursuant to section 1245.235 of the California Code of Civil Procedure, the Commission scheduled a hearing for January 6, 2016 at 10:00 a.m. at Santa Fe Depot---SANBAG Lobby 1st Floor, 1170 W. 3rd Street, San Bernardino, California and gave to each person whose property is to be acquired notice and a reasonable opportunity to appear at said hearing and to be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, said hearing has been held by the Commission and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on those matters specified in the Commission's notice of intention to conduct a hearing on whether to adopt a Resolution of Necessity as referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, the Commission may adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, by a vote of two-thirds or more of its members, the San Bernardino County Transportation Commission does hereby find, determine, resolve and order as follows:

Section 1. Incorporation of Findings and Recitals. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Compliance with California Code of Civil Procedure. The Commission has complied with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

Section 3. Public Use. The public use for which the Property is to be acquired is for the construction and future maintenance of the Project, a public transportation improvement, as more fully described hereinabove. Subsection (a) of California Public Utilities Code section 130220.5 authorizes the Commission to acquire by eminent domain property and interests in property necessary for such purpose and for all uses incidental or convenient thereto.

Section 4. Necessity.

(a) The Project is necessary to improve public safety and alleviate traffic congestion; and

(b) The public interest and necessity require the acquisition by eminent domain proceedings of real property as legally described in Exhibits "A" and "B" and depicted in Exhibit "C" attached to this Resolution of Necessity.

Section 5. Description of Property Interests. The property interests to be acquired are more particularly described and depicted in Exhibits "A" through "C" attached hereto and incorporated herein by reference.

Section 6. Findings. The Commission hereby finds, determines and declares each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;

(c) The above-described property interests, as described and depicted in Exhibits "A" through "C", are necessary for the proposed Project; and

(d) The offer required by section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 7. Existing Public Use(s). Pursuant to sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that any of the real property to be acquired is already devoted to a public use, the use proposed by this Project is a more necessary public use than the use to which the real property, or any portion thereof, is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the real property, or any portion thereof, is already devoted.

Section 8. Authority to Exercise Eminent Domain. The Commission is hereby authorized and empowered to acquire the real property as legally described in Exhibits "A" and "B" and depicted in Exhibit "C", including the improvements thereon, if any, by eminent domain for the Project.

Section 9. Further Activities. Legal Counsel for the Commission ("Counsel") is hereby authorized and empowered to acquire the hereinabove described interests in real property in the name of and on behalf of the Commission by eminent domain, and is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Counsel is further authorized to take such steps as may be authorized and required by law, and to make such security deposits as may be required by order of court and to permit the Commission to take possession of and use real property at the earliest possible time. Counsel is further

authorized to correct any errors in this Resolution of Necessity or to make or agree to non-material changes in the legal descriptions of the real property that are deemed necessary for the conduct of the eminent domain action or other proceedings or transactions required to acquire the interests in the subject real property.

Section 10. Effective Date. This Resolution shall take effect upon adoption.

Adopted by the San Bernardino County Transportation Commission on _____, 2016 by the following vote:

AYES:

NOES:

ABSENT:

Ryan McEachron, Board President
San Bernardino County Transportation Commission

ATTEST:

Vicki Watson,
Clerk of the Commission

EXHIBIT "A"

THAT PORTION OF THE EASTERLY ONE AND ONE-HALF ACRES OF THAT CERTAIN PARCEL OF LAND IN BLOCK "I" OF RESUBDIVISION OF GRAND TERRACE TRACT, IN THE CITY OF GRAND TERRACE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN BY MAP HEREOF, RECORDED IN BOOK 1, PAGE 33 OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY, LYING SOUTH OF THE FOLLOWING DESCRIBED *LINE "A"* AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF GRAND TERRACE ROAD (FORMERLY GRAND AVENUE), DISTANT THEREON 379.49 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF THE SOUTHERLY 8.04 ACRES OF BLOCK "I", SAID POINT BEING THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO CLIFFORD L. DAVIS, ET UX, BY DEED RECORDED FEBRUARY 1, 1940, IN BOOK 1381, PAGE 486, OFFICIAL RECORDS OF SAID COUNTY, THENCE ALONG SAID WESTERLY LINE SOUTH 11°18'32" EAST, 357.13 FEET TO THE NORTH LINE OF BARTON ROAD (FORMERLY PALM AVENUE); THENCE ALONG SAID NORTH LINE SOUTH 89°25'34" WEST, 150.14 FEET TO THE SOUTHWEST CORNER OF THE ABOVE SAID EASTERLY ONE AND ONE-HALF ACRES; THENCE ALONG THE WEST LINE OF SAID ONE AND ONE-HALF ACRES, NORTH 0°34'26" WEST, 8.48 FEET TO THE *POINT OF BEGINNING* OF SAID *LINE "A"*; THENCE NORTH 86°29'52" EAST, 29.66 FEET; THENCE NORTH 89°25'34" EAST, 122.66 FEET TO SAID WESTERLY LINE OF GRAND TERRACE ROAD AND THE *TERMINUS* OF SAID *LINE "A"*

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5. Divide distances shown by 0.9999594 to obtain ground level distances.

Parcel contains approximately 1,490 Sq. Ft.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature *Kyle G. Esgate*
Professional Land Surveyor
Date *December 1, 2015*



EXHIBIT "B"

**TEMPORARY CONSTRUCTION EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
APN: 0275-223-27**

The parcel of land in the attached legal description and map is to be used for temporary construction purposes in connection with the construction of the Interstate 215 (I-215) Barton Road Interchange Improvement Project. The right of usage acquired for the temporary construction easement parcel described in the attached legal description and depicted in the attached map shall be for a period of thirty (30) months.

Reasonable pedestrian and vehicular access to the remainder property will be maintained.

The San Bernardino County Transportation Commission is expressly granted the right to convey, transfer or assign the easement rights described above.

THAT PORTION OF THE EASTERLY ONE AND ONE-HALF ACRES OF THAT CERTAIN PARCEL OF LAND IN BLOCK "I" OF RESUBDIVISION OF GRAND TERRACE TRACT, IN THE CITY OF GRAND TERRACE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN BY MAP HEREOF, RECORDED IN BOOK 1, PAGE 33 OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY, LYING SOUTH OF THE FOLLOWING DESCRIBED *LINE "B"* AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF GRAND TERRACE ROAD (FORMERLY GRAND AVENUE), DISTANT THEREON 379.49 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF THE SOUTHERLY 8.04 ACRES OF BLOCK "I", SAID POINT BEING THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO CLIFFORD L. DAVIS, ET UX, BY DEED RECORDED FEBRUARY 1, 1940, IN BOOK 1381, PAGE 486, OFFICIAL RECORDS OF SAID COUNTY, THENCE ALONG SAID WESTERLY LINE SOUTH $11^{\circ}18'32''$ EAST, 357.13 FEET TO THE NORTH LINE OF BARTON ROAD (FORMERLY PALM AVENUE); THENCE ALONG SAID NORTH LINE SOUTH $89^{\circ}25'34''$ WEST, 150.14 FEET TO THE SOUTHWEST CORNER OF THE ABOVE SAID EASTERLY ONE AND ONE-HALF ACRES; THENCE ALONG THE WEST LINE OF SAID ONE AND ONE-HALF ACRES, NORTH $0^{\circ}34'26''$ WEST, 30.47 FEET TO THE *POINT OF BEGINNING* OF SAID *LINE "B"*; THENCE NORTH $89^{\circ}25'34''$ EAST, 156.55 FEET TO SAID WESTERLY LINE OF GRAND TERRACE ROAD AND THE *TERMINUS* OF SAID *LINE "B"*.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS LYING SOUTH OF LINE "A" BELOW:

*COMMENCING AT A POINT ON THE WESTERLY LINE OF GRAND TERRACE ROAD (FORMERLY GRAND AVENUE), DISTANT THEREON 379.49 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF THE SOUTHERLY 8.04 ACRES OF BLOCK "I", SAID POINT BEING THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO CLIFFORD L. DAVIS, ET UX, BY DEED RECORDED FEBRUARY 1, 1940, IN BOOK 1381, PAGE 486, OFFICIAL RECORDS OF SAID COUNTY, THENCE ALONG SAID WESTERLY LINE SOUTH $11^{\circ}18'32''$ EAST, 357.13 FEET TO THE NORTH LINE OF BARTON ROAD (FORMERLY PALM AVENUE); THENCE ALONG SAID NORTH LINE SOUTH $89^{\circ}25'34''$ WEST, 150.14 FEET TO THE SOUTHWEST CORNER OF THE ABOVE SAID EASTERLY ONE AND ONE-HALF ACRES; THENCE ALONG THE WEST LINE OF SAID ONE AND ONE-HALF ACRES, NORTH $0^{\circ}34'26''$ WEST, 8.48 FEET TO THE POINT OF BEGINNING OF SAID *LINE "A"*; THENCE NORTH $86^{\circ}29'52''$ EAST, 29.66 FEET; THENCE NORTH $89^{\circ}25'34''$ EAST, 122.66 FEET TO SAID WESTERLY LINE OF GRAND TERRACE ROAD AND THE *TERMINUS* OF SAID *LINE "A"**

All rights granted herein shall terminate on August 30, 2019

Parcel contains approximately 3,183 Sq. Ft.

Parcel 23370-2 (continued)

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 5. Divide distances shown by 0.9999594 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature *Kyle G. Esqate*
Professional Land Surveyor
Date *Dec. 1, 2015*



EXHIBIT "C"

R, S, 1/33

SECTION 32
T.1 S. R.4W. S.B.M.

PARCEL No. 23370-1
PARCEL No. 23370-2

WOODROW & FAMOU HUGHES
21842 BARTON ROAD
GRAND TERRACE, CA 92313
APN: 0275-225-27

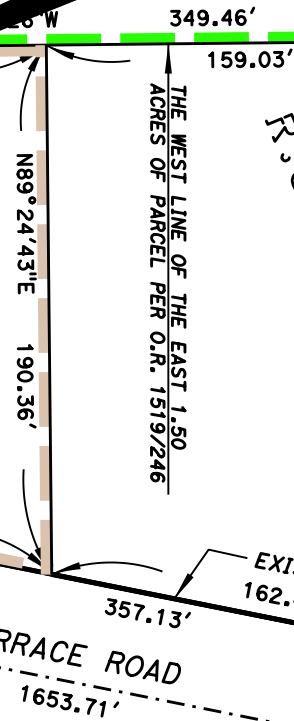
S89°25'18"W

223.68'

57113

R, S,

THE WEST LINE OF THE EAST 1.50
ACRES OF PARCEL PER O.R. 1519/246



HUGHES

GRAND TERRACE ROAD

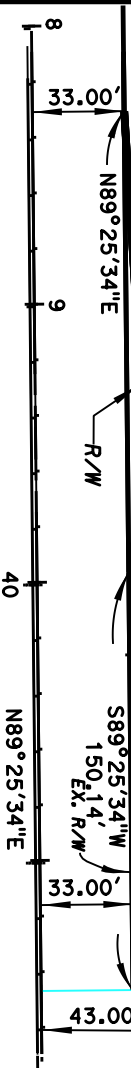
EXISTING R/W
162.46'



COUNTY OF
SAN BERNARDINO
CITY OF
GRAND TERRACE

PARCEL No. 23370
HUGHES

23370-1 FEE
AREA=1490 SF
23370-2 TCE
AREA=3183 SF
TOTAL AREA=32877 SF
REM. AREA=31387 SF



APPROVED
By Kyle G. Esqate at 1:38 pm, Dec 09, 2015



NOTES
REFERENCE DATA:
DISTRICT 08 - R/W
APPRAISAL MAP
NO. RM000216-2

PLAT MAP
SHOWING
RESOLUTION OF NECESSITY
FOR
PARCEL No. 23370



DISTRICT	COUNTY	ROUTE	PM	SHEET NO.	TOTAL SHEETS
08	SB	215	1.20	2	2

Minute Action

AGENDA ITEM: 23

Date: *January 6, 2016*

Subject:

Financial Advisor Services for the I-10 and I-15 Corridor Projects

Recommendation:

That the Board, acting as the San Bernardino County Transportation Authority approve:

- A. Contract 16-1001369, for Financial Advisor Services for the I-10 and I-15 Corridor Projects with Ernst & Young Infrastructure Advisors, LLC for an amount not to exceed \$1,980,000.
- B. A Contract contingency amount of \$198,000 and authorize the Executive Director or designee to release contingency as necessary for the project.

Background:

This is a new contract.

Should Express Lanes be selected as the Preferred Alternative for the I-10 and I-15 Corridor Projects, a TIFIA loan would represent a significant portion of the overall funding plan for both corridors. As discussed at the July 1, 2015, Board meeting, recent discussions with Federal Department of Transportation (DOT) management identified significant benefits related to accelerating the TIFIA process including (1) securing TIFIA fund commitment prior to the change in the Administration and (2) positioning SANBAG to negotiate the loan terms sooner to potentially take advantage of historically low interest rates. Since the TIFIA funds comprise approximately 33 percent of the eligible costs for the I-10 and I-15 Corridor Projects, accelerating the supporting financial activities could provide a significant overall benefit and project cost savings.

Following discussion at the July 1, 2015, meeting, the Board approved acceleration of the TIFIA schedule, which requires acceleration of certain financial activities including the procurement of a Financial Advisor to provide a range of investment grade financial services required in the development of financing alternatives for these projects. If the Express Lanes Alternative is selected during the environmental process, the Financial Advisor will assist in guiding these projects to a successful financial close for each of the corridor projects.

Recommendation A: During the July 2015, meeting, the SANBAG Board authorized the release of a Request for Proposals (RFP) for the Financial Advisor Services for the I-10 and I-15 Corridor Projects. RFP 16-1001369 was released on September 8, 2015, and was sent electronically to approximately thirteen (13) consultants registered on Planet Bids. The solicitation was issued in accordance with current SANBAG policies and procedures for procurement of professional services.

Entity: CTA

Three (3) proposals were received by the date and time specified in the RFP. A responsiveness review was conducted by the SANBAG Procurement Analyst and found all three (3) proposals to be responsive. The following is a summary of the events that transpired in the evaluation and selection process.

The proposals were disseminated to all evaluation committee members. A copy of the Score Sheets and the Declaration of Impartiality and Confidentiality form were also distributed to the committee members. The Evaluation Committee was comprised of the following individuals: three SANBAG staff, a representative of Riverside County Transportation Commission (RCTC), and a representative of Los Angeles County Metropolitan Transportation Authority (LACMTA).

Evaluators concluded their individual review of the proposals and convened to review, discuss and score the proposals. The Evaluation Committee members met on October 27, 2015, and discussed each proposal according to the evaluation criteria, including the proposals' strengths and weaknesses. The SANBAG Procurement Analyst provided information regarding the reference checks of the firms. All reference checks received for all firms resulted in good to excellent ratings. 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 - 25%, Proposed Staffing and Project Organization - 35%, Work Plan - 30%, and Price - 10 %.

The firms were ranked in order of technical merit, and a short-list was developed. Of the three firms submitting proposals, the following two firms were short-listed and invited to interview (in alphabetical order): Ernst & Young Infrastructure Advisors (EY) and Public Financial Management (PFM). Minor variances in the criteria scores were noted and discussed. Full detail of the scores is included in the Contract Audit File.

Interviews were conducted with the short-listed firms. Interviews were 60 minutes in length; which consisted of a 15 minute 'opening statement' by the firms, followed by 40 minutes of questions and answers, and 5 minutes of 'closing statements' by the firms. At the completion of the interviews, the Evaluation Committee separately scored the interviews. The assigned weighting between the technical proposal and interviews is 40% for proposals, and 60% for interviews. The highest ranked firm, Ernst & Young Infrastructure Advisors, was selected for the following reasons: cohesiveness and knowledge demonstrated by key team members; local experience with similar projects; and development of a detailed work plan that accounted for potential risks throughout the project.

As a result of the scoring, the evaluation committee recommends that the contract to perform the scope of work as outlined in the RFP 16-1001369 be awarded to Ernst & Young Infrastructure Advisors. The firm ranked first in overall score, and clearly demonstrated a thorough understanding of the scope of work. Evaluation forms and reference checks are located in the Contract Audit File.

Staff has worked with EY in finalizing a scope of services and negotiating a cost proposal appropriate to the defined scope. An independent cost estimate was prepared to aid in this process. The Contract and Scope of Work are included with this agenda item.

The Contract includes a significant change to SANBAG's standard contract pertaining to the inclusion of a Limitation of Liability (ARTICLE 49 of the Contract). The limitation, which is capped at \$8 million, applies to damages arising out of Consultant's negligence, but does not apply to damages arising out of Consultant's gross negligence, fraud, willful misconduct, intellectual property infringement, or to personal injury or property damage arising out of Consultant's negligence.

Staff discussed the issue of including a limitation of liability with experts in the financial field. From these discussions staff was informed that:

- Limitations of liability in financial advisor contracts are frequently requested in financial markets;
- Liability caps may typically range from the contract amount to upwards of \$5 million depending upon the terms and conditions of the contract (subject contract is approximately \$2 million);
- The risk of lawsuits arising out of such contracts is highly unlikely; and
- Legal costs from potential lawsuits are the biggest risks, and is therefore a major factor in setting the limitation.

Taking into consideration the above, a limitation on liability of \$8 million was negotiated. Given the strong qualifications of the Ernst & Young team, staff believes that it is in SANBAG's best interest to enter into the subject contract.

Initial services to be performed by EY will include review and support for the TIFIA Letter Of Intent (LOI) for the I-10 Phase One Project (Los Angeles County Line to I-15), which is scheduled for submission to the TIFIA Joint Program Office (JPO) in early 2016. Concurrently, EY will begin development of the financial model which will incorporate results from the ongoing Investment Grade Traffic and Revenue effort being performed under separate contract. This initial work will be followed by the development of the investment grade Plan of Finance for the I-10 Phase One Project, which is a critical component of the TIFIA creditworthiness evaluation targeted for the 2nd Quarter of 2016. EY will assist the TIFIA application process leading to a submitted TIFIA application by the end of 2016. Following the TIFIA application, EY would provide the financial services needed to achieve financial close for I-10 Phase One in 2018, which includes execution of the TIFIA Credit Agreement and issuance of toll revenue backed bonds.

The scope of services also includes financial support for the TIFIA application process for I-10 Phase Two (I-15 to Ford Street) and I-15 Project One (SR-60 to SR-210) scheduled for 2018, and financial services needed to achieve financial close for both projects scheduled for 2020.

The proposed cost for this work is a not-to-exceed amount of \$1,980,000, and the duration of the contract will run through December 31, 2020. This work will be funded by Measure I Valley Freeway Program, with a portion of the funding pertaining to I-10 from the Los Angeles County Line to I-15 utilizing securities issued by the San Bernardino County Transportation Commission (CTC) purchased by the San Bernardino County Transportation Authority (CTA) per Investment Policy No. 20100 as amended October 14, 2015.

The current fiscal year budget provides sufficient budget for this work. The services provided by this new Financial Advisor contract will be coordinated with the development of the Investment

Board of Directors Agenda Item

January 6, 2016

Page 4

Grade Traffic and Revenue forecasts, which is being performed under separate contract. Staff recommends approval of Contract 16-1001369 at a cost not-to-exceed \$1,980,000.

Recommendation B: Due to the length of the contract, the nature of the types of studies to be performed, and the coordination and dependency upon other agencies and consultants, there may be additional items the come up during the course of contract performance which are not currently defined, or require a higher level of effort. For these reasons, it is recommended to provide a contingency amount of \$198,000 and authorize the Executive Director, or their designee to release contingency as required for the project.

Financial Impact:

This item is consistent with the adopted SANBAG Fiscal Year 2015/2016 budget under Task Number 0850. The funding source is Measure I Valley Freeway Funds.

Reviewed By:

This item was reviewed and recommended for approval (12-5-0; Opposed: Yates, Tahan, Rutherford, Hagman, and Gonzales) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on December 10, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and a draft of the contract.

Responsible Staff:

John Meier, Project Manager

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 16-1001369 Amendment No.: - Vendor No.: 03182
 Vendor/Customer Name: Ernst & Young Infrastructure Advisors, LLC Sole Source? Yes No
 Description: Financial Advisor Services for the I-10 and I-15 Corridor Projects
 Start Date: 12/10/2015 Expiration Date: 12/31/2020 Revised Expiration Date: _____
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: _____

Dollar Amount			
Original Contract	\$ 1,980,000.00	Original Contingency	\$ 198,000.00
Revised Contract (Inclusive of Prior Amendments)	\$ -	Revised Contingency (Inclusive of Prior Amendments)	\$ -
Current Amendment	\$ -	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 1,980,000.00	TOTAL CONTINGENCY VALUE	\$ 198,000.00
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 2,178,000.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 1/6/2016
 Board of Directors Action: Approve Contract

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 n/a

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: John Meier

Attachment: CSS-C16-1001369 (2443 : Financial Advisor Services for the I-10 and I-15 Corridor Projects)

CONTRACT NO. 16-1001369**BY AND BETWEEN****SANBAG****AND****ERNST & YOUNG INFRASTRUCTURE ADVISORS, LLC****FOR****FINANCIAL ADVISOR SERVICES FOR THE I-10 AND I-15 CORRIDOR PROJECTS**

This contract (referred to as “Contract”), is made and entered into by and between the San Bernardino County Transportation Authority (“SANBAG”), whose address is: 1170 W. 3rd Street, 2nd Floor, San Bernardino, California 92410-1715; and Ernst & Young Infrastructure Advisors, LLC (“CONSULTANT”) whose address is: 725 South Figueroa Street, Suite 500, Los Angeles, CA 90017. SANBAG and CONSULTANT are each a “Party” and collectively the “Parties”.

RECITALS:

WHEREAS, SANBAG requires certain work services as described in Exhibit “A” of this Contract and;

WHEREAS, CONSULTANT has confirmed that CONSULTANT has the requisite professional qualifications, personnel and experience and is fully capable and qualified to perform the services identified herein; and

WHEREAS, CONSULTANT desires to perform all Work identified herein and to do so for the compensation and in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, the Parties agree as follows:

ARTICLE 1. PROJECT DESCRIPTION/SCOPE OF WORK

- 1.1 CONSULTANT agrees to perform the work and services set forth in Exhibit A “Scope of Work” (“Work”), in a professional and workmanlike manner in accordance with applicable professional standards, including those established by the American Institute of Certified Public Accountants (“AICPA”), in accordance with the terms and conditions expressed herein and in the sequence, time, and manner defined herein. The word “Work” includes without limitation, the performance, fulfillment and discharge by CONSULTANT of all obligations, duties, tasks, and services imposed upon or assumed by CONSULTANT hereunder; and the Work performed hereunder shall be completed to

the satisfaction of SANBAG, with SANBAG's satisfaction being based on prevailing applicable professional standards as described herein.

- 1.2 The Project Director for this Contract is Garry Cohoe, or such other designee as shall be designated in written notice to CONSULTANT from time to time by the Executive Director of SANBAG or his or her designee. The Project Director shall have authority to act on behalf of SANBAG in administering this Contract, including giving notices (including without limitation, notices of default and/or termination), technical directions and approvals; issuing work direction; demanding performance and accepting work performed, but is not authorized to receive or issue payments or execute amendments to the Contract itself.

ARTICLE 2. CONTRACT TERM

The Contract term shall commence upon issuance of a written Notice To Proceed (NTP) issued by SANBAG, and shall continue in full force and effect through December 31, 2020, until otherwise terminated, or unless extended as hereinafter provided by written amendment. Except that all indemnity and defense obligations hereunder shall survive termination of this Contract. CONSULTANT shall not be compensated for any Work performed or costs incurred prior to issuance of the NTP.

ARTICLE 3. COMPENSATION

- 3.1 Total compensation to CONSULTANT for full and complete performance of the Scope of Work, identified herein and, in compliance with all the terms and conditions of this Contract, shall be on a Time & Materials basis for all obligations incurred in, or application to, CONSULTANT's performance of Work, and for which CONSULTANT shall furnish all personnel, facilities, equipment, materials, supplies, and Work (except as may be explicitly set forth in this Contract as furnished by SANBAG) shall not exceed the amount set forth in section 3.2 below.
- 3.2 The total Contract Not-To-Exceed Amount is One Million, Nine Hundred Eighty Thousand Dollars (\$1,980,000). All Work provided under this Contract is to be performed as set forth in Exhibit A "Scope of Work", and shall be reimbursed pursuant to Exhibit B "Price Form". The hourly labor rates identified in Exhibit B shall remain fixed for the term of this Contract and include CONSULTANT's direct labor costs, indirect costs, and profit. All expenses shall be reimbursed for the amounts identified in Exhibit B. Any travel expenses must be pre-approved by SANBAG and shall be reimbursed for per diem expenses at a rate not to exceed the currently authorized rates for state employees under the State Department of Personnel Administration rules. SANBAG will not reimburse CONSULTANT for any expenses not shown in Exhibit B or agreed to and approved by SANBAG as required under this Contract.

Escalation shall be at a specific rate, as shown on the Bureau of Labor Statistics Employment Cost Index for Total Compensation for private industry workers Table 5 or its successor. The Employment Cost Index will be annually adjusted, apply total benefits for the private industry economic sector, not to be seasonally adjusted, but will include a 12-month percent change. Escalation shall commence as of January 1, 2017, and shall be applied each January 1st thereafter for the term of the Contract.

- 3.3 For personnel subject to prevailing wage rates as described in the California Labor Code, all wage increases that are the direct result of changes in the prevailing wage rates, are reimbursable.
- 3.4 Intentionally Omitted.
- 3.5 Any Work provided by CONSULTANT not specifically covered by the Scope of Work shall not be compensated without prior written authorization from SANBAG. It shall be CONSULTANT's responsibility to recognize and notify SANBAG in writing when services not covered by the Scope of Work have been requested or are required. All changes and/or modifications to the Scope of Work shall be made in accordance with the "CHANGES" Article in this Contract. Any additional services agreed to in accordance with this Contract shall become part of the Work.
- 3.6 All subcontracts in excess of \$25,000 shall contain the above provisions.

ARTICLE 4. INVOICING

- 4.1 Payment to CONSULTANT as provided herein shall be payable in monthly billing period payments, forty-five (45) calendar days after receipt of an acceptable invoice by SANBAG of an invoice prepared in accordance with instructions below. Payment shall not be construed to be an acceptance of Work.
- 4.2 CONSULTANT shall prepare invoices in a form satisfactory to and approved by SANBAG, and it shall be accompanied by documentation supporting each element of measurement and/or cost. Each invoice will be for a monthly billing period and will be marked with SANBAG'S contract number, description and task order number, if applicable. Invoices shall be submitted within thirty (30) calendar days for the period covered by the invoice. Invoices shall include request for payment for Work (including additional services authorized by SANBAG) completed by CONSULTANT during each billing period and shall include back-up information sufficient to establish the validity of the invoice. Any invoice submitted which fails to comply with the terms of this Contract, including the requirements of form and documentation, may be returned to CONSULTANT. Any costs incurred by CONSULTANT in connection with the resubmission of a proper invoice shall be at CONSULTANT's sole expense. The final invoice shall be marked "FINAL" and will be submitted within 60 calendar days after SANBAG has received and approved all Work and deliverables. Invoices shall be submitted to SANBAG as follows:

SANBAG
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410-1715
Contract No. 16-1001369
Attention: Accounts Payable

- 4.3 CONSULTANT shall include a statement and release with each invoice, satisfactory to SANBAG, that CONSULTANT has fully performed the Work invoiced, pursuant to the Contract for the period covered, that all information included with the invoice is true and correct and that all payments to and claims of CONSULTANT and its subconsultants for Work during the period will be satisfied within thirty (30) days of the making of such

payment. SANBAG shall not be obligated to make payments to CONSULTANT until CONSULTANT furnishes such statement and release.

- 4.4 Intentionally Omitted
- 4.5 No payment will be made prior to approval of any Work, nor for any Work performed prior to the NTP, nor for any Work under any amendment to the Contract until SANBAG's Awarding Authority takes action.
- 4.6 CONSULTANT agrees to promptly pay each subconsultant for the satisfactory completion of all Work performed under this Contract, no later than ten (10) calendar days from the receipt of payment from SANBAG. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval by SANBAG. SANBAG reserves the right to request documentation from CONSULTANT showing payment has been made to its subconsultants. SANBAG also reserves the right, at its own sole discretion, to issue joint checks to CONSULTANT and any subconsultant(s), which shall constitute payment to CONSULTANT in compliance with the terms of this Contract. This clause applies to both DBE and non-DBE subconsultants.
- 4.7 Any costs for which payment has been made to CONSULTANT that are determined by subsequent audit to be unallowable under 48 CFR, Ch. 1, subch. E, Part 31 are subject to repayment by CONSULTANT to SANBAG.

ARTICLE 5. TAXES, DUTIES AND FEES

Except to the extent expressly provided elsewhere in this Contract, CONSULTANT shall pay when due, and the compensation set forth herein, shall be inclusive of all: a) local, municipal, State, and federal sales and use taxes; b) excise taxes; c) taxes on personal property owned by CONSULTANT; and d) other governmental fees and taxes or charges of whatever nature applicable to CONSULTANT to enable it to conduct business.

ARTICLE 6. AVAILABILITY OF FUNDS

The award and performance of this Contract is contingent on the availability of funds. If funds are not appropriated and/or allocated and available to SANBAG for the continuance of Work performed by CONSULTANT, Work directly or indirectly involved may be suspended or terminated by SANBAG at the end of the period for which funds are available. When SANBAG becomes aware that any portion of Work, which will or may be affected by a shortage of funds, it will promptly notify CONSULTANT. Nothing herein shall relieve SANBAG from its obligation to compensate CONSULTANT for work already performed pursuant to this Contract. No penalty shall accrue to SANBAG in the event this provision is exercised.

ARTICLE 7. PERMITS AND LICENSES

CONSULTANT shall, without additional compensation, keep current all governmental permits, certificates and licenses (including professional licenses) necessary for CONSULTANT to perform Work identified herein.

ARTICLE 8. DOCUMENTATION AND RIGHT TO AUDIT

- 8.1 CONSULTANT shall maintain all records related to this Contract in an organized way in the original format, electronic and hard copy, conducive to professional review and audit, for a period of three (3) years from the date of final payment by SANBAG, or until the conclusion of all litigation, appeals or claims related to this Contract, whichever is longer. Subject to CONSULTANT's confidentiality obligations and applicable professional standards, CONSULTANT shall provide SANBAG, the California State Auditor, the U.S. Department of Transportation (DOT), including but not limited to the Federal Transit Administration or Federal Highway Administration, and the Comptroller General of the United States, or other authorized representatives of SANBAG, access to CONSULTANT's records which are directly related to performance of Work under this Contract for the purpose of inspection, auditing or copying during the entirety of the records maintenance period above. CONSULTANT further agrees to maintain separate records for costs of Work performed by amendment. CONSULTANT shall allow SANBAG, and its representatives or agents to reproduce any materials as reasonably necessary in connection with such audit or inspection, subject to CONSULTANT's confidentiality obligations and applicable professional standards.
- 8.2 The cost proposal and/or invoices for this Contract are subject to audit by SANBAG and/or any state or federal agency funding this Project at any time. After CONSULTANT receives any audit recommendations, the cost proposal shall be adjusted by CONSULTANT and approved by SANBAG's Director of Project Delivery to conform to the audit recommendations, provided that such audit recommendations are reasonable and properly documented. Refusal by CONSULTANT to incorporate the audit or post award recommendations will be considered a breach of the Contract and cause for termination of the Contract. Any dispute concerning the audit findings of this Contract shall be reviewed by SANBAG's Chief Financial Officer. CONSULTANT may request a review by submitting the request in writing to SANBAG within thirty (30) calendar days after issuance of the audit report
- 8.3 Subcontracts in excess of \$25,000 shall contain this provision.

ARTICLE 9. RESPONSIBILITY OF CONSULTANT

- 9.1 CONSULTANT shall be responsible for the professional quality, technical accuracy, and assurance of compliance with all applicable federal, State and local laws and regulations and other Work furnished by CONSULTANT under the Contract. The Contract includes reference to the appropriate standards for Work performance stipulated in the Contract.
- 9.2 In addition to any other requirements of this Contract or duties and obligations imposed on CONSULTANT by law, CONSULTANT shall, as part of its Work, employ quality control procedures in accordance with applicable professional standards that identify potential risks and uncertainties related to scope, schedule, cost, quality and safety of the Project and the Work performed by CONSULTANT within the areas of CONSULTANT's expertise. At any time during performance of the Scope of Work, should CONSULTANT observe, encounter, or identify any unusual circumstances or uncertainties, which could pose material risk to SANBAG or the Project, CONSULTANT shall promptly document such matters and notify SANBAG in writing. Notifications under this paragraph shall be specific, clear and timely, and in a form which

will assist SANBAG to understand and evaluate the magnitude and effect of the risk and/or uncertainties involved.

ARTICLE 10. REPORTING AND DELIVERABLES

All reports and deliverables shall be submitted in accordance with Exhibit A “Scope of Work”. At a minimum, CONSULTANT shall submit monthly progress reports with their monthly invoices. The report shall be sufficiently detailed for SANBAG to determine if CONSULTANT is performing to expectations, or is on schedule; to provide communication of interim findings, and to sufficiently address any difficulties or problems encountered, so remedies can be developed.

ARTICLE 11. TECHNICAL DIRECTION

11.1 Performance of Work under this Contract shall be subject to the technical direction of SANBAG’s Director of Project Delivery. The term “Technical Direction” is defined to include, without limitation:

11.1.1 Directions to CONSULTANT, which redirect the Contract effort, shift work emphasis between work areas or tasks, require pursuit of certain lines of inquiry, fill in details or otherwise serve to accomplish the Scope of Work.

11.1.2 Provision of written information to CONSULTANT, which assists in the interpretation of reports, or technical portions of the Scope of Work described herein.

11.1.3 Review and, where required by the Contract, approval of technical reports, and technical information to be delivered by CONSULTANT to SANBAG under the Contract.

11.1.4 SANBAG may modify this Contract for certain administrative modifications without issuing a written amendment. Administrative modifications are limited to: substitutions of personnel identified in the Contract, including Key Personnel and subconsultants; modifications to classifications, hourly rates and names of personnel in Exhibit B; and modifications of the address of the CONSULTANT. All such modifications will be documented in writing between the Parties.

11.2 Technical Direction must be within the Scope of Work under this Contract. SANBAG does not have the authority to, and may not, issue any Technical Direction which:

11.2.1 Increases or decreases the Scope of Work;

11.2.2 Directs CONSULTANT to perform Work outside the original intent of the Scope of Work;

11.2.3 Constitutes a change as defined in the “CHANGES” Article of the Contract;

11.2.4 In any manner, causes an increase or decrease in the Contract price as identified in the “COMPENSATION” Article or the time required for Contract performance;

11.2.5 Changes any of the expressed terms, conditions or specifications of the Contract; unless identified herein;

- 11.2.6 Interferes with CONSULTANT's right to perform the terms and conditions of the Contract unless identified herein; or
- 11.2.7 Approves any demand or claims for additional payment.
- 11.3 Failure of CONSULTANT and SANBAG to agree that the Technical Direction is within the scope of the Contract, or a failure to agree upon the Contract action to be taken with respect thereto shall be subject to the provisions of "DISPUTES" Article herein.
- 11.4 All Technical Direction shall be issued in writing by SANBAG.
- 11.5 CONSULTANT shall proceed promptly with the performance of Technical Direction issued by SANBAG, in the manner prescribed by this Article and within their authority under the provisions of this Article. If, in the opinion of CONSULTANT, any instruction or direction by SANBAG, falls within one of the categories defined in sections 11.2.1 through 11.2.7 above, CONSULTANT shall not proceed but shall notify SANBAG in writing within five (5) working days after receipt of any such instruction or direction and shall request SANBAG to modify the Contract accordingly. Upon receiving the notification from CONSULTANT, SANBAG shall:
- 11.5.1 Advise CONSULTANT in writing within thirty (30) calendar days after receipt of CONSULTANT's letter that the Technical Direction is or is not within the scope of this Contract.
- 11.5.2. Advise CONSULTANT within a reasonable time whether SANBAG will or will not issue a written amendment.

ARTICLE 12. CHANGES

- 12.1 The Work shall be subject to changes by additions, deletions, or revisions made by SANBAG. CONSULTANT will be advised of any such changes by written notification from SANBAG describing the change, and shall have a reasonable opportunity to agree. This notification will not be binding on SANBAG until SANBAG's Awarding Authority has approved an amendment to this Contract.
- 12.2 Promptly after such written notification of change is given to CONSULTANT by SANBAG, the Parties will attempt to negotiate a mutually agreeable adjustment to compensation or time of performance, and amend the Contract accordingly.

ARTICLE 13. EQUAL EMPLOYMENT OPPORTUNITY

During the term of this Contract, CONSULTANT shall not willfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition, gender, marital status, sexual orientation, age, political affiliation or disability. CONSULTANT agrees to comply with the provisions of Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act and other applicable Federal, State and County laws and regulations and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted.

ARTICLE 14. CONFLICT OF INTEREST

CONSULTANT agrees that it presently has no interest financial or otherwise and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of Work required under this Contract or be contrary to the interests of SANBAG as to the Project. CONSULTANT further agrees that in the performance of this Contract, no person having any such interest shall be employed. CONSULTANT is obligated to fully disclose to SANBAG, in writing, of any conflict of interest issues as soon as they are known to CONSULTANT.

ARTICLE 15. KEY PERSONNEL

The personnel specified below are considered to be essential to the Work being performed under this Contract. Prior to diverting any of the specified individuals to other projects, or reallocation of any tasks or hours of Work that are the responsibility of key personnel to other personnel, CONSULTANT shall notify SANBAG in writing in advance and shall submit justifications (including proposed substitutions, resumes and payroll information to support any changes to the labor rates) in sufficient detail to permit evaluation of the impact on the Project. Diversion or reallocation of key personnel shall not be made without prior written consent of SANBAG's Director of Project Delivery. CONSULTANT shall not substitute any key personnel without the prior written consent of SANBAG. In the event that the Parties cannot agree as to the substitution of key personnel, SANBAG may terminate this Contract.

Key Personnel are:

Name	Job Classification/Function
Tom Rousakis	Ernst & Young Senior Managing Director
Tuyen Mai	Ernst & Young Senior Vice President
Scott Ladner	Ernst & Young Vice President
Dan Wiles	Fieldman Principal
Jim Bemis	Montague DeRose & Associates Principal
Doug Montague	Montague DeRose & Associates Principal

ARTICLE 16. REPRESENTATIONS

All Work supplied by CONSULTANT under this Contract shall be supplied by personnel who are qualified, careful, skilled, experienced and competent in their respective trades or professions. CONSULTANT agrees that they are supplying professional services, findings, and/or recommendations in the performance of this Contract and agrees with SANBAG that the same shall conform to professional standards that are generally accepted in the profession in the State of California.

ARTICLE 17. PROPRIETARY RIGHTS/CONFIDENTIALITY

- 17.1 If, as a part of this Contract, CONSULTANT is required to produce Reports as defined in Article 24.1, then CONSULTANT, if requested by SANBAG, shall deliver to SANBAG the original of all such Reports which shall become the sole property of SANBAG.
- 17.2 All materials, documents, data or information obtained from SANBAG's data files or any SANBAG-owned medium furnished to CONSULTANT in the performance of this Contract will at all times remain the property of SANBAG. Such data or information may

not be used or copied for direct or indirect use outside of this Project by CONSULTANT without the express written consent of SANBAG.

- 17.3 Except as reasonably necessary for the performance of the Work, CONSULTANT agrees that it, its employees, agents and subconsultants will hold in confidence and not divulge to third parties without prior written consent of SANBAG, any information obtained by CONSULTANT from or through SANBAG unless (a) the information was known to CONSULTANT prior to obtaining same from SANBAG pursuant to a prior contract; or (b) the information was at the time of disclosure to CONSULTANT, or thereafter becomes, part of the public domain, but not as a result of the fault or an unauthorized disclosure of CONSULTANT or its employees, agents, or subconsultants, (c) the information was obtained by CONSULTANT from a third party who did not receive the same, directly or indirectly, from SANBAG and who had, to CONSULTANT's knowledge and belief, the right to disclose the same, or (d) required to be disclosed in accordance with applicable law, regulation or professional standards.
- 17.4 CONSULTANT shall not use SANBAG's name or photographs in any professional publication, magazine, trade paper, newspaper, seminar or other medium without first receiving the express written consent of SANBAG.
- 17.5 All press releases, or press inquiries relating to the Project or this Contract, including graphic display information to be published in newspapers, magazines, and other publications, are to be made only by SANBAG unless otherwise agreed to in writing by both Parties.

ARTICLE 18. TERMINATION

- 18.1 Termination for Convenience. SANBAG shall have the right at any time, with or without cause, to terminate further performance of Work by giving thirty (30) calendar days written notice to CONSULTANT specifying the date of termination. On the date of such termination stated in said notice, CONSULTANT shall promptly discontinue performance of Work and shall preserve Work in progress and completed Work, pending SANBAG's instruction, and shall turn over such Work in accordance with SANBAG's instructions.
- 18.1.1 CONSULTANT shall deliver to SANBAG, all Reports prepared by CONSULTANT or its subconsultants or furnished to CONSULTANT by SANBAG. Upon such delivery, CONSULTANT may then invoice SANBAG for payment in accordance with the terms herein.
- 18.1.2 If CONSULTANT has fully and completely performed all obligations under this Contract up to the date of termination, CONSULTANT shall be entitled to receive from SANBAG as complete and full settlement for such termination a pro rata share of the Contract cost based upon the percentage of all contracted Work satisfactorily executed to the date of termination.
- 18.1.3 CONSULTANT shall be entitled to receive the actual costs incurred by CONSULTANT to return CONSULTANT's tools and equipment, if any, to it or its suppliers' premises, or to turn over Work in progress in accordance with SANBAG's instructions plus the actual cost necessarily incurred in effecting the termination.

18.2 Termination for Cause. In the event CONSULTANT shall file a petition in bankruptcy court, or shall make a general assignment for the benefit of its creditors, or if a petition in bankruptcy court shall be filed against CONSULTANT or a receiver shall be appointed on account of its insolvency, or if CONSULTANT shall default in the performance of any express obligation to be performed by it under this Contract and shall fail to immediately correct (or if immediate correction is not possible, shall fail to commence and diligently continue action to correct) such default within ten (10) calendar days following written notice, SANBAG may, without prejudice to any other rights or remedies SANBAG may have, and in compliance with applicable Bankruptcy Laws; (a) hold in abeyance further payments to CONSULTANT; (b) stop any Work of CONSULTANT or its subconsultants related to such failure until such failure is remedied; and/or (c) terminate this Contract by written notice to CONSULTANT specifying the date of termination. In the event of such termination by SANBAG, SANBAG may take possession of the deliverables and finished Work by whatever method SANBAG may deem expedient. A waiver by SANBAG of one default of CONSULTANT shall not be considered to be a waiver of any subsequent default of CONSULTANT, of the same or any other provision, nor be deemed to waive, amend, or modify any term of this Contract.

18.2.1 CONSULTANT shall deliver to SANBAG all finished and unfinished deliverables under this Contract prepared by CONSULTANT or its subconsultants or furnished to CONSULTANT by SANBAG within ten (10) working days of said notice.

18.3 All claims for compensation or reimbursement of costs under any of the foregoing provisions shall be supported by documentation submitted to SANBAG, satisfactory in form and content to SANBAG and verified by SANBAG. In no event shall CONSULTANT be entitled to any payment for prospective profits or any damages because of such termination.

18.4 In the event of termination in accordance with 18.1 or 18.2, to the extent that SANBAG retains or requires the delivery of any unfinished Work, incomplete deliverables or any draft reports, SANBAG shall not rely on any such unfinished Work, incomplete deliverable or any draft report.

18.5 CONSULTANT may terminate this Contract, or any particular services, immediately upon written notice to SANBAG if CONSULTANT reasonably determines that it can no longer perform the Work in accordance with applicable law or professional obligations. In such event, the CONSULTANT's written notice of termination shall include a reasonable explanation of the applicable law or professional standards that impair CONSULTANT'S ability to perform Work, and CONSULTANT shall reasonably cooperate with SANBAG in the transition of Work to another vendor.

ARTICLE 19. STOP WORK ORDER

Upon failure of CONSULTANT or its subconsultants to comply with any of the requirements of this Contract, SANBAG shall have the right to stop any or all Work affected by such failure until such failure is remedied or to terminate this Contract in accordance with section "Termination For Cause" above.

ARTICLE 20. CLAIMS

SANBAG or CONSULTANT shall not be bound to any adjustments in the Contract amount or schedule unless expressly agreed to in writing. SANBAG shall not be liable to CONSULTANT for any claim for unpaid fees asserted by CONSULTANT after final payment has been made under this Contract.

ARTICLE 21. INSURANCE

21.1 Without in any way affecting the indemnity provisions of this Contract, CONSULTANT shall, at the CONSULTANT's sole expense, and prior to the commencement of any Work, procure and maintain in full force, insurance with carriers and with terms and conditions acceptable to SANBAG through the entire term of this Contract. Except as specifically permitted below, the policies shall be written by a carrier authorized to do business in the State of California with a recent A.M. Best rating of A-VII or better, and shall be written with at least the following limits of liability:

21.1.1 Professional Liability. CONSULTANT, at its own cost and expense, must maintain for the period covered by this Contract, Professional Liability Insurance in an amount not less than \$1,000,000, per claim and \$3,000,000 in the aggregate for all claims. Professional Liability shall be made on a claims made basis. If such policy contains a retroactive date for coverage of prior acts, this date will be prior to the date the CONSULTANT begins to perform Work under this Contract. CONSULTANT shall secure and maintain this insurance and "tail" coverage throughout the term of this Contract and for a minimum of three (3) years after Contract completion.

21.1.2 Workers' Compensation. Workers' Compensation insurance shall be provided in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employers Liability with \$1,000,000 per occurrence covering all persons providing labor or services on behalf of CONSULTANT and all risks to such persons under this Contract. Where coverage is provided through the California State Compensation Insurance Fund, the requirement for a minimum A.M. Best rating does not apply.

21.1.3 Employer's Liability. Employer's Liability insurance shall include coverage in the amount of \$1,000,000 for Bodily injury per accident, a policy limit of \$1,000,000 Bodily Injury by Disease and \$1,000,000 Bodily Injury by Disease for each employee.

21.1.4 Commercial General Liability. Commercial General Liability insurance shall include coverage for Premises and Operations, Contractual Liability, Personal Injury Liability, Products/Completed Operations Liability, Personal Injury Liability, Broad-Form Property Damage and Independent Contractors Liability, in an amount of not less than \$1,000,000 per occurrence, combined single limit, and \$2,000,000 in the aggregate written on an occurrence form. Also included shall be \$1,000,000 in the aggregate for Personal/Advertising, \$100,000 for Damages to Rented Premises, and \$10,000 for Medical Expenses. For products and completed operations a \$2,000,000 aggregate shall be provided. Commercial General Liability insurance is to be primary and non-contributory with any insurance

carried or administered by SANBAG for claims related to CONSULTANT's negligence.

- 21.1.5 Automobile Liability. To include owned, non-owned and hired automobiles, in an amount of not less than \$1,000,000 combined single limit.
- 21.1.6 Pollution Liability. – Intentionally Omitted
- 21.2 Proof of Coverage. Cancellation Prior to issuance of the NTP or prior to commencing any Work, as SANBAG specifies, CONSULTANT shall furnish SANBAG with a certificate(s) of insurance, executed by a duly authorized representative of each insurer, showing compliance with all insurance requirements set forth in this Article. The certificate(s) of insurance are to include the Contract number and name of the Director of Project Delivery on the face of the certificate(s) and shall be submitted directly to SANBAG's Procurement Analyst. SANBAG reserves the right to terminate the Contract in accordance with Article 18.2.
- 21.3 Additional Insured. All policies, except for Workers' Compensation and Professional Liability policies, shall contain endorsements naming San Bernardino Associated Governments and all of its associated entities and capacities, including the San Bernardino County Transportation Authority, San Bernardino County Transportation Commission, San Bernardino Congestion Management Agency, San Bernardino County Service Authority for Freeway Emergencies and their officers, members, employees, consultants and volunteers ("SANBAG's Entities") as additional insured parties with respect to liabilities arising out to the performance of Work hereunder. This requirement may be satisfied by a blanket additional insured endorsement. The additional insured endorsements shall not limit the scope of coverage for SANBAG to vicarious liability but shall allow coverage for SANBAG to the full extent provided by the policy.
- 21.4 Waiver of Subrogation Rights. CONSULTANT shall require the carriers of Commercial General Liability and Automobile Liability and Worker's Compensation to waive all rights of subrogation against SANBAG, its officers, employees, and volunteers for claims related to CONTRACTOR's negligence. Such insurance coverage provided shall not prohibit CONSULTANT or CONSULTANT's employees or agents from waiving the right of subrogation prior to a loss or claim. CONSULTANT hereby waives all rights of subrogation against SANBAG for claims related to CONTRACTOR's negligence.
- 21.5 Subconsultant Insurance. All coverage for subconsultants shall be subject to all of the insurance requirements stated in this Article. CONSULTANT shall include all subconsultants as insured under its policies or shall furnish separate certificates and endorsements for each subconsultant.
- 21.6 Submission of Policies. Upon request, CONSULTANT shall submit copies of all required insurance policy endorsements. CONSULTANT will supply copies of relevant policies if there is any coverage dispute.
- 21.7 If the CONSULTANT maintains higher limits than the minimums shown above, SANBAG and SANBAG's Entities require and shall be entitled to coverage for the higher limits maintained by the CONSULTANT. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to SANBAG and its Entities.

- 21.8 Claims Made Insurance Forms. If any of the above insurances are written on a claims-made form: The retroactive date must be set forth on the certificate and the policy or applicable endorsement, and must be before the date of the contract or the beginning of contract work. Insurance must be maintained and evidence of insurance must be provided for at least three (3) years after completion of the contract of work. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the contract effective date, the CONSULTANT must purchase, provide and document extended period coverage for a minimum of three (3) years after completion of contract work.
- 21.9 Special Risks or Circumstances. SANBAG reserves the right to modify, upon agreement with CONSULTANT, any or all of the above insurance requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.
- 21.10 Cancellation. If any insurance company elects to cancel or non-renew coverage for any reason, CONSULTANT will provide SANBAG thirty (30) days prior written notice of such cancellation or nonrenewal. If the policy is cancelled for nonpayment of premium, CONSULTANT will provide SANBAG with a copy of any notice of termination or notice of any other change to any insurance coverage required herein which CONSULTANT receives within one business day after CONSULTANT receives it by faxing it to SANBAG at 909-885-4407, to the attention of SANBAG's Procurement Manager, and by depositing a copy of the notice in the U.S. Mail in accordance with the notice provisions in this Contract.

ARTICLE 22. INDEMNITY

- 22.1 CONSULTANT agrees to indemnify, defend (with legal counsel reasonably approved by SANBAG) and hold harmless SANBAG, San Bernardino Associated Governments and all of its associated entities and capacities, including the San Bernardino County Transportation Authority, San Bernardino County Transportation Commission, San Bernardino Congestion Management Agency, San Bernardino County Service Authority for Freeway Emergencies and their officers, members, employees (collectively "Indemnitees") and consultants providing services to SANBAG in connection with this Agreement, from any and all third party claims, actions, losses, damages and/or liability arising out of the CONSULTANT's negligent, grossly negligent, reckless or willful acts or omissions under this Contract resulting in personal injury, death, or property damage, including any costs or expenses incurred by SANBAG on account of any such claim except where such indemnification is prohibited by law. This indemnification provision shall apply regardless of the existence or degree of fault of Indemnitees. CONSULTANT's indemnification obligation applies to SANBAG's "active" as well as "passive" negligence but does not apply to SANBAG's "sole negligence" or "willful misconduct" within the meaning of Civil Code section 2782.
- 22.2 To the fullest extent permitted by applicable law, CONSULTANT shall indemnify and hold harmless the Indemnitees from and against all claims by third parties and resulting liabilities, losses, damages, costs and expenses (including reasonable external attorneys' fees) arising out of the infringement of any U.S. patent, copyright, trademark or trade secret by any Reports; provided, however, that CONSULTANT shall have no such indemnification obligation to the extent that the alleged infringement arises out of or results from (i) data, materials or other content provided by, from, through or at the request of,

SANBAG, (ii) SANBAG's use of the Reports other than as contemplated herein or in the relevant Scope of Work, (iii) any modification or alteration to, or of, the Reports by anyone other than CONSULTANT or not at CONSULTANT's direction, or (iv) CONSULTANT's compliance with SANBAG's designs, specifications, requests or instructions in the creation of the Reports.

- 22.3 CONSULTANT agrees to indemnify, defend and hold the Indemnitees harmless from any and all third party claims, actions, losses, damages and/or liability arising out of the CONSULTANT's gross negligence, reckless or willful acts or omissions in the performance of Work under this Contract including any costs or expenses incurred by SANBAG on account of any such claim except where such indemnification is prohibited by law. This indemnification provision shall apply regardless of the existence or degree of fault of Indemnitees. CONSULTANT's indemnification obligation applies to SANBAG's "active" as well as "passive" negligence but does not apply to SANBAG's "sole negligence" or "willful misconduct" within the meaning of Civil Code section 2782.
- 22.4 CONSULTANT agrees to indemnify, defend and hold the Indemnitees harmless from any and all third party claims, actions, losses, damages and/or liability arising out of the CONSULTANT's negligence in the performance of Work under this Contract including any costs or expenses incurred by SANBAG on account of any such claim except where such indemnification is prohibited by law. This indemnification provision shall apply regardless of the existence or degree of fault of Indemnitees. CONSULTANT's indemnification obligation applies to SANBAG's "active" as well as "passive" negligence but does not apply to SANBAG's "sole negligence" or "willful misconduct" within the meaning of Civil Code section 2782.

ARTICLE 23. ERRORS AND OMISSIONS

CONSULTANT shall be responsible for the professional quality, technical accuracy, and coordination of all Work required under this Contract. CONSULTANT shall be liable for SANBAG costs resulting from errors or deficiencies, in Work furnished under this Contract, including, but not limited to any fines, penalties, damages, and costs required because of an error or deficiency in the Work provided by CONSULTANT under this Contract.

ARTICLE 24. OWNERSHIP OF DOCUMENTS

- 24.1 All deliverables, including but not limited to, drawings, reports, worksheets, and other data developed by CONSULTANT specifically for SANBAG under this Contract ("Reports") shall become the sole property of SANBAG.
- 24.2 If SANBAG discloses to anyone in writing, by virtue of public records laws or otherwise, a written Reports prepared by CONSULTANT that is on CONSULTANT letterhead or that references CONSULTANT, SANBAG shall not alter, edit or modify the Reports from the form provided by CONSULTANT, including without limitation, any disclaimers included therein by CONSULTANT, without CONSULTANT's consent.

24.3 SANBAG may incorporate information, advice, recommendations or other content from the Reports into any memorandum, report, summary or compilation, whether oral or written, produced by SANBAG, as reasonably necessary in connection with the purpose of the Work, and communicate same to third parties without CONSULTANT's consent.

In the case of any bond offering memorandum/official statement that references CONSULTANT, CONSULTANT's consent shall be required with respect to the incorporation of information from its Reports, which consent shall not be unreasonably withheld.

24.4 Nothing in this Contract shall be deemed to preclude SANBAG from referring to CONSULTANT generally as SANBAG's financial advisor with respect to the I-10 and I-15 corridor projects.

24.5 CONSULTANT may use data, software, designs, utilities, tools, models, systems, other methodologies and know-how and intellectual property ("Consultant Materials") that it owns or licenses in performing the Work. Notwithstanding the delivery of any Reports, CONSULTANT retains all intellectual property rights in the Consultant Materials (including any improvements or knowledge developed while performing the Work), and in any working papers compiled in connection with the Work (but not SANBAG proprietary information reflected in them) and such Consultant Materials shall not be deemed Reports and CONSULTANT shall not be restricted in any way with respect thereto. Upon payment for particular Work and subject to the other terms of this Contract, SANBAG may use the Reports relating to such Work, as well as any Consultant Materials owned by CONSULTANT that are included therein, solely to the extent necessary to use the Reports.

ARTICLE 25. SUBCONTRACTS

25.1 CONSULTANT shall not subcontract performance of all or any portion of Work under this Contract, except those subconsultants listed in CONSULTANT's proposal and any member firms of the Ernst & Young global organization ("EY Firms"), without first notifying SANBAG in writing of the intended subcontracting and obtaining SANBAG's written approval of the subcontracting and the subconsultant. The definition of subconsultant and the requirements for subconsultants hereunder shall include all subcontracts at any tier.

25.2 CONSULTANT agrees that any and all subconsultants of CONSULTANT performing Work under this Contract will comply with the terms and conditions of this Contract applicable to the portion of Work performed by them. CONSULTANT shall incorporate all applicable provisions of this Contract into their subcontracts regardless of the tier. If requested by SANBAG, CONSULTANT shall furnish SANBAG a copy of the proposed subcontract for SANBAG's approval of the terms and conditions thereof and shall not execute such subcontract until SANBAG has approved such terms and conditions. SANBAG approval shall not be unreasonably withheld.

25.3 Approval by SANBAG of any Work to be subcontracted and the subconsultant to perform said Work will not relieve CONSULTANT of any responsibility or liability in regard to the acceptable and complete performance of said Work. Any substitution of subconsultants must be approved in writing by SANBAG. CONSULTANT shall have sole responsibility for managing all of their subconsultants, including resolution of any disputes between CONSULTANT and its subconsultants.

ARTICLE 26. RECORD INSPECTION AND AUDITING

SANBAG, or any of its designees, representatives or agents shall at all times have access during normal business hours to CONSULTANT's operations and products wherever they are in preparation or progress, and CONSULTANT shall provide sufficient, safe, and proper facilities for such access and inspection thereof. Inspection or lack of inspection by SANBAG shall not be deemed to be a waiver of any of their rights to require CONSULTANT to comply with the Contract or to subsequently reject unsatisfactory Work or products.

ARTICLE 27. INDEPENDENT CONTRACTOR

CONSULTANT is and shall be at all times an independent contractor. Accordingly, all Work provided by CONSULTANT shall be done and performed by CONSULTANT under the sole supervision, direction and control of CONSULTANT. SANBAG shall rely on CONSULTANT for results only, and shall have no right at any time to direct or supervise CONSULTANT or CONSULTANT's employees in the performance of Work or as to the manner, means and methods by which Work is performed. All personnel furnished by CONSULTANT pursuant to this Contract, and all representatives of CONSULTANT, shall be and remain the employees or agents of CONSULTANT or of CONSULTANT's subconsultant(s) at all times, and shall not at any time or for any purpose whatsoever be considered employees or agents of SANBAG.

ARTICLE 28. ATTORNEY'S FEES

If any legal action is instituted to enforce or declare any Party's rights under the Contract, each Party, including the prevailing Party, must bear its own costs and attorneys' fees. This Article shall not apply to those costs and attorneys' fees directly arising from any third party legal action against a Party hereto and payable under the "Indemnity" provision of the Contract.

ARTICLE 29. GOVERNING LAW AND VENUE

This Contract shall be subject to the law and jurisdiction of the State of California. The Parties acknowledge and agree that this Contract was entered into and intended to be performed in whole or substantial part in San Bernardino County, California. The Parties agree that the venue for any action or claim brought by any Party to this Contract will be the Superior Court of California, San Bernardino County. Each Party hereby waives any law or rule of court, which would allow them to request or demand a change of venue. If any action or claim concerning this Contract is brought by any third party, the Parties hereto agree to use their best efforts to obtain a change of venue to the Superior Court of California, San Bernardino County.

ARTICLE 30. FEDERAL, STATE AND LOCAL LAWS

CONSULTANT warrants that in the performance of this Contract, it shall comply with all applicable federal, State and local laws, ordinances, rules and regulations.

ARTICLE 31. PRECEDENCE

- 31.1 The Contract consists of this Contract document, Exhibit A "Scope of Work", and Exhibit B "Price Form", SANBAG's Request for Proposal and CONSULTANT's proposal, all of which are incorporated into this Contract by this reference.
- 31.2 The following order of precedence shall apply: first, the Contract Articles; second Exhibits A and B; third, SANBAG's Request for Proposal; and last, CONSULTANT's

proposal. In the event of a conflict between the Contract Articles and the Scope of Work, the Contract Articles will prevail.

- 31.3 In the event of an express conflict between the documents listed in this Article, or between any other documents, which are a part of the Contract, CONSULTANT shall notify SANBAG in writing within three (3) business days of its discovery of the conflict and shall comply with SANBAG's resolution of the conflict.

ARTICLE 32. COMMUNICATIONS AND NOTICES

Notices sent by mail shall be by United States Mail, postage paid, certified mail (return receipt requested). Any and all notices permitted or required to be given hereunder shall be deemed duly given and received: (a) upon actual delivery, if delivery is personally made or if made by fax during regular business hours; (b) the first business day following delivery by fax when not made during regular business hours; or (c) on the fourth business day after deposit of such notice into the United States Mail. Each such notice shall be sent to the respective Party at the address indicated below or to any other address as the respective Parties may designate from time to time by a notice given in accordance with this Article. CONSULTANT shall notify SANBAG of any contact information changes within ten (10) business days of the change.

To CONSULTANT	To SANBAG
725 South Figueroa Street, Suite 500	1170 W. 3rd Street, 2nd Floor
Los Angeles, CA 90017	San Bernardino, CA 92410-1715
Attn: Tuyen Mai	Attn: Garry Cohoe, Director of Project Delivery
Phone: (213) 977-4236	cc: Procurement Manager
With copy to: 5 Times Square New York, NY 10036 Attn: Tom Rousakis	
Phone: (212) 773-2228	Phone: (909) 884-8276

ARTICLE 33. DISPUTES

- 33.1 In the event any dispute, other than an audit, arises between the Parties in connection with this Contract (including but not limited to disputes over payments, reimbursements, costs, expenses, Work to be performed, Scope of Work and/or time of performance), the dispute shall be decided by SANBAG's Contract Administrator within thirty (30) calendar days after notice thereof in writing which shall include a particular statement of the grounds of the dispute. If CONSULTANT does not agree with the decision, then CONSULTANT shall have ten (10) calendar days after receipt of the decision in which to file a written appeal thereto with SANBAG's Executive Director. If the Executive Director fails to resolve the dispute in a manner acceptable to CONSULTANT, then such dispute is appealable to a court of competent jurisdiction.
- 33.2 During resolution of the dispute, CONSULTANT shall proceed with performance of this Contract with due diligence.

ARTICLE 34. GRATUITIES

CONSULTANT, its employees, agents, or representatives shall not offer or give to any officer, official, agent or employee of SANBAG, any gift, entertainment, payment, loan, or other gratuity.

ARTICLE 35. REVIEW AND ACCEPTANCE

All Work performed by CONSULTANT shall be subject to periodic review and approval by SANBAG at any and all places where such performance may be carried on. Failure of SANBAG to make such review, or to discover defective work, shall not prejudice the rights of SANBAG at the time of final acceptance. All Work performed by CONSULTANT shall be subject to periodic and final review and acceptance by SANBAG upon completion of all Work, which review and acceptance shall not be unreasonably withheld or delayed.

ARTICLE 36. CONFIDENTIALITY

Any SANBAG materials to which CONSULTANT or its subconsultants or agents have access or materials prepared by CONSULTANT under the terms of this Contract shall be held in confidence by CONSULTANT, who shall exercise reasonable precautions to prevent the disclosure of confidential information to anyone except as authorized by SANBAG, or as otherwise permitted by this Contract. CONSULTANT shall not release any Reports, information or promotional material or allow for the use of any photos related to this Contract for any purpose without prior written approval of SANBAG.

ARTICLE 37. EVALUATION OF CONSULTANT

CONSULTANT's performance may be evaluated by SANBAG periodically throughout the Contract performance period, such as at the completion of certain milestones as identified in Scope of Work and/or at the completion of the Contract. A copy of the evaluation will be given to CONSULTANT for their information. The evaluation information shall be retained as part of the Contract file and may be used to evaluate CONSULTANT if they submit a proposal on a future RFP issued by SANBAG.

ARTICLE 38. SAFETY

CONSULTANT shall strictly comply with OSHA regulations and local, municipal, state, and federal safety and health laws, orders and regulations applicable to CONSULTANT's operations in the performance of Work under this Contract. CONSULTANT shall comply with all safety instructions issued by SANBAG or their representatives.

ARTICLE 39. DRUG FREE WORKPLACE

CONSULTANT agrees to comply with the Drug Free Workplace Act of 1990 per Government Code section 8350 et seq.

ARTICLE 40. ASSIGNMENT

CONSULTANT shall not assign this Contract in whole or in part, voluntarily, by operation of law, or otherwise without first obtaining the written consent of SANBAG. SANBAG's exercise of consent shall be within its sole discretion. Any purported assignment without SANBAG's prior written consent shall be void and of no effect, and shall constitute a material breach of this

Contract. Subject to the foregoing, the provisions of this Contract shall extend to the benefit of and be binding upon the successors and assigns of the Parties.

ARTICLE 41. AMENDMENTS

The Contract may only be changed by a written amendment duly executed by the Parties. Work authorized under an amendment shall not commence until the amendment has been duly executed.

ARTICLE 42. PREVAILING WAGES

42.1 The State of California's General Prevailing Wage Rates are not applicable to this Contract.

ARTICLE 43. CONTINGENT FEE

CONSULTANT warrants, by execution of this Contract, that no person or selling agency has been employed or retained to solicit or secure this Contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by CONSULTANT for the purpose of securing business. For breach or violation of this warranty, SANBAG has the right to terminate this Contract without liability, pay only for the value of the Work actually performed, or in its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

ARTICLE 44. FORCE MAJEURE

CONSULTANT shall not be in default under this Contract in the event that the Work performed by CONSULTANT is temporarily interrupted or discontinued for any of the following reasons: riots, wars, sabotage, acts of terrorism, civil disturbances, insurrection, explosion, pandemics, quarantines, acts of God, acts of government or governmental restraint, and natural disasters such as floods, earthquakes, landslides, and fires, or other catastrophic events which are beyond the reasonable control of CONSULTANT and which CONSULTANT could not reasonably be expected to have prevented or controlled. "Other catastrophic events" does not include the financial inability of CONSULTANT to perform or failure of CONSULTANT to obtain either any necessary permits or licenses from other governmental agencies or the right to use the facilities of any public utility where such failure is due solely to the acts or omissions of CONSULTANT.

ARTICLE 45. WARRANTY

CONSULTANT warrants that all Work performed shall be in accordance with the Contract and all applicable professional standards. In the event of a breach of this provision, CONSULTANT shall take the necessary actions to correct the breach at CONSULTANT's sole expense. If CONSULTANT does not take the necessary action to correct the breach, SANBAG, without waiving any other rights or remedies it may have, may take the necessary steps to correct the breach, and the CONSULTANT shall promptly reimburse SANBAG for all reasonable and documented expenses and costs incurred.

ARTICLE 46. ENTIRE DOCUMENT

- 46.1 This Contract and its attachments constitute the sole and only agreement governing the Work and supersede any prior understandings, written or oral, between the Parties respecting the Project. All previous proposals, offers, and other communications, written or oral, relative to this Contract, are superseded except to the extent that they have been expressly incorporated into this Contract.
- 46.2 No agent, official, employee or representative of SANBAG has any authority to bind SANBAG to any affirmation, representation or warranty outside of, or in conflict with, the stated terms of this Contract, and CONSULTANT hereby stipulates that it has not relied, and will not rely, on same.
- 46.3 Both Parties have been represented or had the full opportunity to be represented by legal counsel of their own choosing in the negotiation and preparation of this Contract. Therefore, the language in all parts of this Contract will be construed, in all cases, according to its fair meaning, and not for or against either Party.

ARTICLE 47. COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

CONSULTANT shall comply with all applicable provisions of the Americans with Disabilities Act in performing Work under this Contract.

ARTICLE 48. EFFECTIVE DATE

The date that this Contract is executed by SANBAG shall be the Effective Date of the Contract.

ARTICLE 49. LIMITATION OF LIABILITY

SANBAG may not recover from CONSULTANT, in contract or tort, under statute or otherwise, aggregate damages, including without limitation any direct, indirect, consequential, incidental, punitive or special damages, in excess of \$8 million dollars.

This limitation will not apply to the CONSULTANT’s indemnification obligations set forth in Articles 22.1, 22.2 or 22.3 of this Contract, CONSULTANT’s fraud or willful misconduct, or to the extent prohibited by applicable law or professional regulations, but shall apply to CONSULTANT’s indemnification obligation set forth in Article 22.4.

SANBAG may not make a claim or bring proceedings relating to the Work or otherwise under this Contract against any other EY Firm or its or CONSULTANT’s partners, principals, employees, subcontractors or agents.

-----SIGNATURES ARE ON THE FOLLOWING PAGE-----

IN WITNESS WHEREOF, the Parties hereto have executed this Contract below.

**ERNST & YOUNG
INFRASTRUCTURE ADVISORS, LLC**

SANBAG

By: _____
Tom Rousakis
Senior Managing Director

By: _____
Ryan McEachron
President, Board of Directors

Date: _____

Date: _____

APPROVED AS TO FORM

By: _____
Eileen Monaghan Teichert
General Counsel

CONCURRENCE

By: _____
Jeffery Hill
Procurement Manager

Attachment: Contract 16-1001369 EY Financial Advisor (2443 : Financial Advisor Services for the I-10 and I-15 Corridor Projects)

Contract No. 16-1001369 – Financial Advisor Services for the I-10 and I-15 Corridor Projects

Exhibit A: Scope of Work

Overview

The I-10 and I-15 corridors represent critical routes for commuter, recreational and goods movement traffic across the greater Los Angeles region, and are two of the most heavily utilized corridors within San Bernardino County. Both of these corridors experience regular congestion along certain segments, and this congestion is expected to worsen as the County continues to grow. The I-10 Corridor Project is studying a single-lane High Occupancy Vehicle (HOV) Alternative and dual-lane Express Lanes Alternative while the I-15 Corridor Project is studying a dual-lane Express Lanes Alternative to address the growing traffic demand along these two corridors.

The Financial Advisor for the I-10 and I-15 Corridor Projects, referred to herein as CONSULTANT, shall provide a range of financial services required to support and lead the effective planning for viable financing alternatives for these projects. If an Express Lanes Alternative is selected during the Environmental Process, the CONSULTANT will assist in guiding these projects to a successful financial close for each of the Corridor Projects listed below.

Project Descriptions

I-10 Corridor Project

Should an Express Lanes Alternative be selected as the Preferred Alternative, it is anticipated that the I-10 Corridor Project would be delivered through two separate contract packages, known as I-10 Phase One (Los Angeles County Line to I-15) and I-10 Phase Two (I-15 to Ford Street).

Major project milestones for the I-10 Corridor Project are as follows:

- Circulate Draft Environmental Document (Jan 2016)
- Submit Transportation Infrastructure Finance and Innovation Act (TIFIA) Letter of Interest (Jan 2016)
- Caltrans Designation of Preferred Alternative (April 2016)
- TIFIA Creditworthiness Review – Phase One (2nd Quarter 2016)
- Environmental Approval (2nd Quarter 2017)
- Financial Close – Phase One (1st Quarter 2018)
- Construction Phase One (2019 to 2022)
- Financial Close – Phase Two (2020)
- Construction Phase Two (2021 to 2024)

November 20, 2015

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Exhibit A – Scope of Work
Contract 16-1001369

Attachment: C16-1001369 Exhibit A - Scope of Work - Final (2443 : Financial Advisor Services for the I-10 and I-15 Corridor Projects)

I-15 Corridor Project

The I-15 Corridor Project is considering the implementation of two Express Lanes in each direction from State Route 60 to US-395. The first phase of the I-15 Corridor Project, from State Route 60 to State Route 210, known as I-15 Project One, initiated PA/ED in October 2014. Environmental and engineering analysis of the I-15 corridor from SR-210 to US-395 is not anticipated to start for several years, and is therefore outside the scope of this Contract.

Major project milestones for the I-15 Corridor Project One (SR-60 to SR-210) are as follows:

- Circulate Draft Environmental Document (1st Quarter 2017)
- Caltrans Designation of Preferred Alternative (2nd Quarter 2017)
- Environmental Approval (4th Quarter 2017)
- Financial Close (2020)
- Construction (2021 to 2024)

Scope of Services

The Scope of Services shall be focused on achieving the following six major I-10 and I-15 Corridor Project milestones:

1. I-10 Phase One: Indicative Rating and TIFIA Term Sheet (2016)
2. I-10 Phase One: Financial Close (2018)
3. I-10 Phase Two: Indicative Rating and TIFIA Term Sheet (2018)
4. I-10 Phase Two: Financial Close (2020)
5. I-15 Project One: Indicative Rating and TIFIA Term Sheet (2018)
6. I-15 Project One: Financial Close (2020)

SANBAG anticipates three separate financings for the three projects listed above. SANBAG will issue a Notice to Proceed (NTP) to initiate work for each of the three projects: I-10 Phase One (Milestones 1 and 2), I-10 Phase Two (Milestone 3 and 4) and I-15 Project One (Milestone 5 and 6).

Under NTP #1, CONSULTANT shall perform services described below necessary to achieve an indicative credit rating and approval of a TIFIA loan term sheet for I-10 Phase One, with a target schedule by the end of 2016. Following the TIFIA loan term sheet approval, CONSULTANT will provide the financial services needed to achieve financial close for I-10 Phase One by early 2018, which includes execution of the TIFIA Credit Agreement and issuance of toll revenue backed bonds. Under NTP #2, CONSULTANT will provide financial services for the indicative credit rating and TIFIA term sheet for I-10 Phase Two (I-15 to Ford Street) scheduled for 2018, and financial services needed to achieve financial close scheduled for 2020. Under NTP #3, CONSULTANT will provide financial services for the indicative credit rating and TIFIA term sheet for I-15 Project One (SR-60 to SR-210) scheduled for 2018, and financial services needed to achieve financial close scheduled for 2020.

November 20, 2015

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Exhibit A – Scope of Work
Contract 16-1001369

Services to be Performed by Consultant

General

- a. Close coordination with SANBAG, the Traffic and Revenue consultant, and the I-10 and I-15 environmental and engineering consultants will be a key requirement for the CONSULTANT.
- b. CONSULTANT will provide the deliverables identified in each task, including emails and memos/presentations, briefings, and presentations materials advising on various project matters.
- c. CONSULTANT shall coordinate with SANBAG finance team, including SANBAG's General Financial Advisor, bond and disclosure counsel, and a team of financial underwriters, as directed by SANBAG.
- d. The budget assumes there are no material changes in the various development milestones and overall timing identified under Project Descriptions of this Scope of Work
- e. Services may be reduced or eliminated if an Express Lanes Alternative is not ultimately selected for one or more of the identified projects, or if one or more of the project schedules are delayed beyond the duration of this CONTRACT.

Consultant Tasks

1. Project Management

- a. Furnish a Project Manager to coordinate all CONSULTANT activities with SANBAG, including but not limited to, tracking progress of the work and administering subcontracts.
- b. Project Manager shall periodically advise SANBAG regarding market conditions and financial strategies that could reduce the overall financing cost and/or the associated risk for SANBAG
- c. Prepare monthly reports.
- d. Develop a Project Management Plan.
- e. Conduct periodic teleconferences/meetings and prepare meeting notices and agendas
- f. Prepare and update a strategic-level financial schedule on a monthly basis or as needed

Deliverables:

- *Monthly progress reports*
- *Financial market updates*
- *Project Management Plan*
- *Meeting materials*
- *Financial schedule and monthly updates*

2. Financial Modeling

- a. Develop a financial model that incorporates latest requirements for TIFIA, toll revenue bonds, SANBAG measure funds, and other available state and local revenue sources for each project. The financial model shall be capable of running multiple scenarios and sensitivity tests, and shall be solvable using appropriate methods (such as programming macros).

- b. Inputs to financial model shall be developed using market-based assumptions for key financial inputs which include discount rates, use of TIFIA and toll revenue bonds, inflation rates, debt service coverage ratios, loan life coverage ratios, reserve funds, capitalized interest and other financial inputs. The financial assumptions to be utilized in the models shall be documented.
- c. Periodically update financial model for changes in construction cost estimates and timing, among other factors
- d. Provide SANBAG with multiple financing alternatives, and recommend a preferred plan including an explanation of the basis for the recommendation. Emphasis shall be placed on developing a debt structure that is both deliverable and in the best interests of SANBAG.

Deliverables:

- *Financial model dashboard (key metrics will include a debt service profile and coverage ratios, a capital sources/uses of funds schedule including public funds, debt proceeds, capital costs, interest during construction and other financing costs, reserves funding, etc.)*
- *Project cash flows results*
- *Updates*
- *Final version of Microsoft Excel-based financial models upon financial closing for each project*
- *Simplified version of Microsoft Excel-based financial models for rating agencies and TIFIA submissions*

3. Sensitivity Testing

- a. Provide sensitivity analyses of the financial model as needed to support project financing and policy decision making. Sensitivities could include analysis of changes to a number of factors, such as :
 - i. Interest rates
 - ii. Inflation rates
 - iii. Construction costs
 - iv. Construction duration
 - v. Operations and maintenance costs
 - vi. Revenue projections (including opening projections, initial ramp-up, annual growth,)
 - vii. Capital structures

Deliverables:

- *Financial model dashboard (key metrics will include a debt service profile and coverage ratios, a capital sources/uses of funds schedule including public funds, debt proceeds, capital costs, interest during construction and other financing costs, reserves funding, etc.)*
- *Projected annual cash flows*

4. T&R Coordination

- a. Coordinate with SANBAG's Traffic and Revenue (T&R) consultant as needed during the development of Investment Grade T&R forecast.
- b. Read, analyze and incorporate T&R results into the financial model.
- c. Request and analyze sensitivities based on potential lender concerns and rating agency criteria

Deliverables:

- *Comments to T&R projections and report*
- *Anticipated revenue adjustments rating agencies/lenders may apply*

5. PA/ED Coordination

- a. Coordinate with consultants performing the PA/ED work.
- b. Read and analyze capital cost estimates and operations and maintenance (O&M) estimates, and incorporate the resulting costs into the financial model.

Deliverables:

- *Comments on cost estimates*

6. Financing Documents Preparation

- a. Prepare summary plan of finance presentation for each project financing that can be used for SANBAG board communication purposes and would document the forecasting methodology, assumptions, inputs, findings and results.
- b. Discuss the different financial options that were considered and why the recommended financial structure represents the best value to SANBAG.
- c. Summary documents shall include a Financial Plan, pursuant to current FHWA guidance, and a Plan of Finance to support the TIFIA process and toll revenue bond financing.
- d. Assist SANBAG in the preparation of the projects' financing bond documents (legal counsel will having primary responsibility for drafting financing bond documents)
- e. Financings for the I-10 Phase Two and I-15 Project One are assumed to (i) occur contemporaneously and (ii) significantly leverage the structure and materials prepared for the I-10 Phase One project.

Deliverables:

- *Plan of finance summary presentation outlining various project financing options, their advantages/disadvantages, and recommendations*
- *Inputs to SANBAG board briefing materials to support approval of financial plan (using the plan of finance summary presentation)*
- *Inputs to draft and Final FHWA Financial Plan (plus annual updates during period of performance)*
- *Inputs to TIFIA Plan of Finance (based on FHWA Financial Plan)*
- *Inputs to projects' financing bond documents*

7. Credit Rating Process

- a. Assist SANBAG in developing a rating strategy for purposes of the TIFIA initial and final credit review processes and bond transactions
- b. Assist SANBAG in interactions with rating agencies and in defining the scope of their rating analyses
- c. Assist SANBAG in the development of presentations, informational materials, exhibits, or other financial summaries that support the credit rating agency review process.

Deliverables:

- *Comments to rating agencies' scope of work*
- *Inputs to rating agency presentation(s)*

8. Meetings and Presentations

- a. Participate in meetings as needed with SANBAG including presentations to rating agencies, bond insurers, institutional investors, and the TIFIA Joint Program Office to support a toll revenue bond financing and the process to acquire a TIFIA loan.

Deliverables:

- *Meeting notices*
- *Meeting agendas*

9. TIFIA Process

- a. Assist SANBAG in the TIFIA process by developing documents that support the TIFIA application process including Letter of Interest, project presentation, TIFIA application, and any other support needed to secure TIFIA funding.
- b. Provide support during the TIFIA term sheet and Credit Agreement negotiation and finalization.

Deliverables:

- *Inputs to TIFIA Letter of Interest*
- *Inputs to plan of finance and creditworthiness package*
- *Inputs to oral presentation*
- *Inputs to TIFIA application*
- *Inputs to TIFIA term sheet and credit agreement*

10. Toll Revenue Bonds Pricing Process

- a. Provide support and negotiate pricing of toll revenue bonds with the SANBAG financial underwriter team.
- b. If applicable, develop marketing strategies and an investor outreach plan which will result in favorable terms for the toll revenue bond financings.

Deliverables:

- *Inputs to Bond Sale Documents (including presentations and inputs to master indenture)*
- *Bond Marketing Plan (from syndicate)*
- *Pre-pricing Memorandum and related analyses*
- *Specific detailed closing and flow of funds memoranda*

11. NEPA Documents

- a. Assist with financial plan sections of any required NEPA documents.

Deliverables:

- *Inputs to NEPA documents*

12. Additional Services

- a. Provide additional financial advisor services as needed to support continued decision making and financial close for each of the three listed projects.

13. Design-Build Procurement Support (RFP / RFQ Process)

- a. Legal counsel will have primary responsibility for drafting the design-build RFQ and RFP (including contract documents)
- b. Prepare the financial requirements of the RFQ under SANBAG direction, and support any Q&A interaction with prospective respondents and amendments to the RFQ.
- c. Provide limited support to SANBAG in the statements of qualifications (SOQs) evaluation and short-listing of teams by assisting in the preparation of the financial selection criteria and analyzing key financial elements of the financial portions of the bidders' SOQs.
- d. Develop key financial and commercial content of the RFP under SANBAG's direction. SANBAG staff will periodically review and comment on draft RFP and draft contract documents prepared
- e. Support SANBAG in its one-on-one discussions (including participation in one-on-one meetings with proposers together with SANBAG and other advisors) and as it answers written questions from proposers
- f. Assist in making amendments to draft RFP through the approval of a final RFP by SANBAG
- g. Assist in the financial evaluations of the design-build proposal
- h. It is anticipated that five or fewer respondent teams will submit SOQs, and three proposer teams will be shortlisted for each design-build procurement
- i. Three design-build procurements are assumed: first the I-10 Phase One, and subsequently the I-10 Phase Two and I-15 Project One contemporaneously, with the second/third procurements significantly leveraging the structure and materials prepared for the first

Deliverables:

- *Inputs to key finance sections of the RFQ (submittal requirements including bonding capacity and financial statements, pass fail and scored criteria)*

- *Financial subject matter inputs to SOQ evaluation*
- *Inputs to draft instructions to proposers and design-build contract key financial sections including schedule and payments, liquidated damages, bonding and warranty requirements, price and financial proposal submittal requirements and financial scoring formula*
- *Draft responses to proposer financial questions*
- *Proposed revisions to RFP documents*
- *Financial subject matter inputs to proposals' evaluation*

November 20, 2015

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Exhibit A – Scope of Work
Contract 16-1001369

Minute Action

AGENDA ITEM: 24

Date: *January 6, 2016*

Subject:

Construction Contract No. 15-1001238 for the Interstate 10 (I-10) Pepper Avenue Bridge Replacement Project

Recommendation:

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

A. Award Construction Contract No. 15-1001238 based on the competitive low bid process for the I-10 Pepper Avenue Bridge Replacement Project to MCM Construction, Inc. in an amount of \$6,846,810.00.

B. Approve Allowances/Contingency for the construction phase of the I-10 Pepper Avenue Bridge Replacement Project totaling \$955,511.70.

C. Approve a budget amendment to increase Task 0896 in the amount of \$200,000.00 to be funded by local West Valley Water District funds (6010) for the 2015/2016 Fiscal Year.

Background:

This agenda item provides for award of a new contract based on the competitive low bid process. In May 2015, the Board acting as the San Bernardino County Transportation Commission, approved the project plans, specifications and estimate package for the Interstate 10 (I-10) Pepper Avenue Bridge Replacement Project (“Project”), authorized the Director of Project Delivery to advertise the Invitation for Bids (IFB) 15-1001238 pending federal authorization to proceed, and authorized staff to proceed directly to the Board without prior Board of Directors Metro Valley Study Session approval for the recommendation to award the Construction Contract. The engineer’s construction cost estimate including bid items, supplemental items, agency furnished items, and contingency was \$7,847,000.

On June 3, 2015, the Board approved issuing a letter to the Federal Highway Administration (FHWA) requesting authorization to use a federal pilot program to encourage geographic labor hiring preference and veterans hiring preference on the Project. This request was based on the provisions of FHWA Special Experimental Project No. 14 (SEP 14).

In August 2015, the FHWA approve our request to include a Local and Veterans Hiring Incentive in the Project.

On September 24, 2015, we received federal authorization to advertise the Project.

On October 22, 2015, the Invitation for Bids was released and sent electronically to 464 firms registered on PlanetBids. A total of 18 prime contractors and 39 subcontractors/suppliers

Entity: CTA, CTC

downloaded the IFB. The solicitation was issued in accordance with current San Bernardino Associated Governments (SANBAG) policies and procedures for construction projects.

On November 5, 2015, a Pre-Bid meeting was held and was attended by eleven firms. Addendum No. 1 was issued on November 2, 2015, addressing an incorrect Bid Opening date on the title page of the Notice to Bidders and Special Provisions. Addendum No. 2 was issued on November 5, 2015, providing a copy of the Pre-Bid sign in sheet, the meeting agenda and slides of the Pre-Bid PowerPoint presentation outlining the use of the federally approved "Pilot Program for Local and Veterans Hiring Incentive". Addendum No. 3 was issued on November 23, 2015, providing answers to questions submitted by prospective bidders, addressing various changes to the bid documents and updating the federal wage rates. Addendum No. 4 was issued on November 24, 2015, with a revised bid list. Addendum No. 5 was issued on November 25, 2015, with an additional answer and bid list revision. Addendum No. 6 was issued on December 2, 2015, to postpone the bid opening date to December 3, 2015, due to police activity in the area.

On December 3, 2015, we received ten bids from contractors whose bid form amounts on their face ranged from a low of \$6,846,810.00 to a high of \$9,496,019.02 (See Exhibit A). At the bid opening, MCM Construction, Inc. was identified as the lowest bidder at \$6,846,810.00 followed by Flatiron Corporation at \$7,328,849.94 and Riverside Construction Company at \$7,334,715.95. A complete listing of bid day results is provided in Exhibit A.

This project specified a 13.0% Disadvantaged Business Enterprise (DBE) goal. Per bid requirements the three apparent lowest bidders are to provide, within four business days after bid opening, documentation to support their DBE outreach efforts and DBE commitment.

On December 9, 2015, Staff received the required DBE documentation from all three apparent low bidders. Per Caltrans requirements if the bidders DBE Commitment does not meet or exceed the DBE goal and we anticipate awarding the project based on our approval of the bidder's Good Faith Efforts (GFE) documentation, we are to gain Caltrans concurrence prior to awarding the contract. Staff and our DBE compliance consultant, GCAP Services, reviewed the DBE documentation. Based on the review, MCM Construction, Inc. exceeded the DBE goal of **13.0%** by utilizing 13.1% DBE subcontractors and/or suppliers.

Recommendation A: All bids were reviewed by staff for discrepancies and compliance with the IFB and DBE requirements. MCM Construction Inc.'s bid was found to be the lowest responsive and responsible bid and was found to be compliant with all IFB and DBE requirements. Therefore, staff is recommending that the Board of Directors award contract 15-1001238 for I-10 Pepper Avenue Bridge Replacement Project to MCM Construction Inc. in the not to exceed amount of \$6,846,810.00.

Recommendation B: Staff is also recommending approval of Allowances/Contingency totaling a not-to-exceed amount of \$955,511.70 for the I-10 Pepper Avenue Bridge Replacement Project, consisting of supplemental items and contingency for Contract No. 15-1001238 at \$818,681 and agency furnished materials at \$136,830.70 (See Exhibit B).

Board of Directors Agenda Item

January 6, 2016

Page 3

Recommendation C: Staff is recommending a budget amendment to increase Task 0896 by \$200,000.00 for the 2015/2016 Fiscal Year with local West Valley Water District (WVWD) funds (6010). The contract is proposed to be paid in part by WVWD funds through approved receivable utility agreement 15-1001087 for construction of a potable waterline in the new bridge.

Financial Impact:

This item is not consistent with the Fiscal Year 2015/2016 budget. A budget amendment is being requested in the recommendation above.

Reviewed By:

At the May 6, 2015, Board meeting, approval was given to take award of Contract No. 15-1001238 directly to the Board without prior Policy Committee review. SANBAG General Counsel and Procurement Manager have reviewed this item and a draft of the contract.

Responsible Staff:

Garry Cohoe, Director of Project Delivery

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: 15-1001238 Amendment No.: _____ Vendor No.: 03188
 Vendor/Customer Name: MCM Construction Inc. Sole Source? Yes No
 Description: I-10 Pepper Avenue Bridge Replacement Project
 Start Date: 1/6/2016 Expiration Date: 1/31/2018 Revised Expiration Date: _____
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: C14155, C13040, Federal Project # HP21IMDL0499(003)

Dollar Amount			
Original Contract	\$ 6,846,810.00	Original Contingency	\$ 818,681.00
Revised Contract (Inclusive of Prior Amendments)	\$ -	Revised Contingency (Inclusive of Prior Amendments)	\$ -
Current Amendment	\$ -	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 6,846,810.00	TOTAL CONTINGENCY VALUE	\$ 818,681.00
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 7,665,491.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 1/6/2016
 Board of Directors Action: Award Contract and establish contingency

Contract Management: Payable/Miscellaneous

Invoice Warning: 20% Renewals: _____ Type: Capital PAA Other
 Retention: 5% Maximum Retention: \$ -
 Services: Construction Intrgrnt/MOU/COOP A & E Services Other Professional Services
 Disadvantaged Business Enterprise (DBE) Goal 13%

Contract Management: Receivable

E-76 and/or CTC Date 9/24/2015 (Attach Copy) Program Supplement No.: _____
 Finance Letter Reversion Date: _____ EA No.: 44394

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

Additional Information

\$136,830.70 for Agency furnished materials for the construction phase is not included in the values listed above.

Attachment: Contract Summary Sheet [Revision 2] (2383 : I -10 Pepper Ave Interchange Project Award Contract)

Exhibit A

#	Bidder	Final Bid Amount
1	MCM Construction Inc.	\$ 6,846,810.00
2	Flatiron Corp.	\$ 7,328,849.94
3	Riverside Construction Company	\$ 7,334,715.95
4	Security Paving Company, Inc.	\$ 7,429,262.40
5	Powell Construction Inc.	\$ 7,814,828.45
6	Coffman Specialties Inc.	\$ 8,385,000.00
7	Myers and Sons Construction, LP	\$ 8,777,798.90
8	Steve P. Rados, Inc.	\$ 8,840,040.90
9	USS Cal Builders	\$ 9,488,029.40
10	Griffith Company	\$ 9,496,019.02

Exhibit B

Item	Item Description	Amount
SUPPLEMENTAL WORK ITEMS		
1	FEDERAL TRAINEE PROGRAM	\$ 8,000.00
2	MAINTAIN TRAFFIC	\$ 25,000.00
3	VALUE ANALYSIS	\$ 6,000.00
4	WATER POLLUTION CONTROL MAINTENANCE SHARING	\$ 5,000.00
5	ADDITIONAL WATER POLLUTION CONTROL	\$ 25,000.00
6	STORM WATER SAMPLING AND ANALYSIS	\$ 4,000.00
7	PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS	\$ 6,000.00
8	LOCAL LABOR AND VETERANS HIRING PREFERENCE PROGRAM	\$ 50,000.00
9	DISPUTE RESOLUTION ADVISOR	\$ 5,000.00
10	SUBTOTAL (1)	\$ 134,000.00
CONTINGENCY		
11	CONTINGENCIES (10% of Construction Contract)	\$ 684,681.00
12	SUBTOTAL (2)	\$ 684,681.00
	TOTAL ALLOWANCES AND CONTINGENCY	\$ 818,681.00
SUMMARY 15-1001238		
13	CONSTRUCTION CONTRACT 15-1001238	\$ 6,846,810.00
14	SUPPLEMENTAL WORK ITEMS	\$ 134,000.00
15	CONTINGENCY (10%)	\$ 684,681.00
	TOTAL	\$ 7,665,491.00
AGENCY FURNISHED MATERIALS (Admin Contract)		
1	COZEEP SERVICES	\$ 50,000.00
2	TRAFFIC MANAGEMENT PLAN - PUBLIC INFORMATION	\$ 10,000.00
3	TOW TRUCK SERVICE PATROL	\$ 10,000.00
4	MODEL 2070 CONTROLLER ASSEMBLY	\$ 50,000.00
5	ELECTRICAL SERVICE CONNECTIONS	\$ 4,000.00
6	WATER EXPENSES	\$ 12,830.70
7	SUBTOTAL (3)	\$ 136,830.70
	Total	\$ 7,802,321.70

Attachment: Exhibit A and B (2383 : I -10 Pepper Ave Interchange Project Award Contract)

Minute Action

AGENDA ITEM: 25

Date: *January 6, 2016*

Subject:

Status of San Bernardino Associated Governments (SANBAG) Financial Audit

Recommendation:

Receive SANBAG's Comprehensive Annual Financial Report (CAFR), Audit of the State Transit Assistance Fund of the County of San Bernardino, Audit of the Local Transportation Fund of the County of San Bernardino, and Single Audit Compliance Report for Fiscal Year 2014/2015.

Background:

The Joint Powers Agreement creating SANBAG, as well as the Single Audit Act and the U.S. Office of Management and Budget (OMB) require an annual audit be conducted of SANBAG and its affiliated organizations. The audit of the financial statements for Fiscal Year 2014/2015 is being conducted by the firm of RSM US, LLP.

The financial audit includes four basic elements:

1. Audit of SANBAG's Basic Financial Statements;
2. Audit of the State Transit Assistance Fund of the County of San Bernardino;
3. Audit of the Local Transportation Fund of the County of San Bernardino; and
4. Single Audit Compliance Reports in accordance with the OMB.

RSM US, LLP issued an unmodified opinion which indicates that there are no material errors or omissions on the financial statements. Highlights for the Fiscal Year 2014/2015 audit include the following:

- CAFR Format. The CAFR includes three main sections: Introductory, Financial, and Statistical:
 - The introductory section includes a letter of transmittal, Fiscal Year 2014 Certificate of Achievement for Excellence in Financial Reporting, organization chart, and a list of principal officials.
 - The financial section includes the Independent Auditor's report, management discussion and analysis, basic financial statements, and required supplementary information.
 - Statistical section includes financial trends, revenue capacity, debt capacity, demographic and economic information, and operating information.

Entity: CMA, COG, CTA, CTC, SAFE

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- Fiscal Position. SANBAG's net position increased by \$33,501,278 less prior period adjustment of \$8,367,140 due to implementation of Governmental Accounting Standards Board (GASB) 68, Accounting and Financial Reporting for Pensions, and GASB 71, Pension Transition for Contributions Made Subsequent to the Measurement Date. Fund balances increased by \$2,845,538 due to revenues exceeding expenditures for the fiscal year.
- Single Audit. No findings noted and unmodified opinion issued by RSM US, LLP.

The CAFR, State Transit Assistance Fund Financial and Compliance Report, Local Transportation Fund Financial and Compliance Report, SANBAG Single Audit Compliance Report, GANN Limit Calculation, PPM Examination Letter and the Report to the Members of the Executive Board are being distributed separately from this staff report to all Board members.

Financial Impact:

This item has no direct impact on the Fiscal Year 2015/2016 budget. The audit contract costs are budgeted in Indirect Funds and LTF Administration Funds, in Task 0400, Financial Management.

Reviewed By:

This item has not received prior policy committee review. This item was reviewed by the Executive Board on December 9, 2015.

Responsible Staff:

William Stawarski, Chief Financial Officer

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Minute Action

AGENDA ITEM: 26

Date: *January 6, 2016*

Subject:

State Legislative Update - End of Session Report

Recommendation:

Receive the End of Session State Legislative Report

Background:

In the first year of the 2015-2016 Legislative Session, 2,297 bills were introduced. Of those bills, 41 percent (941) were sent to the Governor's desk and 86 percent (808) were signed. This report will provide an overview of SANBAG's major state advocacy initiatives and outcomes in 2015, as well as a comprehensive look at bills of interest that will take effect in the coming months.

SANBAG's state advocacy efforts focused on a number of key topics including Innovative Project Delivery, Transportation Funding, Climate Change Initiatives, the Public Employees' Pension Reform Act (PEPRA), Local Control, Council of Governments, Post-Redevelopment, Public Works, the California Environmental Quality Act (CEQA), and Transit and Rail.

Innovative Project Delivery

In order to provide the Board of Directors with the ability to continue evaluating options for improving travel on Interstates 10 and 15 in San Bernardino County, SANBAG sponsored its first bill AB 914 (Chapter 702, Statutes of 2015), authored by Assembly Member Cheryl Brown (D-San Bernardino). AB 914 provides the necessary authority to construct and operate Express Lane facilities on Interstates 10 and 15. The bill was considered concurrently with AB 194 by Assembly Transportation Committee Chair Jim Frazier (D-Oakley), which grants broad statewide authority for toll facility projects throughout the state through a process that would be overseen by the California Transportation Commission (CTC). AB 194 was sponsored by the Self Help Counties Coalition. SANBAG supported AB 194 and ultimately the two bills were joined together to ensure both authorities would move forward. On October 9th, the Governor signed both bills, which will go into effect January 1, 2016.

Transportation Funding

Budget

Entity: CMA, COG, CTA, CTC, SAFE

On June 25, 2015, Governor Brown signed the Fiscal Year (FY) 2015-2016 Budget Act (Budget), spending \$161 billion from the General Fund and other state funds, excluding bond funds. General Fund appropriations totaled \$115.4 billion. The FY 2015/2016 Budget represents a 1.3 percent increase over the FY 2014/2015 budget. The Budget also further builds the rainy day reserve as required under Proposition 2, passed in 2014. Proposition 2 requires the state to divert at least 1.5 percent of its revenue each year to pay down debts and build its rainy day reserves. The FY 2015/2016 Budget allocates \$1.9 billion to the reserve, while another \$1.9 billion goes to retire debt and other state liabilities. This adds to the \$1.6 billion already in the reserve, bringing the total to \$3.5 billion.

Specifically, the FY 2015/2016 Budget allocated:

- \$10.5 billion for California Department of Transportation (Caltrans)
- \$3 billion for High Speed Rail Authority
- \$2.3 billion for California Highway Patrol
- \$1.1 billion for Department of Motor Vehicles
- \$150 million for Transit Capital (Proposition 1B)
- \$451 million for State Transit Assistance
- \$28 million for the CTC

The Budget also included the Five Year Infrastructure Plan which outlines the state's debt service and investment plans.

Lastly, the Budget continued the FY 2014-2015 budget agreement for the ongoing expenditure of 60 percent of funds generated under the Cap and Trade Program. These funds are distributed as follows:

- 25 percent to High-Speed Rail
- 20 percent to Affordable Housing and Sustainable Communities
- 10 percent to Transit and Intercity Rail Capital
- 5 percent to Low-Carbon Transit Operations

The remaining 40 percent, estimated at about \$800 million for FY 2015-2016 was available for appropriation by the Legislature. They distributed \$251 million to the following programs:

- \$90 million for low-carbon vehicles
- \$70 million for energy efficiency and solar projects for low-income households
- \$40 million for agricultural water and energy efficiency projects
- \$20 million for urban water-energy efficiency
- \$31 million for costs to administer the cap and trade programs

Special Session/Transportation Revenue Proposals

Following agreement on the FY 2015/2016 State Budget, Governor Brown announced that he was calling two special sessions to deal with infrastructure and healthcare. Long-term issues surrounding these topics were not comprehensively addressed in the budget agreement. Special Sessions generally allow for greater flexibility to work towards an agreement outside of the constraints of budget and regular legislative session deadlines.

The special session on infrastructure is primarily focused on the long-term needs of the state's highway, and local street and road systems. Current funding sources are failing to adequately address not only basic maintenance and operational needs, but it is also insufficient to cover future system needs as the state's economy and population continue to grow. The state's current fuel excise tax provides \$2.3 billion annually, but this leaves an estimated \$5.7 billion in repairs unfunded each year.

The Governor asked the Legislature to come up with a proposal that would create a sustainable funding structure to maintain and repair the state's transportation and critical infrastructure, improve the state's key trade corridors, and complement local infrastructure investments. A number of transportation proposals have emerged from both parties, but a key to any eventual agreement will be the ability to bring together the appropriate mix of revenues and reforms to ensure that existing revenues are used appropriately, new revenues are targeted to address the highest priority needs, and that project delivery processes are streamlined to ensure the most efficient use of limited resources. As of the writing of this report, an agreement had not yet been reached but staff will continue to keep the board apprised of any developments.

Road Charge Pilot Program

The Road Charge Technical Advisory Committee was established in 2014 by SB 1077 (Chapter 835, Statutes of 2014) and created the California Road Usage Charge Pilot Program. The pilot program is led by the CTC, in consultation with the California State Transportation Agency (CalSTA). They have convened a 15 member Technical Advisory Committee (TAC) to study road usage charge alternatives to the gas tax, gather public comment, and make recommendations to CalSTA regarding the ultimate design of a road usage charge pilot program. CalSTA is charged with implementing a pilot program by January 1, 2017 and reporting its findings to the TAC, the CTC, and the appropriate policy and fiscal committees of the Legislature by June 30, 2018.

Staff has attended and participated in the efforts of the TAC to develop the pilot program. The TAC has made decisions regarding road charge pilot program operational concepts, enabling technology and system architecture, and is currently considering issues including privacy, equity, and data security. SANBAG sent a comment letter to the TAC highlighting issues that are most relevant to our region as the program is developed. Any potential agreement arising out of the Special Session, if passed, is seen by some as a way to provide funding for the state's infrastructure needs until a potential road charge system would be enacted to eventually replace the gas tax.

CTC Commissioner, James Madaffer, Chair of the TAC, has recently presented updates to Inland Action and the Western Riverside Council of Governments (WRCOG) encouraging participation in the process. The TAC presented its final recommendations to the CTC at the December 11th meeting.

Climate Change Initiatives

On April 29th, Governor Brown issued an Executive Order (B-30-15) to establish a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030. This executive order accelerates California's greenhouse gas reduction targets established in AB 32 - the California Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006), which called for emission reductions to 1990 levels by 2020.

SB 32 (Pavley, D-Agoura Hills) proposed to codify a 2005 Executive Order from then Governor Schwarzenegger requiring the 80 percent reduction by 2050 and the aforementioned 2015 Executive Order from Governor Brown. This bill is a two-year bill due to opposition from Moderate Democrats and continues to be eligible for consideration in 2016.

SB 350 (Chapter 547, Statutes of 2015) by Senate pro Tempore Kevin de León (D-Los Angeles) was originally referred to as the 50/50/50 plan. SB 350 initially required that 50 percent of electricity must be generated from renewable resources (increased from 25 percent in 2016 and 33 percent by 2020 in existing law), a 50 percent increase in energy efficiency in buildings, and a 50 percent reduction in petroleum use by 2030. Due to late session opposition, again from Moderate Democrats, the 50 percent reduction in petroleum use was removed from the bill, but the other provisions remain and the bill was signed by the Governor on October 7th.

Other notable bills that fall under the state's priorities under climate change and adaptation initiatives includes AB 1288 (Chapter 586, Statutes of 2015) by Assembly Speaker Toni Atkins (D-San Diego), which increases the membership of the California Air Resources Board (ARB) by two. These new members will be appointed by the Senate Rules Committee and the Speaker of the Assembly. Depending on the priorities and backgrounds of the new members, this could have a significant impact on the future direction of ARB initiatives.

AB 1496 (Chapter 604, Statutes of 2015) by Assembly Member Tony Thurmond (D-Richmond) increases the responsibilities of the ARB by also requiring a comprehensive study of short-lived climate pollutants in the state and to suggest strategies for addressing these emissions.

Lastly, AB 1482 (Chapter 603, Statutes of 2015) by Assembly Member Rich Gordon (D-Menlo Park) and SB 246 (Chapter 606, Statutes of 2015) by Senator Bob Wieckowski (D-Fremont) further outline the State's climate adaptation planning strategies. AB 1482 requires the Natural Resources Agency to update the State's climate adaptation strategy every three years and coordinate with the Strategic Growth Council to ensure that funding programs across various state agencies are consistent with achieving the goals outlined in the plan. SB 246 establishes the Integrated Climate Adaptation and Resiliency Program to additionally coordinate regional and local efforts with state climate adaptation strategies.

The Federal Transit Administration (FTA) provides funding to local agencies through several grant programs for capital projects and operating expenses. The FTA requires that the use of these funds be certified by the U.S. Department of Labor (USDOL) to ensure that certain protections are provided to mass transit employees, as specified in Section 13 (c) of the Federal Transit Act.

In 2013, the USDOL refused to certify California grants being released by the FTA due to the state's passage of pension reform. Governor Brown signed AB 1222 (Chapter 527, Statutes of 2013) which provided a temporary exemption through January 1, 2015 for mass transit workers while a lawsuit filed by Sacramento Regional Transit (SacRT) and the State worked its way through the court system. SANBAG supported this bill to ensure that critical transit operations and capital funding would be able to flow to projects and operations.

At the end of 2014, the U.S. District Court confirmed that PEPRA does not violate employee protections under federal law. This decision ended the exemption for transit workers resulting from AB 1222. The State of California has moved forward with applying PEPRA to mass transit workers and USDOL has indicated that they may hold grant funding once again while issue continues to evolve. At this time, USDOL seems to be approaching grant requests on a case-by-case basis, depending on the conditions that may be agreed to by the local agency. SacRT, a key agency at the heart of the fight, sponsored AB 422 (Chapter 328, Statutes of 2015) by Assembly Member McCarthy (D-Sacramento), which will give the agency a line of credit while legal options are evaluated. The Governor signed this bill on September 28th.

Local Control

Two bills were introduced this year to address the transfer of local control of the Ontario Airport back to the City of Ontario - AB 630 (Melendez, R-Lake Elsinore) and AB 1455 (Rodriguez, D-Pomona). Ultimately these bills were not needed as the City of Ontario and the City of Los Angeles reached an agreement to transfer the airport back to the City of Ontario in August.

SANBAG has supported the transfer of the airport for several years as outlined in the State Legislative Platform. Local control of the airport will provide enhanced economic development and improved mobility options for San Bernardino County and the Inland Empire.

SANBAG also remains actively engaged in the development of the Foothill Gold Line Extension. Currently construction is underway to extend service to the City of Azusa and is anticipated to begin service in March 2016. Once the construction to Azusa is complete, the next phase is proposed to extend service east approximately 12 miles from Glendora to Montclair. No funding has yet been secured for this extension in Los Angeles County, though Measure I would be anticipated to support the short segment in San Bernardino County. Once funding is secured, final design and construction would take approximately five years to complete.

As planning for the extension to Montclair progresses, SANBAG continues to evaluate transit options from the Montclair Transit Center to the Ontario Airport. It is essential that as alternatives to the airport are considered, the SANBAG Board of Directors preserves its decision making authority over transportation projects that are constructed and operated in San Bernardino County.

Council of Governments

As SANBAG continues to explore and expand its council of governments responsibilities, there were a number of bills approved by the Legislature and signed by the Governor which fall under these initiatives.

AB 1 (Chapter 62, Statutes of 2015) by Assembly Member Cheryl Brown, (D-San Bernardino) prohibits a city, county, or city and county from imposing a fine under any ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.

AB 288 (Chapter 618, Statutes of 2015) by Assembly Member Chris Holden, (D-Pasadena) and Assembly Republican Leader Kristin Olsen (R-Modesto) authorizes the governing board of a community college district to enter into a College and Career Access Pathways partnership with the governing board of a school district with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

AB 349 (Chapter 266, Statutes of 2015) by Assembly Member Lorena Gonzalez, (D-San Diego) amends the Davis Stirling Common Interest Development Act and voids any provision of governing documents, architectural or landscaping guidelines or policies that prohibit the use of artificial turf or any other synthetic surface that resembles grass.

AB 693 (Chapter 582, Statutes of 2015) by Assembly Members Susan Eggman, (D-Stockton) and Das Williams (D-Carpinteria) creates the Multifamily Affordable Housing Solar Roofs Program to provide financial incentives for qualified solar installations at multifamily affordable housing properties funded cap and trade revenue from investor-owned utilities (IOUs).

AB 1269 (Chapter 788, Statutes of 2015) by Assembly Member Matthew Dababneh, (D-Encino) amends the State Alternative Energy and Advanced Transportation Financing Authority Act, which authorizes financial assistance in the form of a sales and use tax exclusion for projects, including those that promote state-based manufacturing, state-based jobs, the reduction of greenhouse gases, or the reduction in air and water pollution or energy consumption.

AB 1270 (Chapter 94, Statutes of 2015) by Assembly Members Eduardo Garcia, (D-Coachella) and Roger Hernández (D-West Covina) makes conforming changes to comply with the Federal Workforce Innovation and Opportunity Act, including renaming the State Workforce Investment Board to the State Workforce Development Board, as well as renaming local boards.

AB 1403 (Chapter 188, Statutes of 2015) by Assembly Member Brian Maienschein, (R-San Diego) amends the Joint Exercise of Powers Act to provide that a private, nonprofit corporation that provides services to homeless persons or for the prevention of homelessness may form a joint powers agency or enter into a joint powers agreement with a public agency to provide frequent user coordinated care housing services for homeless persons.

Post Redevelopment Tools for Local Agencies

As the cities continued to struggle to find ways to improve areas of their communities in a post-redevelopment era, a number of bills on this topic were signed by the Governor in 2015. AB 2 (Chapter 319, Statutes of 2015) by Assembly Members Luis Alejo, (D-Salinas) and Eduardo Garcia (D-Coachella) authorizes certain local agencies to form a community revitalization authority within a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for infrastructure, affordable housing, and economic revitalization. It also provides for the issuance of bonds serviced by tax increment revenues. AB 2 was supported by the League of California Cities.

AB 313 (Chapter 320, Statutes of 2015) by Speaker Toni Atkins, (D-San Diego) amends existing law authorizing a city or county legislative body to establish an enhance infrastructure financing district with the adoption of a resolution to establish such district. This bill was also supported by the League of California Cities.

SB 107 (Chapter 325, Statutes of 2015) by the Senate Budget and Fiscal Review Committee was a last minute bill to address redevelopment dissolution activities. There are a number of complicated provisions which will undoubtedly continue to be interpreted as implementation efforts continue by the Department of Finance.

Public Works/Project Delivery

AB 219 (Chapter 739, Statutes of 2015) by Assembly Member Tom Daly (D-Anaheim) expands the definition of public works for purposes of payment of prevailing wages to include the hauling and delivery of ready mixed contract to carry out a public works contract. This bill was closely monitored by SANBAG and concerns about potential impacts were noted by a number of stakeholders.

AB 1171 (Chapter 413, Statutes of 2015) by Assembly Member Linder, (R-Corona) authorizes regional transportation agencies to use the Construction Manager/General Contractor project delivery method to design and construct certain expressways that are not on the state highway system if the expressways are developed in accordance with an expenditure plan approved by voters, there is an evaluation of the traditional design bid build method of construction, and the transportation agency adopts the method at a public meeting. This bill was sponsored by the Riverside County Transportation Commission and supported by SANBAG.

California Environmental Quality Act (CEQA)

AB 323 (Chapter 52, Statutes of 2015) by Assembly Member Kristin Olsen (R-Modesto) extends an existing exemption from CEQA for a project or an activity to repair, maintain, or make minor alterations to an existing roadway, if the project of activity is carried out by a city or county with a specified population.

SB 348 (Chapter 143, Statutes of 2015) by Senator Cathleen Galgiani (D-Stockton) was supported by SANBAG and extends an existing exemption from CEQA for the closure of a railroad grade separation until 2019. It also requires the filing of a notice of exemption with the Office of Planning and Research and the County Clerk for the area where the project is located, if the local agency plans to use an existing exemption for railroad grade separation projects that eliminate existing grade crossings or that reconstruct existing grade separations.

Transit and Rail

AB 1250 (Chapter 484, Statutes of 2015) by Assembly Member Richard Bloom (D-Santa Monica) establishes a declining maximum curb weight per axle for transit buses procured after January 1, 2016, clarifies the definition of the curb weight per axle, continues to prohibit buses that exceed federal weight standards from operating on interstate highways, and requires transit operators to notify cities and counties where articulated buses will be used. The California Transit Association, of which SANBAG is a member, sponsored this bill, which was negotiated with Caltrans, the League of California Cities and the California State Association of Counties.

SB 9 (Chapter 710, Statutes of 2015) by Senator Jim Beall (D-San Jose) modifies the purpose of the Transit and Intercity Rail Capital Program to focus on transformative capital improvements that reduce vehicle miles traveled, reduce greenhouse gas emissions, or increase service, connectivity, or ridership. SB 9 also eliminates operating funding as an eligible use. The bill further allows for a multi-year program of projects with letter of no prejudice authority.

SB 413 (Chapter 765, Statutes of 2015) by Senator Bob Wieckowski, (D-Fremont) amends existing law to allow transit agencies to use an administrative process to cite and process minors in violation of specified prohibited acts. It would also make it a violation for failing to yield reserved seating on transit vehicles and clarify noise violations on transit properties. Transit enforcement officers would be required to first give a warning to an individual before issuing a citation. SB 413 was supported by SANBAG.

SB 508 (Chapter 716, Statutes of 2015) by Senator Jim Beall (D-San Jose) modifies various requirements for transit funding by exempting certain expenditure categories that are generally outside the control of operators. These modifications would be beneficial to the transit operators in San Bernardino County. Rather than taking an entire year of funding away only the percentage of the funding based on the farebox recovery would be withheld. If any of our transit operators lost an entire year of funding they would not be able to maintain a reasonable level of service. SB 508 provides more flexibility for operators while maintaining the requirements to meet statewide standards and was supported by SANBAG.

Other

SANBAG also considered a number of other items of interest, the outcomes of which are included below.

AB 402 (Chapter 431, Statutes of 2015) by Assembly Member Bill Dodd (D-Napa) revises the circumstances under which a local agency formation commission may authorize a city or district to provide new or extended services. Specifically the bill establishes a pilot program for the Napa and San Bernardino commissions that would allow the commissions to authorize a city or district

to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence under specified circumstances.

AB 868 (Chapter 86, Statutes of 2015) by Assembly Member Jay Obernolte (R-Big Bear Lake) allows for the transfer of assets from the California Public Employees Retirement System (CalPERS) to the San Bernardino County Employees' Retirement Association (SBCERA) for certain public safety employees.

ACR 21 (Resolution Chapter 87, Statutes of 2015) by Assembly Member Jim Obernolte (R-Big Bear Lake) designates a specified portion of State Highway Route 18 in the County of San Bernardino as the Rim of the World Veterans Memorial Highway

SB 64 (Chapter 711, Statutes of 2015) by Senator Carol Liu, (D-La Cañada Flintridge) requires the CTC to review recommendations in the update to the Transportation Plan prepared in 2015, and periodically thereafter, to prepare specific action-oriented and pragmatic recommendations for transportation system improvements, and to submit a report in that regard to the Legislature and the Governor. The bill also requires that the annual report on allocations for transportation capital outlay appropriations include specific, action-oriented, and pragmatic recommendations.

SB 516 (Chapter 491, Statutes of 2015) by Senator Jean Fuller (R – Bakersfield) expands the primary purposes for which Service Authorities for Freeway Emergencies (SAFEs) can use revenue from a \$1 vehicle registration surcharge to include other elements of a motorist aid system in addition to call boxes. This includes traveler information systems, intelligent transportation system architecture and infrastructure, and safety-related hazard and obstruction removal. SANBAG SAFE staff participated in a statewide coalition to ensure that the needs of our particular agency were represented in the final agreement.

SB 767 (Chapter 580, Statutes of 2015) by Senate pro Tem Kevin de León, (D-Los Angeles) will allow Los Angeles County voters to decide if the local sales tax should be increased by a half-cent to fund transportation projects to improve public transit, reduce traffic congestion, and promote sustainable regional development. The SANBAG Board of Directors voted to support the right of local voters to determine whether the additional investments were appropriate for their region.

Leadership

There were a number of leadership changes in 2015 in both houses. For Republicans in the Senate, Senator Jean Fuller (R-Bakersfield) was selected as Senate Republican Leader and transitioned that post from Senator Bob Huff (R-Diamond Bar) prior to the end of session. In the Assembly, Republicans chose Assembly Member Chad Mayes (R – Yucca Valley) to become the next Assembly Republican Leader. Assembly Republican Leader-Elect Mayes will take over from Assembly Republican Leader Kristin Olsen (R – Modesto) in January. Both Senator Huff and Assembly Member Olsen plan to run for other offices next year as they are termed out of their current seats in 2016.

For Democrats, Senate pro Tempore Kevin de León (D-Los Angeles) took over the post from Darrell Steinberg (D-Sacramento) in October 2015 and Assembly Speaker-Elect Anthony Rendon (D-Lakewood) will replace Assembly Speaker Toni Atkins (D-San Diego) in January.

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Speaker Atkins is termed out and planning to run for another office. Senate pro Tem de León is termed out in 2018.

Please see Attachment A for a bill matrix on signed and vetoed bills of interest.

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Financial Impact:

This item has no impact on the FY 2015/2016 SANBAG Budget.

Reviewed By:

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

Responsible Staff:

Wendy Strack, Director of Legislative and Public Affairs

Approved
Board of Directors
Date: January 6, 2016

Witnessed By:

Attachment A
End of Year Bill Matrix

CA AB 1	AUTHOR:	Brown [D]
	TITLE:	Drought: Local Governments: Fines
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	ENACTED:	07/13/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	62
	SUMMARY:	Prohibits a city, county, or city and county from imposing a fine under any ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.
	STATUS:	
	07/13/2015	Chaptered by Secretary of State. Chapter No. 62
CA AB 2	AUTHOR:	Alejo [D]
	TITLE:	Community Revitalization Authority
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	ENACTED:	09/22/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	319
	SUMMARY:	Authorizes certain local agencies to form a community revitalization authority with a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for infrastructure, affordable housing, and economic revitalization and provides for the issuance of bonds serviced by tax increment revenues. Requires the authority to adopt a community revitalization and investment plan. Requires the use of certain funds for low and moderate income housing.
	STATUS:	
	09/22/2015	Signed by GOVERNOR.
	09/22/2015	Chaptered by Secretary of State. Chapter No. 319
CA AB 8	AUTHOR:	Gatto [D]
	TITLE:	Emergency Services: Hit-and-Run Incidents
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	ENACTED:	09/28/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	326
	SUMMARY:	Authorizes a law enforcement agency to issue a Yellow Alert if a person has been killed or has suffered serious bodily injury due to a hit-and-run incident and the law enforcement agency has specified information concerning the suspect or the suspect's vehicle. Authorizes

the Department of the California Highway Patrol to activate such alert within the requested geographic area upon request if it concurs with the law enforcement agency that specified requirements are met.

STATUS:

09/28/2015 Signed by GOVERNOR.

09/28/2015 Chaptered by Secretary of State. Chapter No. 326

CA AB 10	AUTHOR:	Gatto [D]
	TITLE:	Political Reform Act of 1974: Economic Disclosures
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	VETOED:	10/10/2015
	DISPOSITION:	Vetoed
	LOCATION:	Assembly Governor's Vetoes
	FILE:	54
	SUMMARY:	Amends the Political Reform Act of 1974. Increases the thresholds at which a public official has a disqualifying financial interest in sources of income in investments in business entities and in interests in real property. Revises the dollar amounts associated with the value ranges for reporting the value of economic interests. Requires certain public officials to disclose information relating to governmental decisions for which the public official had a disqualifying financial interest.
	STATUS:	
	10/10/2015	Vetoed by GOVERNOR.

CA AB 36	AUTHOR:	Campos [D]
	TITLE:	Local Government: Federal Surplus Property
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	VETOED:	10/07/2015
	DISPOSITION:	Vetoed
	LOCATION:	Assembly Governor's Vetoes
	FILE:	24
	SUMMARY:	Prohibits a local agency, other than a law enforcement agency under the direct control of an elected officer, from applying to receive surplus military equipment unless the legislative body of the agency approves the acquisition by ordinance or resolution at a public meeting. Requires the state agency that has signed a memorandum of agreement with the Defense Logistics Agency for the purpose of administering a state program for surplus military equipment acquisition to post a certain list on its Web site.
	STATUS:	
	10/07/2015	Vetoed by GOVERNOR.

CA AB 40	AUTHOR:	Ting [D]
	TITLE:	Toll Bridges: Pedestrians and Bicycles
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	ENACTED:	10/07/2015
	DISPOSITION:	Enacted

LOCATION: Chaptered**CHAPTER:** 550**SUMMARY:**

Amends existing law that provides for the construction and operation of various toll bridges by the State, the Golden Gate Bridge, Highway and Transportation District, and by private entities that have entered into a franchise agreement with the State. Prohibits a toll from being imposed on the passage of a pedestrian or bicycle over these various toll bridges.

STATUS:

10/07/2015 Signed by GOVERNOR.

10/07/2015 Chaptered by Secretary of State. Chapter No. 550

CA AB 57

AUTHOR: Quirk [D]**TITLE:** Wireless Telecommunications Facilities**FISCAL** no**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 12/02/2014**ENACTED:** 10/09/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 685**SUMMARY:**

Provides that a collocation or siting application for a wireless telecommunications facility is deemed approved if the application is not approved or disapproved within the reasonable time periods specified in application decisions of the Federal Communications Commission, all required public notices have been providing regarding the application, and the applicant has provided a notice to the city or county that the reasonable time period has lapsed.

STATUS:

10/09/2015 Signed by GOVERNOR.

10/09/2015 Chaptered by Secretary of State. Chapter No. 685

CA AB 88

AUTHOR: Gomez [D]**TITLE:** Sales and Use Taxes: Exemption: Home Appliances**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 01/07/2015**VETOED:** 10/10/2015**DISPOSITION:** Vetoed**LOCATION:** Assembly Governor's Vetoes**FILE:** 48**SUMMARY:**

Exempts from the sales and use tax laws the gross receipts from the sale of, and the storage, use, or other consumption in the State of, an energy or water efficient home appliance purchased by a public utility that is provided at no cost to a low-income participant in a federal, state, or ratepayer-funded energy or water efficiency program for use by that low-income participant in the energy efficiency program.

STATUS:

10/10/2015 Vetoed by GOVERNOR.

CA AB 95

AUTHOR: Budget Cmt**TITLE:** Transportation**FISCAL** yes**COMMITTEE:****URGENCY** no

CLAUSE:
INTRODUCED: 01/07/2015
ENACTED: 06/24/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 12
SUMMARY:

Provides for transportation-related matters to include the suspension of restrictions related to the State Transit Assistance Program, the High-Speed Rail peer review group membership and project updates and reporting requirements, the relinquishment of a specified State highway bridge, reports regarding fish passage barriers and funding therefor, funding to build a sound wall around a specified local park, transportation funds and funding, intercity rail service, and an increase in HOV identifiers.

STATUS:
06/24/2015 Signed by GOVERNOR.
06/24/2015 Chaptered by Secretary of State. Chapter No. 12

CA AB 114	<p>AUTHOR: Weber [D] TITLE: Public Resources: Building Construction FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 01/09/2015 ENACTED: 06/24/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 14 SUMMARY:</p> <p>Relates to public works and building construction to include the definition of performance criteria for public works projects, the State Public Works Board membership, jurisdiction over public buildings, public higher education facilities revenue bonds, the process of public building ownership and leaseback, interest coupons and revenue bonds issued for state building construction, State Public Works Board bond authorization, and the yearly authorization of revenue bonds for local jail construction.</p> <p>STATUS: 06/24/2015 Signed by GOVERNOR. 06/24/2015 Chaptered by Secretary of State. Chapter No. 14</p>
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CA AB 117	<p>AUTHOR: Weber [D] TITLE: Public Resources FISCAL Yes COMMITTEE: URGENCY No CLAUSE: INTRODUCED: 01/09/2015 ENACTED: 06/24/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 16 SUMMARY:</p> <p>Provides provisions regarding public resources to include the issuance of bonds under the Health Facility Construction Loan Insurance Fund, and environmental documents under the California Environmental Quality Act regarding projects under the Jobs and Economic Improvement Through Environmental Leadership Act of 2011.</p> <p>STATUS: 06/24/2015 Signed by GOVERNOR. 06/24/2015 Chaptered by Secretary of State. Chapter No. 16</p>
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CA AB 149 **AUTHOR:** Chavez [R]
TITLE: Urban Water Management Plans
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 01/15/2015
ENACTED: 07/06/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 49
SUMMARY:
Requires each urban water supplier to update and submit a urban water management plan for a specified year to the State Department of Water Resources by a specified date. Requires the Department to submit its urban water management plan report for that same specified year to the Legislature by a specified date.
STATUS:
07/06/2015 Signed by GOVERNOR.
07/06/2015 Chaptered by Secretary of State. Chapter No. 49

CA AB 157 **AUTHOR:** Levine [D]
TITLE: Richmond-San Rafael Bridge
FISCAL no
COMMITTEE:
URGENCY yes
CLAUSE:
INTRODUCED: 01/20/2015
ENACTED: 10/01/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 393
SUMMARY:
Authorizes the lead agency to complete the design work for the project simultaneously with the environmental review conducted pursuant to the California Environmental Quality Act if the Metropolitan Transportation Commission and the Department of Transportation develop a project to open the third lane on the Richmond-San Rafael Bridge to automobile traffic on the eastbound level and to bicycle traffic on the westbound level.
STATUS:
10/01/2015 Chaptered by Secretary of State. Chapter No. 393

CA AB 162 **AUTHOR:** Rodriguez [D]
TITLE: State Highways: Wrong-Way Driving
FISCAL yes
COMMITTEE:
URGENCY yes
CLAUSE:
INTRODUCED: 01/21/2015
ENACTED: 07/15/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 101
SUMMARY:
Requires the Department of Transportation to updated a 1989 report on wrong-way driving on State highways to account for technological advancements and innovation, to include a review of methods studies or implemented by other jurisdictions and entities to prevent wrong-way drivers from entering highways and to provide a related report. Requires the report to identify any additional treatments and technologies with the potential to reduce the

number of like incidents and add them to the mitigation program.

STATUS:

07/15/2015

Signed by GOVERNOR.

07/15/2015

Chaptered by Secretary of State. Chapter No. 101

CA AB 169

AUTHOR:

Maienschein [R]

TITLE:

Local Government: Public Records: Internet

FISCAL

yes

COMMITTEE:**URGENCY**

no

CLAUSE:**INTRODUCED:**

01/22/2015

ENACTED:

10/10/2015

DISPOSITION:

Enacted

LOCATION:

Chaptered

CHAPTER:

737

SUMMARY:

Requires, if a local agency, except a school district, maintains an Internet Resource, including, but not limited to an Internet Web site, Internet Web page, or Internet Web portal, which the agency describes or titles as open data, and the local agency voluntarily posts a public record on the resource, the agency to post the public record in an open format that meets specified requirements including that the format is able to be retrieved, downloaded, indexed, and searched by a commonly used application.

STATUS:

10/10/2015

Chaptered by Secretary of State. Chapter No. 737

CA AB 182

AUTHOR:

Alejo [D]

TITLE:

California Voting Rights Act of 2001

FISCAL

no

COMMITTEE:**URGENCY**

no

CLAUSE:**INTRODUCED:**

01/26/2015

VETOED:

10/10/2015

DISPOSITION:

Vetoed

LOCATION:

Assembly Governor's Vetoes

FILE:

60

SUMMARY:

Prohibits the use of a district-based election in a political subdivision if it would impair the ability of a protected class to elect candidates of its choice. Requires a court to implement specified remedies upon a finding that such an election was imposed or applied in a manner that impaired the ability of a protected class to elect candidates of its choice.

STATUS:

10/10/2015

Vetoed by GOVERNOR.

CA AB 194

AUTHOR:

Frazier [D]

SANBAG Position: Support and Work with Author**TITLE:**

High-Occupancy Toll Lanes

FISCAL

yes

COMMITTEE:**URGENCY**

no

CLAUSE:**INTRODUCED:**

01/28/2015

ENACTED:

10/09/2015

DISPOSITION:

Enacted

LOCATION:

Chaptered

CHAPTER:

687

SUMMARY:

Authorizes a regional transportation agency or department to develop high-occupancy toll lanes and facilities. Deletes a deadline for applications. Includes the Santa Clara Valley Transportation Authority as a regional transportation authority. Provides for the review and approval of each proposed toll facility pursuant to eligibility criteria. Provides for agreements. Creates the Highway Toll Account in the State Transportation Fund to manage funds received for toll facilities.

STATUS:

10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 687

CA AB 198

AUTHOR: Frazier [D]
TITLE: Vehicles: Tow Truck Assistance
FISCAL: no
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 01/28/2015
ENACTED: 06/30/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 30
SUMMARY:

Authorizes a driver of a tow truck who is either operating under an agreement with the law enforcement agency responsible for investigating traffic collisions on the roadway or summoned by the owner or operator of a vehicle involved in a collision or is otherwise disabled on a roadway to utilize the center median or right shoulder of a roadway in the event of an emergency occurring on a roadway requiring the rapid removal of impediments to traffic or rendering of assistance, if specified conditions are met.

STATUS:

06/26/2015 *****To GOVERNOR.
06/26/2015 *****To GOVERNOR.
06/30/2015 Signed by GOVERNOR.
06/30/2015 Chaptered by Secretary of State. Chapter No. 30

CA AB 210

AUTHOR: Gatto [D]
TITLE: High-Occupancy Vehicles Lanes: Los Angeles County
FISCAL: yes
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 02/02/2015
VETOED: 09/28/2015
DISPOSITION: Vetoed
LOCATION: Assembly Governor's Vetoes
FILE: 5
SUMMARY:

Prohibits any high-occupancy vehicle lane from being established on specified portions of state highway routes in the County of Los Angeles, unless that lane is established as a high-occupancy vehicle lane only during the hours of heavy commuter traffic. Requires any existing high-occupancy vehicle lane established on the specified portions of these routes to be modified to conform with those requirements.

STATUS:

09/28/2015 Vetoed by GOVERNOR.

CA AB 219

AUTHOR: Daly [D] **SANBAG Position: Work with Author**
TITLE: Public Works: Concrete Delivery
FISCAL: yes

COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/02/2015
ENACTED: 10/10/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 739

SUMMARY:

Expands the definition of public works for purposes of requirements regarding the payment of prevailing wages for public works projects to include the hauling and delivery of ready-mixed concrete to carry out a public works contract, with respect to contracts involving any State agency or any political subdivision of the State. Requires the applicable prevailing wage rate to be the rate for the geographic area in which the concrete factory or batching plant is located. Relates to subcontracting.

STATUS:

10/10/2015 Chaptered by Secretary of State. Chapter No. 739

CA AB 279

AUTHOR: Dodd [D]
TITLE: Disclosure of Information: Franchise Tax Board
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/11/2015
ENACTED: 08/12/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 180

SUMMARY:

Amends existing law that requires, upon the request of the Franchise Tax Board, each city that assesses a city business tax or requires a city business license to annually submit to the Board specified information relating to the administration of the city's business tax program.

STATUS:

08/12/2015 Signed by GOVERNOR.
08/12/2015 Chaptered by Secretary of State. Chapter No. 180

CA AB 283

AUTHOR: Dababneh [D]
TITLE: Financial Affairs
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/11/2015
ENACTED: 08/12/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 181

SUMMARY:

Extends an existing temporary authority for a local agency to invest its surplus funds, in certificates of deposit or in another form of investment. Removes a limitation on the percentage of local agency funds that may be invested in certificates of deposit. Authorizes a local agency to invest surplus funds to investments in certificates of deposit indefinitely. Removes the limit on the percentage of such funds that may be invested by any one private sector entity.

STATUS:

08/12/2015 Signed by GOVERNOR.
08/12/2015 Chaptered by Secretary of State. Chapter No. 181

CA AB 288	<p>AUTHOR: Holden [D] TITLE: Public Schools: College and Career Access Pathways FISCAL: yes COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/11/2015 ENACTED: 10/08/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 618 SUMMARY: Authorizes the governing board of a community college district to enter into a College and Career Access Pathways partnership with the governing board of a school district with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. Provides the authorized number of units that may be taken under the programs. STATUS: 10/08/2015 Chaptered by Secretary of State. Chapter No. 618</p>
CA AB 313	<p>AUTHOR: Atkins [D] TITLE: Enhanced Infrastructure Financing Districts FISCAL: no COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/12/2015 ENACTED: 09/22/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 320 SUMMARY: Amends existing law authorizing a city or county legislative body to establish an enhance infrastructure financing district with the adoption of a resolution to establish such district. Requires the establishment of a related public financing authority. Specifies the duties of an authority after receiving such resolution. Authorizes the district to provide housing for very low income persons to rent or purchase. Updates requirements for private development or public works construction within the district. STATUS: 09/22/2015 Signed by GOVERNOR. 09/22/2015 Chaptered by Secretary of State. Chapter No. 320</p>
CA AB 323	<p>AUTHOR: Olsen [R] TITLE: Environmental Quality Act: Exemption FISCAL: no COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/13/2015 ENACTED: 07/06/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 52 SUMMARY: Amends the California Environmental Quality Act that exempts a project or an activity to repair, maintain, or make minor alterations to an existing roadway, if the project of activity is</p>

carried out by a city or county with a specified population to improve public safety and meets other specified requirements, to extend that exemption to a specified date.

STATUS:

07/06/2015

Signed by GOVERNOR.

07/06/2015

Chaptered by Secretary of State. Chapter No. 52

CA AB 325

AUTHOR: Wood [D]**TITLE:** Community Development Block Grant Program**FISCAL:** yes**COMMITTEE:****URGENCY:** no**CLAUSE:****INTRODUCED:** 02/13/2015**ENACTED:** 10/01/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 397**SUMMARY:**

Relates to the Community Development Block Grant Program. Requires the Department of Housing and Community Development to enter into a grant agreement with the applicant. Provides for a list of activities and procedures to receive a grant. Authorizes the Department to make changes to the final list of activities if the applicant makes changes to the original application or the federal government or the Legislature requires changes. Provides procedures for funds disbursement notification.

STATUS:

10/01/2015

Chaptered by Secretary of State. Chapter No. 397

CA AB 327

AUTHOR: Gordon [D]**TITLE:** Public Works: Volunteers**FISCAL:** no**COMMITTEE:****URGENCY:** no**CLAUSE:****INTRODUCED:** 02/13/2015**ENACTED:** 07/06/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 53**SUMMARY:**

Extends the provisions of existing law that provides governing public works does not apply to specified work performed by a volunteer, a volunteer coordinator, or a member of the California Conservation corps or a community conservation corps.

STATUS:

07/06/2015

Signed by GOVERNOR.

07/06/2015

Chaptered by Secretary of State. Chapter No. 53

CA AB 341

AUTHOR: Achadjian [R]**TITLE:** Financial Affairs: Reports**FISCAL:** no**COMMITTEE:****URGENCY:** no**CLAUSE:****INTRODUCED:** 02/13/2015**ENACTED:** 07/02/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 37**SUMMARY:**

Amends existing law requiring the officer of each local agency, who has charge of the financial records of the local agency, to furnish to the Controller a report of all such transactions of the local agency during the preceding fiscal year. Requires the report to contain underlying data from audited financial statements, if this data is available, and extends time to furnish the report. Provides a due date for reporting of the annual compensation for a local agency's elected officials and employees.

STATUS:

07/02/2015 Signed by GOVERNOR.
07/02/2015 Chaptered by Secretary of State. Chapter No. 37

CA AB 349

AUTHOR: Gonzalez [D]
TITLE: Common Interest Developments: Property Use
FISCAL no
COMMITTEE:
URGENCY yes
CLAUSE:
INTRODUCED: 02/17/2015
ENACTED: 09/04/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 266
SUMMARY:

Amends the Davis-Stirling Common Interest Development Act. Makes void and unenforceable any provision of governing documents, architectural or landscaping guidelines or policies that prohibit the use of artificial turf or any other synthetic surface that resembles grass. Prohibits a requirement that an owner of a separate interest remove or reverse water-efficient landscaping measures, installed in response to a declaration of a state of emergency, upon the conclusion of the state of emergency.

STATUS:

09/04/2015 Signed by GOVERNOR.
09/04/2015 Chaptered by Secretary of State. Chapter No. 266

CA AB 400

AUTHOR: Alejo [D]
TITLE: Department of Transportation: Changeable Message Signs
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/19/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 693
SUMMARY:

Requires the State Department of Transportation to update its internal policies to allow displays of safety, transportation-related and voting-relating messages on changeable message signs, subject to approval by the United States Department of Transportation.

STATUS:

10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 693

CA AB 401

AUTHOR: Dodd [D]
TITLE: Low-Income Water Rate Assistance Program
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/19/2015

ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 662
SUMMARY:

Requires the State Water Resources Control Board to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program. Permits the Board to consider existing rate assistance programs. Authorizes the plan to include recommendations for other cost-effective methods of offering assistance to such customers. Requires the Board to report to the Legislature on the findings regarding the feasibility, financial stability and desired structure of the program.

STATUS:
10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 662

CA AB 402

AUTHOR: Dodd [D]
TITLE: Local Agency Services: Contracts
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/19/2015
ENACTED: 10/02/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 431
SUMMARY:

Revises the circumstances under which a local agency formation commission may authorize a city or district to provide new or extended services. Establishes a pilot program for the Napa, and San Bernardino commissions that would the commissions to authority a city or district to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence under specified circumstances.

STATUS:
10/02/2015 Signed by GOVERNOR.
10/02/2015 Chaptered by Secretary of State. Chapter No. 431

CA AB 410

AUTHOR: Obernolte [R]
TITLE: Reports Submitted to Legislative Committees
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/19/2015
VETOED: 10/01/2015
DISPOSITION: Vetoed
LOCATION: Assembly Governor's Vetoes
FILE: 13
SUMMARY:

Requires a State agency to post on its Internet Web site any report it is required or requested by law to submit to a committee of the Legislature. Specifies that a report includes a study or audit, or a budget change proposal that has been approved by the Department of Finance and submitted to specified legislative budget and fiscal review committees.

STATUS:
10/01/2015 Vetoed by GOVERNOR.

CA AB 422 **AUTHOR:** McCarty [D]
TITLE: Sacramento Regional Transit District: Line of Credit
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/19/2015
ENACTED: 09/28/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 328
SUMMARY:
Authorizes the Sacramento Regional Transit District to seek and receive a short-term revolving line of credit for operating purposes in anticipation of receipt of federal operating grants, with the extension of credit to the district evidenced by a note, in addition to and as an alternative to temporary borrowing. Authorizes the district to pledge anticipated federal grants and other available funds as security for repayment of the note and prescribes other terms.
STATUS:
09/28/2015 Signed by GOVERNOR.
09/28/2015 Chaptered by Secretary of State. Chapter No. 328

CA AB 464 **AUTHOR:** Mullin [D]
TITLE: Transactions and Use taxes: Maximum Combined Rate
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/23/2015
VETOED: 08/17/2015
DISPOSITION: Vetoed
LOCATION: Assembly Governor's Vetoes
SUMMARY:
Amends existing law that authorizes cities and counties, and if specifically authorized, other local government entities, to levy a transactions and use tax for general purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes imposed in the county to not exceed a specified percentage. Increases the maximum combined rate.
STATUS:
08/17/2015 Vetoed by GOVERNOR.

CA AB 498 **AUTHOR:** Levine [D]
TITLE: Wildlife Conservation: Wildlife Corridors
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/23/2015
ENACTED: 10/08/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 625
SUMMARY:
Declares that it is the policy of the state to encourage voluntary steps to protect the functioning of wildlife corridors through various means. Includes within the purposes of a conservation bank the protection of habitat connectivity for fish and wildlife resources.

Provides that the fact that a project applicant does not take such voluntary steps prior to initiating the application process shall not be grounds for denying a permit or requiring additional mitigation beyond what is required by law.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 625

CA AB 504	AUTHOR:	Gonzalez [D]
	TITLE:	Local Planning
	FISCAL	No
	COMMITTEE:	
	URGENCY	No
	CLAUSE:	
	INTRODUCED:	02/23/2015
	VETOED:	10/08/2015
	DISPOSITION:	Vetoed
	LOCATION:	Assembly Governor's Vetoes
	FILE:	30
	SUMMARY:	

Authorizes a city to delegate to, or authorize pursuant to a contract with, a nonprofit public benefit corporation the performance ministerial planning functions and powers and requires that the city retain all nonministerial planning functions. Requires the nonprofit to comply with city laws and plans and State law, including, laws relating to requirements for open meetings, and records disclosure. Requires any planning function approved by a nonprofit public benefit corporation to be able to be appealed.

STATUS:

10/08/2015 Vetoed by GOVERNOR.

CA AB 514	AUTHOR:	Williams [D]
	TITLE:	Ordinances: Violations: Administrative Fines
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/23/2015
	VETOED:	10/05/2015
	DISPOSITION:	Vetoed
	LOCATION:	Assembly Governor's Vetoes
	FILE:	19
	SUMMARY:	

Authorizes a county to establish administrative fines for violations of certain county ordinances, including building and safety ordinances, brush removal ordinance, grading ordinance, film permit ordinance, or zoning ordinance, determined to be an infraction subject to certain county findings.

STATUS:

10/05/2015 Vetoed by GOVERNOR.

CA AB 552	AUTHOR:	O'Donnell [D]
	TITLE:	Public Works Contracts: Damages
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/23/2015
	ENACTED:	10/02/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered

CHAPTER: 434**SUMMARY:**

Provides, among other things, that a public works contract that contains a clause expressly requiring a contractor to be responsible for defined delay damages, is not enforceable unless the delay damages have been liquidated to a set amount and identified in the public works contract. Provides that under the bill, these provisions would not apply to specified state agencies.

STATUS:

10/02/2015 Signed by GOVERNOR.
10/02/2015 Chaptered by Secretary of State. Chapter No. 434

CA AB 604 **AUTHOR:** Olsen [R]
TITLE: Electrically Motorized Boards
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/24/2015
ENACTED: 10/11/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 777
SUMMARY:
Defines the term electrically motorized board. Prohibits the operation of such board upon a highway while under the influence of an alcoholic beverage or any drug or a combination thereof. Requires an operator to wear a helmet. Requires an operator to be a specified minimum age. Requires certain equipment. Restricts the speed of such boards. Authorizes specified boards and agencies, and local agencies to adopt ordinances or resolutions prohibiting or restricting the use of such boards.
STATUS:
10/11/2015 Chaptered by Secretary of State. Chapter No. 777

CA AB 617 **AUTHOR:** Perea [D]
TITLE: Groundwater
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/24/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 666
SUMMARY:
Defines in-lieu use. Provides that measures addressing such use shall be included in a groundwater sustainability plan. Relates to certain powers of a groundwater sustainability agency, if the agency adopts and submits such plan or alternative documentation. Authorizes an agency to enter into agreements and funding with private parties to assist in plan or plan element implementation. Provides procedures governing state agency cooperation in regards to the plan. Relates to regional water management plans.
STATUS:
10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 666

CA AB 668 **AUTHOR:** Gomez [D]
TITLE: Property Taxation: Assessment: Affordable Housing
FISCAL yes
COMMITTEE:

URGENCY no
CLAUSE:
INTRODUCED: 02/25/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 698

SUMMARY:

Requires a county assessor to consider, when valuing real property for property taxation purposes, a recorded contract with a nonprofit corporation that meets certain requirements, including the corporation has received a welfare exemption for properties intended to be sold to low-income families who participate in a special loan program, and that the contract includes restriction on the use of the land for a specified minimum number of ears to owner-occupied housing available at affordable housing cost.

STATUS:

10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 698

CA AB 692

AUTHOR: Quirk [D]
TITLE: Low-Carbon Transportation Fuels
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/25/2015
ENACTED: 10/08/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 588

SUMMARY:

Amends the Global Warming Solutions Act of 2006. Requires a minimum percentage of the aggregate amount transportation fuel purchased by the state that are buyers of transportation fuel to be procured from very low carbon transportation fuel sources. Requires that percentage to be increased each year until a specified date. Requires to coordination with buyer state agencies and to submit an annual progress report to the Legislature.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 588

CA AB 693

AUTHOR: Eggman [D]
TITLE: Multifamily Affordable Housing Solar Roofs Program
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/25/2015
ENACTED: 10/08/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 582

SUMMARY:

Authorizes a 3d-party administrator to administer clean energy and energy efficiency projects under the Global Warming Solutions Act. Provides for the allocation of specified funds from certain greenhouse gas allowance revenues received by electrical corporations set aside for such projects to the Multifamily Affordable Housing Solar Roofs Program. Provides for the award of solar energy system monetary incentives and the offset of low-income tenant electricity usage. Provides for certain utility credits.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 582

CA AB 726 **AUTHOR:** Nazarian [D]
TITLE: Vehicles: Los Angeles County MTA
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/25/2015
ENACTED: 10/04/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 479
SUMMARY:
Authorizes the Los Angeles County Metropolitan Transportation Authority to operate articulated buses that do not exceed a specified total length on the route designated as the Orange Line in the County. Requires the establishment of a route review committee. Provides that implementation of articulated bus operations be contingent upon specified conditions. Makes implementation contingent upon collective bargaining requirements.
STATUS:
10/04/2015 Chaptered by Secretary of State. Chapter No. 479

CA AB 744 **AUTHOR:** Chau [D]
TITLE: Planning and Zoning: Density Bonuses
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/25/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 699
SUMMARY:
Relates to housing development-related density bonuses and incentives for the production of lower income housing units or donation of certain land. Prohibits at the request of the developer, a city, county, or city and county from imposing a vehicular parking ratio for a development that includes certain aspects. Requires certain developments to have paratransit services or located near specified fixed bus route service. Authorizes a higher vehicular parking ratio based on a specified parking study.
STATUS:
10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 699

CA AB 851 **AUTHOR:** Mayes [R]
TITLE: Local Government: Organization: Disincorporations
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
ENACTED: 09/21/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 304
SUMMARY:
Provides that, in the case of a local government disincorporation or reorganization that includes a disincorporation, requires a plan for services to include specific provisions, including, an enumeration and description of current services, and a special tax proposal.

Adds disincorporation requirements to the petitioning process of a petitioner or local legislative body. Updates annexation. Relates to indebtedness. Relates to property tax revenues, and levying of fees. Relates to property transfers.

STATUS:

09/21/2015

Signed by GOVERNOR.

09/21/2015

Chaptered by Secretary of State. Chapter No. 304

CA AB 852

AUTHOR: Burke [D]**TITLE:** Public Works: Prevailing Wages**FISCAL:** yes**COMMITTEE:****URGENCY:** no**CLAUSE:****INTRODUCED:** 02/26/2015**ENACTED:** 10/10/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 745**SUMMARY:**

Expands the definition of public works for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a project for a general acute care hospital, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds. Provides an exception for a specified hospital.

STATUS:

10/10/2015

Chaptered by Secretary of State. Chapter No. 745

CA AB 868

AUTHOR: Obernolte [R]**TITLE:** Public Employees' Retirement System**FISCAL:** yes**COMMITTEE:****URGENCY:** no**CLAUSE:****INTRODUCED:** 02/26/2015**ENACTED:** 07/14/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 86**SUMMARY:**

Relates to contracting agencies and transfer of membership with the Public Employees' Retirement System with respect to the counties of Kern, Los Angeles, and Orange. Expands the application of the provisions to the County of San Bernardino.

STATUS:

07/14/2015

Signed by GOVERNOR.

07/14/2015

Chaptered by Secretary of State. Chapter No. 86

CA AB 914

AUTHOR: Brown [D]**SANBAG Position:** Sponsor**TITLE:** Toll Facilities: County of San Bernardino**FISCAL:** yes**COMMITTEE:****URGENCY:** no**CLAUSE:****INTRODUCED:** 02/26/2015**ENACTED:** 10/09/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 702**SUMMARY:**

Authorizes the San Bernardino County Transportation Commission to conduct, administer, and operate a value-pricing program including HOT lanes and other toll facilities on Interstate Highway Route 10 and 15 in the County of San Bernardino and, with the agreement of affected transportation agencies, specified extension and connections into the Counties of Los Angeles and Riverside. Requires the toll revenues to be spent for specified transportation purposes. Authorizes the Commission to issue revenue bonds.

STATUS:

10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 702

CA AB 939	AUTHOR:	Salas [D]
	TITLE:	Groundwater Sustainability Agencies
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/26/2015
	ENACTED:	10/09/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	667
	SUMMARY:	Amends existing law which requires a local agency to either establish a groundwater sustainability agency within a specified number of years of reprioritization and adopt a groundwater sustainability plan within a specified number of years of reprioritization, or to submit an alternative to the Department of Water Resources that the local agency believes satisfies the objectives the objectives within a specified number of years of reprioritization. Regards fees imposed to fund the program.
	STATUS:	
		10/09/2015 Signed by GOVERNOR.
		10/09/2015 Chaptered by Secretary of State. Chapter No. 667

CA AB 952	AUTHOR:	Garcia [D]
	TITLE:	Local Government: Vacancies
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/26/2015
	ENACTED:	08/12/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	185
	SUMMARY:	Provides updated procedures for the filling of a vacancy in an elective office by a city council for a vacancy that occurs in the first half or the second half of the term of office and at least a specified number of days prior to the next general municipal election, the person appointed to fill the vacancy holds office until the next general municipal election at which a person is elected to fill that vacancy, and thereafter, until the person elected is qualified.
	STATUS:	
		08/12/2015 Signed by GOVERNOR.
		08/12/2015 Chaptered by Secretary of State. Chapter No. 185

CA AB 992	AUTHOR:	Bonta [D]
	TITLE:	County Employees Retirement Law of 1937
	FISCAL	no
	COMMITTEE:	
	URGENCY	no

CLAUSE:
INTRODUCED: 02/26/2015
ENACTED: 07/02/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 40
SUMMARY:

Amends the County Retirement Law of 1937 regarding disability retirement, modification of allowance. Specifies that a member who applies for disability and is granted a service retirement pending a determination of disability may change the type of allowance that he or she elected at the time of the service retirement.

STATUS:
07/02/2015 Signed by GOVERNOR.
07/02/2015 Chaptered by Secretary of State. Chapter No. 40

CA AB 1096

AUTHOR: Chiu [D]
TITLE: Vehicles: Electric Bicycles
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 10/07/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 568
SUMMARY:

Creates classes of electric bicycles. Prohibits person under 16 years from operating a Class 3 electric bicycle. Requires a label indicating bicycle classification, top assisted speed and motor wattage. Relates to helmet requirements. Prohibits certain electric bicycles on specified paths and trails. Prohibits tampering to change speed capability, unless classification is changed. Provides such bicycle is not subject to financial responsibility, driver's license, registration, or license plate requirements.

STATUS:
10/07/2015 Signed by GOVERNOR.
10/07/2015 Chaptered by Secretary of State. Chapter No. 568

CA AB 1119

AUTHOR: Rendon [D]
TITLE: Public Utilities: Rights of Way
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 670
SUMMARY:

Requires a municipal corporation, before using any right of way within any other municipal corporation or county, to request the entity that has control of such right of way to agree with it upon the location of the use and the terms and conditions to which the use shall be subject. Authorizes the proposing municipal corporation to bring an action against the county if they are unable to agree on the terms and conditions and location of the use. Repeals related provisions.

STATUS:
10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 670

CA AB 1171	AUTHOR: Linder [R] SANBAG Position: Support TITLE: Construction Manager: General Contractor Method FISCAL: yes COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/27/2015 ENACTED: 10/01/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 413 SUMMARY: Authorizes regional transportation agencies to use the Construction Manager/General Contractor project delivery method to design and construct certain expressways that are not on the state highway system if the expressways are developed in accordance with an expenditure plan approved by voters, there is an evaluation of the traditional design-bid-build method of construction, and the transportation agency adopts the method at a public meeting. Requires a report upon completion of a project. STATUS: 10/01/2015 Chaptered by Secretary of State. Chapter No. 413
CA AB 1222	AUTHOR: Bloom [D] TITLE: Tow Trucks FISCAL: yes COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/27/2015 ENACTED: 09/21/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 309 SUMMARY: Applies provisions regarding the removal of a vehicle without permission to towing companies. Requires that the towing company or the owner or operator of the tow truck possess specified information prior to arriving at the scene, or obtain that information prior to leaving the scene. Requires that information to be made available to law enforcement. Requires providing a towed vehicle's owner or operator with an itemized estimate of all charges and services to be performed. Provides misdemeanor violations. STATUS: 09/21/2015 Signed by GOVERNOR. 09/21/2015 Chaptered by Secretary of State. Chapter No. 309
CA AB 1236	AUTHOR: Chiu [D] TITLE: Local Ordinances: Electric Vehicle Charging Stations FISCAL: yes COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/27/2015 ENACTED: 10/08/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 598 SUMMARY: Amends the Electric Vehicle Charging Stations Open Access Act. Requires a city, county or city and county to approve and application for installation of electric vehicle charging stations

through the issuance of specified permits unless the proposed installation would have an adverse impact upon the public health or safety. Provides a decision appeal. Creates an expedited and streamlined electric vehicle charging stations permitting process. Allows referencing a certain guidebook in ordinance preparation.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 598

CA AB 1250	AUTHOR:	Bloom [D]
	TITLE:	Vehicles: Buses: Axle Weight
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	ENACTED:	10/04/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	484
	SUMMARY:	Provides that a weight limitation in existing law does not apply to a bus purchased during a specified time period. Restricts travel on a bridge or other structures if the gross weight of the bus exceeds the structure's capacity. Requires a transit operator operating an articulated bus to provide notice to all cities and counties where the bus will operate in the upcoming calendar year, of the approximate routes. Require a notice identifying any changes to the service on those routes or any new routes.
	STATUS:	
		10/04/2015 Chaptered by Secretary of State. Chapter No. 484

CA AB 1251	AUTHOR:	Gomez [D]
	TITLE:	Greenway Development and Sustainment Act
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	ENACTED:	10/08/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	639
	SUMMARY:	Enacts the Greenway Development and Sustainment Act which would apply to greenway easements and certain creation and transfer provisions similar to those of conservation easements. Defines greenway easement. Provides that a recorded greenway easement constitutes an enforceable restriction for purposes of property tax provisions. Relates to the development of a greenway along the Los Angeles River and its tributaries.
	STATUS:	
		10/08/2015 Chaptered by Secretary of State. Chapter No. 639

CA AB 1269	AUTHOR:	Dababneh [D]
	TITLE:	Alternative Energy
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	ENACTED:	10/11/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered

CHAPTER: 788

SUMMARY:

Amends the State Alternative Energy and Advanced Transportation Financing Authority Act, which authorizes financial assistance in the form of a sales and use tax exclusion for projects, including those that promote State-based manufacturing, State-based jobs, the reduction of greenhouse gases, or the reduction in air and water pollution or energy consumption. Extends the authorization to grant assistance in the form of a sales and use tax exclusion to projects that promote the use of advanced manufacturing.

STATUS:

10/11/2015 Chaptered by Secretary of State. Chapter No. 788

CA AB 1270	<p>AUTHOR: Garcia E [D]</p> <p>TITLE: State Workforce Innovation and Opportunity Act</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/27/2015</p> <p>ENACTED: 07/14/2015</p> <p>DISPOSITION: Enacted</p> <p>LOCATION: Chaptered</p> <p>CHAPTER: 94</p> <p>SUMMARY:</p> <p>Renames the State Workforce Investment Board to the State Workforce Development Board. Requires the Board to assist the Governor in the development of a State Plan. Provides the State Plan to serve as a framework and coordinated plan for the aligned investment of all workforce training and employment funding streams and programs. Renames local boards and local workforce development boards. Authorizes a local board youth service committee. Requires local multi-year plan and a revision of public plan sharing.</p> <p>STATUS:</p> <p>07/14/2015 Signed by GOVERNOR.</p> <p>07/14/2015 Chaptered by Secretary of State. Chapter No. 94</p>
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CA AB 1274	<p>AUTHOR: Stone [D]</p> <p>TITLE: Public Lands: Geophysical Surveys</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/27/2015</p> <p>ENACTED: 10/08/2015</p> <p>DISPOSITION: Enacted</p> <p>LOCATION: Chaptered</p> <p>CHAPTER: 600</p> <p>SUMMARY:</p> <p>Authorizes the State Land Commission to issue permits for geophysical surveys on state lands, under its jurisdiction, including granted and ungranted tidelands and submerged lands and beds of navigable waterways. Prohibits the Commission from requiring a permit for a geophysical survey performed in support of dredging to maintain or increase the depth of navigation channels, anchorages, or berthing areas. Prohibits damage to aquatic life or the marine and coastal environment. Relates to permit compliance.</p> <p>STATUS:</p> <p>10/08/2015 Chaptered by Secretary of State. Chapter No. 600</p>
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CA AB 1288	<p>AUTHOR: Atkins [D]</p> <p>TITLE: Air Resources</p> <p>FISCAL yes</p> <p>COMMITTEE:</p>
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URGENCY: no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 10/08/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 586
SUMMARY:

Increases the membership of the State Air Resources Board. Provides the Senate Committee on Rules and the Speaker of the Assembly each appointing an additional member.

STATUS:
10/08/2015 Chaptered by Secretary of State. Chapter No. 586

CA AB 1347

AUTHOR: Chiu [D]
TITLE: Public Contracts Claims
FISCAL: yes
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 02/27/2015
VETOED: 10/11/2015
DISPOSITION: Vetoed
LOCATION: Assembly Governor's Vetoes
FILE: 89
SUMMARY:

Establishes, for state and local public contracts, a claim resolution process applicable to all claims by contractors in connection with public works. Specifies the procedures that are required of a public entity upon receipt of a claim sent by certified mail. Relates to failure of a public entity to respond to a claim within a specified time. Provides for a mutually agreed waiver and commencement of a civil action. Authorizes nonbinding mediation. Provides for a certain contractor claim procedure.

STATUS:
10/11/2015 Vetoed by GOVERNOR.

CA AB 1390

AUTHOR: Alejo [D]
TITLE: Groundwater: Comprehensive Adjudication
FISCAL: yes
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 672
SUMMARY:

Establishes special comprehensive adjudication procedures for an action to determine the rights to extract groundwater in a basin. Authorizes determining all rights to groundwater in a basin whether on appropriation, overlying right, or other basin storage space rights. Provides provisions specifying procedures, including court procedures, for the handling and processing of complaints regarding usage. Authorizes a judge of the superior court to determine if the action is a comprehensive adjudication.

STATUS:
10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 672

CA AB 1403 **AUTHOR:** Maienschein [R]
TITLE: Housing: Joint Powers Agreement
FISCAL: no
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 08/12/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 188
SUMMARY:
Amends the Joint Exercise of Powers Act. Provides that a private, nonprofit corporation that provides services to homeless persons or for the prevention of homelessness may form a joint powers agency or enter into a joint powers agreement with a public agency to provide frequent user coordinated care housing services for homeless persons. Provides that an analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services.
STATUS:
08/12/2015 Signed by GOVERNOR.
08/12/2015 Chaptered by Secretary of State. Chapter No. 188

CA AB 1412 **AUTHOR:** Perea [D]
TITLE: Redevelopment: Successor Agencies
FISCAL: yes
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 02/27/2015
VETOED: 09/22/2015
DISPOSITION: Vetoed
LOCATION: Assembly Governor's Vetoes
FILE: 2
SUMMARY:
Provides that upon application by the successor agency and approval by the oversight board, loan agreements entered into between a redevelopment agency and the City of San Joaquin, where the outstanding principal balance of the loan is a specified amount, are enforceable obligations if the oversight board finds that the loan was for legitimate redevelopment purposes.
STATUS:
09/22/2015 Vetoed by GOVERNOR.

CA AB 1482 **AUTHOR:** Gordon [D]
TITLE: Climate Adaptation
FISCAL: yes
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 10/08/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 603
SUMMARY:
Requires the National Resources Agency to update climate adaptation strategy and to address the impacts of climate change and to release a draft climate adaptation strategy. Requires State agencies to maximize specified objectives including promoting the use of the strategy to

inform planning decision and ensure state investments consider climate change impacts, as well as promote the use of natural systems and infrastructure when developing infrastructure to address adaptation.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 603

CA AB 1496

AUTHOR: Thurmond [D]
TITLE: Methane Emissions
FISCAL: yes
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 10/08/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 604
SUMMARY:

Amends existing law that establishes the State Air Resources Board as the State agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the State Board to complete a comprehensive study to reduce emissions of short-lived climate pollutants in the State. Requires the State Board to take specified actions and conduct specified analyses with respect to methane emissions.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 604

CA AB 1509

AUTHOR: Hernandez R [D]
TITLE: Employer Liability
FISCAL: yes
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 03/04/2015
ENACTED: 10/11/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 792
SUMMARY:

Extends the protections against discharge, discrimination, retaliation, or taking any adverse action against an employee or applicant because of the engaging in protected conduct to an employee who is a family member of a person who engaged in, or was perceived to engage in, the protected conduct or make a complaint protected by these provisions. Defines related terms. Expands employers excluded from labor contracting requirements to include specified household goods carrier used in a specified manner.

STATUS:

10/11/2015 Chaptered by Secretary of State. Chapter No. 792

CA AB 1533

AUTHOR: Garcia E [D]
TITLE: Infrastructure Financing
FISCAL: yes
COMMITTEE:
URGENCY: no
CLAUSE:
INTRODUCED: 03/24/2015
ENACTED: 09/30/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 383

SUMMARY:

Revises the definition of economic development facilities to include facilities that are used to provide goods movement and would define goods movement-related infrastructure. Revises the definition of port facilities to specifically reference airports, landports, waterports, and railports. Specifies, effective on a specified date, certain funds are transferred to the Valley Economic Development Corporation pursuant to conditions agreed to by specified government agencies, on that date.

STATUS:

09/30/2015 Signed by GOVERNOR.
09/30/2015 Chaptered by Secretary of State. Chapter No. 383

CA ACR 21	AUTHOR:	Obernolte [R]
	TITLE:	Rim of the World Veterans Memorial Highway
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/09/2015
	ENACTED:	07/01/2015
	DISPOSITION:	Adopted
	LOCATION:	Chaptered
	CHAPTER:	87
	SUMMARY:	Designates a specified portion of State Highway Route 18 in the County of San Bernardino as the Rim of the World Veterans Memorial Highway.
	STATUS:	
		07/01/2015 Chaptered by Secretary of State.
		07/01/2015 Chaptered by Secretary of State. Chapter No. 87

CA SB 9	AUTHOR:	Beall [D]
	TITLE:	Greenhouse Gas Reduction Fund: Transit/Intercity Rail
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	ENACTED:	10/09/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	710
	SUMMARY:	Modifies the purpose of the Transit and Intercity Rail Capital Program. Provides for the funding of defined transformative capital improvements. Updates project selection criteria under the program to projects that reduce greenhouse emissions and expand transit service. Requires approval of a multi-year program of projects. Requires entering into a multi-year funding agreement for a project. Authorizes the approval of related letters of no prejudice in allowing an applicant to expend its own moneys.
	STATUS:	
		10/09/2015 Signed by GOVERNOR.
		10/09/2015 Chaptered by Secretary of State. Chapter No. 710

CA SB 13	AUTHOR:	Pavley [D]
	TITLE:	Groundwater
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014

ENACTED: 09/03/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 255
SUMMARY:

Authorizes the State Water Resource Control Board to designate a basin as a probationary basin and to develop an interim plan. Relates to deficiency remedies by a local agency or groundwater sustainability agency, and to the designation of a basin as probationary. Relates to establishing a groundwater sustainability plan. Authorizes a mutual water company to participate in such agency. Provides a water corporation or mutual water company may participate. Requires an agreement for agency designation.

STATUS:
09/03/2015 Signed by GOVERNOR.
09/03/2015 Chaptered by Secretary of State. Chapter No. 255

CA SB 34

AUTHOR: Hill [D]
TITLE: Automated Plate Recognition Systems: Data Use
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 12/01/2014
ENACTED: 10/06/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 532
SUMMARY:

Imposes specified requirements on an automated license plate recognition operator including maintaining reasonable security procedures and practices to protection information and implementing a usage and privacy policy with respect to that information. Authorizes an action. Requires the operator to maintain a specified record of any information access. Requires public input regarding any public entity program. Includes specified information to be considered personal information for breach purposes.

STATUS:
10/06/2015 Signed by GOVERNOR.
10/06/2015 Chaptered by Secretary of State. Chapter No. 532

CA SB 64

AUTHOR: Liu [D]
TITLE: State Transportation Plan
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 01/05/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 711
SUMMARY:

Requires the State Transportation Commission to review recommendations in the update to the Transportation Plan prepared in 2015, and periodically thereafter, to prepare specific action-oriented and pragmatic recommendations for transportation system improvements, and to submit a report in that regard to the Legislature and the Governor. Requires an annual report on allocations for transportation capital outlay appropriations include specific, action-oriented, and pragmatic recommendations.

STATUS:
10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 711

CA SB 107	<p>AUTHOR: Budget and Fiscal Review Cmt</p> <p>TITLE: General Subject: Local Government</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 01/09/2015</p> <p>ENACTED: 09/22/2015</p> <p>DISPOSITION: Enacted</p> <p>LOCATION: Chaptered</p> <p>CHAPTER: 325</p> <p>SUMMARY: Provides provisions regarding local government to include redevelopment and community development agencies, factors regarding the administrative cost allowance, the enforcement of any agreement between a city and county and a former redevelopment agency, transferring housing and other assets, successor agency obligations, property tax revenues and apportionment, county oversight boards, redevelopment agency creation loan repayment, and property tax disbursement to specifically-named counties.</p> <p>STATUS: 09/22/2015 Signed by GOVERNOR. 09/22/2015 Chaptered by Secretary of State. Chapter No. 325</p>
CA SB 148	<p>AUTHOR: McGuire [D]</p> <p>TITLE: School Districts: Reorganization: Local Control Funding</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 01/29/2015</p> <p>ENACTED: 10/02/2015</p> <p>DISPOSITION: Enacted</p> <p>LOCATION: Chaptered</p> <p>CHAPTER: 448</p> <p>SUMMARY: Enacts numerous provisions specifying computations to determine the funding, pursuant to the local control funding formula, of school districts that are, or proposed to be, affected by the various types of actions that may be undertaken to reorganize districts.</p> <p>STATUS: 10/02/2015 Signed by GOVERNOR. 10/02/2015 Chaptered by Secretary of State. Chapter No. 448</p>
CA SB 184	<p>AUTHOR: Hertzberg [D]</p> <p>TITLE: Local Government: Omnibus Bill</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/09/2015</p> <p>ENACTED: 09/04/2015</p> <p>DISPOSITION: Enacted</p> <p>LOCATION: Chaptered</p> <p>CHAPTER: 269</p> <p>SUMMARY: Clarifies that provisions in existing law relating to the authority of the duties of the auditor apply only to the county auditor. Authorizes marginal notations on recorded records. Repeals keeping an index of separate property of married women. Authorizes general grantor-grantee index in computerized or electronic format. Deletes certain endorsement requirements.</p>

Deletes certain name and address posting on records requirements. Updates government contract cost accounting. Relates to local contract bidding.

STATUS:

09/04/2015

Signed by GOVERNOR.

09/04/2015

Chaptered by Secretary of State. Chapter No. 269

CA SB 226

AUTHOR: Pavley [D]**TITLE:** Sustainable Groundwater Management Act**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/13/2015**ENACTED:** 10/09/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 676**SUMMARY:**

Requires that any water right adjudication act shall minimize interference with the completion and implementation of a groundwater sustainability plan, avoid redundancy and unnecessary costs in the development of technical information an a physical solution. Authorizes the designation of high- and medium-priority basins as probationary, under specified criteria. States certain court requirements regarding probationary basins and interim plans.

STATUS:

10/09/2015

Signed by GOVERNOR.

10/09/2015

Chaptered by Secretary of State. Chapter No. 676

CA SB 229

AUTHOR: Roth [D]**TITLE:** Courts: Judgeships**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/13/2015**VETOED:** 10/08/2015**DISPOSITION:** Vetoed**LOCATION:** Senate Governor's Vetoes**FILE:** 18**SUMMARY:**

Appropriates a specified amount of funding from the General Fund for the purpose of funding a specified total of Superior Court judge positions in judgeships currently authorized by the Legislature. Requires the Judicial Council to determine which positions are funded, pursuant to uniform criteria in existing law.purposes.

STATUS:

09/22/2015

Vetoed by GOVERNOR.

CA SB 231

AUTHOR: Gaines T [R]**TITLE:** Transportation Programs**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/13/2015**ENACTED:** 09/09/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 286

SUMMARY:

Includes water-borne transit as an eligible project that may be funded under the Low Carbon Transit Operations Program and the Affordable Housing and Sustainable Communities Program.

STATUS:

09/09/2015 Chaptered by Secretary of State. Chapter No. 286

CA SB 246	AUTHOR:	Wieckowski [D]
	TITLE:	Climate Change Adaptation
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/18/2015
	ENACTED:	10/08/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	606
	SUMMARY:	Establishes the Integrated Climate Adaptation and Resiliency Program to coordinate regional and local efforts with State climate adaptation strategies to adopt to the impacts of climate change. Requires an update to the Safeguarding California Plan, and the review and update the Adaptation Planning Guide. Establishes an advisory council to support the goals as identified in these provisions. Requires a clearinghouse for adaptation information. Relates to exempting certain meetings under open meetings law.
	STATUS:	10/08/2015 Chaptered by Secretary of State. Chapter No. 606

CA SB 272	AUTHOR:	Hertzberg [D]
	TITLE:	State Public Records Act: Local Agencies: Inventory
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/19/2015
	ENACTED:	10/11/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	795
	SUMMARY:	Requires each local agency, in implementing the State Public Records Act, to create a catalog of enterprise systems, to make the catalog publicly available upon request in the office of the person or officer designated by the agency's legislative body, and to post the catalog on the local agency's Internet Web site. Requires the catalog to disclose a list of the systems utilized by the agency and, among other things, the current system vendor and product, citing the justification therefor.
	STATUS:	10/11/2015 Chaptered by Secretary of State. Chapter No. 795

CA SB 331	AUTHOR:	Mendoza [D]
	TITLE:	Public Contracts: Local Agencies: Negotiations
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/23/2015
	ENACTED:	10/09/2015
	DISPOSITION:	Enacted

LOCATION: Chaptered

CHAPTER: 714

SUMMARY:

Enacts the Civic Reporting Openness in Negotiations Efficiency Act. Establishes specified procedures for the negotiation and approval of certain contracts with a specified minimum value, by cities, counties, or cities and counties, and special districts that have adopted a related ordinance. Requires a review and report on the cost of any contract. Requires the local entities to disclose prescribed information on the entities' Internet Web site. Relates to public meetings. Exempts certain contracts.

STATUS:

10/09/2015 Signed by GOVERNOR.

10/09/2015 Chaptered by Secretary of State. Chapter No. 714

CA SB 348 **AUTHOR:** Galgiani [D] **SANBAG Position: Support**

TITLE: California Environmental Quality Act: Railroad Crossing

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/24/2015

ENACTED: 08/07/2015

DISPOSITION: Enacted

LOCATION: Chaptered

CHAPTER: 143

SUMMARY:

Relates to the California Environmental Quality Act. Requires a lead agency, if it determines that a certain exemption applies to a project that the agency approves or determines to carry out, to file a notice of exemption with the Office of Planning and Research and, in the case of a local agency, with the county clerk in each affected county. Extends the repeal date for certain provisions concerning railroad crossings.

STATUS:

08/07/2015 Signed by GOVERNOR.

08/07/2015 Chaptered by Secretary of State. Chapter No. 143

CA SB 350 **AUTHOR:** De Leon [D] **SANBAG Position: Monitor**

TITLE: Clean Energy and Pollution Reduction Act of 2015

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/24/2015

ENACTED: 10/07/2015

DISPOSITION: Enacted

LOCATION: Chaptered

CHAPTER: 547

SUMMARY:

Requires an increase in the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources. Makes other Renewables Portfolio Standards Program revisions. Requires targets for energy efficiency savings and demand reduction for gas and electrical corporations. Relates to the transformation of the Independent System Operator as a regional organization with the approval of the Legislature, pursuant to a specified process.

STATUS:

10/07/2015 Signed by GOVERNOR.

10/07/2015 Chaptered by Secretary of State. Chapter No. 547

CA SB 355	AUTHOR: Lara [D] TITLE: San Gabriel and Lower Los Angeles Rivers and Mountains FISCAL: yes COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/24/2015 ENACTED: 10/09/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 677 SUMMARY: Amends existing law that establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy. Increases the number of voting and nonvoting members of the governing board. Provides that number of members appointed by the Senate Committee on Rules and the Speaker of the Assembly serving as nonvoting members. Requires legislative members to participate in activities only compatible with his or her legislative duties. STATUS: 10/09/2015 Signed by GOVERNOR. 10/09/2015 Chaptered by Secretary of State. Chapter No. 677	
CA SB 379	AUTHOR: Jackson [D] TITLE: Land Use: General Plan: Safety Element FISCAL: yes COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/24/2015 ENACTED: 10/08/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 608 SUMMARY: Requires, upon the next revision of a local hazard mitigation plan, the element to be reviewed and updated as necessary to address climate adaptation and resiliency strategies applicable to that city or county. Requires the update to include a set of goals, policies, and objectives based on the a vulnerability assessment identifying the risks that climate change poses to the local jurisdiction and the at risk geographic areas and specified information from federal, state, regional, and local agencies. STATUS: 10/08/2015 Chaptered by Secretary of State. Chapter No. 608	
CA SB 413	AUTHOR: Wieckowski [D] TITLE: Public Transit: Prohibited Conduct FISCAL: yes COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/25/2015 ENACTED: 10/10/2015 DISPOSITION: Enacted LOCATION: Chaptered CHAPTER: 765 SUMMARY: Relates to certain acts on or in a facility or vehicle of a public transportation system. Makes it so the provision would apply to a person failing to comply with the warning of a transit official related to disturbing another person by loud and unreasonable noise, and to a person	SANBAG Position: Support

playing unreasonably loud sound equipment on or in a public transportation system facility or vehicle, and related administrative penalties. Provides an infraction for not yielding seating to elderly or handicapped.

STATUS:

10/10/2015 Chaptered by Secretary of State. Chapter No. 765

CA SB 491	AUTHOR:	Beall [D]
	TITLE:	Transportation: Omnibus Bill
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/26/2015
	ENACTED:	10/02/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	451
	SUMMARY:	Provides provisions regarding transportation to include vehicle registration fees for air quality, transit security, hazardous materials license endorsement, commercial driver cargo security, commercial motor vehicle speedometers, use of flags and lighting on oversized loads, placing a lighted fusee to a vehicle, truck tractor wheel service breaks, use of saddle mounts or tow-bars, securing vehicles from fumes and hazards, earphones prohibition, bikeways, highway descriptions, and vehicle accident reports.
	STATUS:	
	10/02/2015	Signed by GOVERNOR.
	10/02/2015	Chaptered by Secretary of State. Chapter No. 451

CA SB 493	AUTHOR:	Cannella [R]
	TITLE:	Elections in Cities: By or From Districts
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/26/2015
	ENACTED:	10/10/2015
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	735
	SUMMARY:	Authorizes the legislative body of a city with a specified population to adopt an ordinance that requires the members of the body to be elected by district or by district with an elective mayor without being required to submit the ordinance to the voters for approval. Requires the ordinance to include a specified declaration. Requires the population of the city to be determined by the most recent federal decennial census.
	STATUS:	
	10/10/2015	Chaptered by Secretary of State. Chapter No. 735

CA SB 508	AUTHOR:	Beall [D]	SANBAG Position: Support
	TITLE:	Transportation Funds: Transit Operators: Pedestrians	
	FISCAL	no	
	COMMITTEE:		
	URGENCY	no	
	CLAUSE:		
	INTRODUCED:	02/26/2015	
	ENACTED:	10/09/2015	
	DISPOSITION:	Enacted	
	LOCATION:	Chaptered	

CHAPTER: 716**SUMMARY:**

Deletes the requirement that transit operators maintain higher farebox requirements based on a specified fiscal year. Exempts additional expenditures categories from the definition of operating costs including fuel, insurance, and claims settlement costs. Reduces the public transit operator's operating allocation by a specified percentage, based on the percentage amount that the operator failed to meet efficiency standards. Relates to funding for pedestrian safety education programs.

STATUS:

10/09/2015 Signed by GOVERNOR.

10/09/2015 Chaptered by Secretary of State. Chapter No. 716

CA SB 513

AUTHOR: Beall [D]**TITLE:** Memorial Air Quality Standards Attainment Program**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/26/2015**ENACTED:** 10/08/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 610**SUMMARY:**

Allows the revenue from a surcharge on motor vehicle registration fees applicable to motor vehicles in the Sacramento Metropolitan Air Quality Management District to be used for projects that involve alternative fuel and electric infrastructure. Requires motor vehicle registration fees in air districts, except the Sacramento district, to be used for the attainment of air quality standards and emission reductions from motor vehicles. Relates to meeting air quality regarding marine vessels.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 610

CA SB 516

AUTHOR: Fuller [R]**TITLE:** Transportation: Motorist Aid Services**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/26/2015**ENACTED:** 10/04/2015**DISPOSITION:** Enacted**LOCATION:** Chaptered**CHAPTER:** 491**SUMMARY:**

Amends existing law authorizing a service authority to impose a fee on vehicles registered in the counties served by the authority. Requires each service authority to determine how those moneys are to be used for the implementation, maintenance, and operations of a motorist aid system, including call boxes. Authorizes the use of those moneys for traveler information systems, Intelligent Transportation System architecture and infrastructure, safety-related hazard and obstruction removal and other purposes.

STATUS:

10/04/2015 Chaptered by Secretary of State. Chapter No. 491

CA SB 533

AUTHOR: Pan [D]**TITLE:** Cities and Counties: Sale and Use Tax Agreements**FISCAL** yes**COMMITTEE:**

URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 717

SUMMARY:

Prohibits a local agency from entering into any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax proceeds to any person, as defined, for any purpose, if the agreement results in a reduction in the amount of Bradley-Burns local tax revenues, that, in the absence of the agreement, would be received by another local agency. Requires a local agency to post such agreement on its Internet Web site, including prior agreements.

STATUS:

10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 717

CA SB 541

AUTHOR: Hill [D]
TITLE: Public Utilities Commission: For-Hire Carriers
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 718

SUMMARY:

Specifies activities to be undertaken by the Public Utilities Commission to achieve requirements of existing law regarding the jurisdiction over the transportation of passengers and property and the Household Carriers Act and the Passenger Charter-Party Carriers' Act. Requires a report to the Legislature regarding the Commission's ability to carry out these duties. Authorizes law enforcement to assist in the enforcement of such Acts and enforcement of carrier regulations. Relates to vehicle impoundment.

STATUS:

10/09/2015 Signed by GOVERNOR.
10/09/2015 Chaptered by Secretary of State. Chapter No. 718

CA SB 555

AUTHOR: Wolk [D]
TITLE: Urban Retail Water Suppliers: Water Loss Management
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 679

SUMMARY:

Require each urban retail water supplier to submit a completed and validated water loss audit report for the previous calendar year or fiscal year. Requires the Department of Water Resources of post a reports on its Internet Web site and develop metrics for reporting progress on water loss reduction. Requires rules requiring urban retail water suppliers to meet performance standards for the volume of water losses. Requires the Water Resources Control Board to fund water loss audit validation assistance.

STATUS:
 10/09/2015 Signed by GOVERNOR.
 10/09/2015 Chaptered by Secretary of State. Chapter No. 679

CA SB 631 **AUTHOR:** Hueso [D]
TITLE: Public Utilities Commission: Fees
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 09/01/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 237
SUMMARY:
 Relates to the Public Utilities Commission regulatory authority over public utilities and to charge and collect a fee for filing each application for certificates of public convenience and necessity or for mortgages, leases, transfers, or assignment of certificates. Requires a specified fee for filing applications. Authorizes the Commission to adjust the fee. Repeals provisions requiring the paying of certain fees into the Treasury to the credit of the General Fund.
STATUS:
 08/26/2015 *****To GOVERNOR.
 09/01/2015 Signed by GOVERNOR.
 09/01/2015 Chaptered by Secretary of State. Chapter No. 237

CA SB 664 **AUTHOR:** Hertzberg [D]
TITLE: Water: Urban Water Management Planning
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 10/09/2015
DISPOSITION: Enacted
LOCATION: Chaptered
CHAPTER: 681
SUMMARY:
 Requires an urban water supplier to include within its water management plan a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of the water system and mitigate those vulnerabilities. Authorizes the compliance with that requirement by submitting a copy of an adopted local hazard mitigation plan or multihazard mitigation plan that addresses seismic risk.
STATUS:
 10/09/2015 Signed by GOVERNOR.
 10/09/2015 Chaptered by Secretary of State. Chapter No. 681

CA SB 673 **AUTHOR:** Lara [D]
TITLE: Hazardous Waste
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
ENACTED: 10/08/2015
DISPOSITION: Enacted
LOCATION: Chaptered

CHAPTER: 611

SUMMARY:

Requires the Department of Toxic Substances Control to establish or update criteria for use in determining whether to issue a new or modified hazardous waste facilities permit or a renewal of such permit, and to develop and implement programmatic reforms designed to improve the protectiveness, timeliness, legal defensibility, and enforceability of the Department's permitting program.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 611

CA SB 705

AUTHOR: Hill [D]

TITLE: Use Taxes: San Mateo: Transportation: Monterey County

FISCAL no

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/27/2015

ENACTED: 10/07/2015

DISPOSITION: Enacted

LOCATION: Chaptered

CHAPTER: 579

SUMMARY:

Authorizes the County of San Mateo and the Transportation Agency for Monterey County to impose a transactions and use tax for countywide transportation programs.

STATUS:

10/07/2015 Signed by GOVERNOR.

10/07/2015 Chaptered by Secretary of State. Chapter No. 579

CA SB 719

AUTHOR: Hernandez [D]

TITLE: Department of Transportation: Technologies Testing

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/27/2015

ENACTED: 08/10/2015

DISPOSITION: Enacted

LOCATION: Chaptered

CHAPTER: 163

SUMMARY:

Authorizes the testing of technologies that enable drivers to safely operate motor vehicle and exempts motor vehicles participating in this testing from such rules. Relates to rules which require motor vehicles being driven outside of a business or residence district in a caravan or motorcade to allow sufficient space between each vehicle.

STATUS:

08/10/2015 Signed by GOVERNOR.

08/10/2015 Chaptered by Secretary of State. Chapter No. 163

CA SB 730

AUTHOR: Wolk [D]

TITLE: Railroads: Movement of Freight: Trains or Light Engines

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/27/2015

ENACTED: 09/08/2015

DISPOSITION: Enacted

LOCATION: Chaptered

CHAPTER: 283

SUMMARY:

Prohibits a train or light engine used in connection with the movement of freight from being operated unless it has a specified minimum-sized crew. Authorizes the Public Utilities Commission to assess civil penalties against a person who willfully violates this provision.

STATUS:

09/08/2015 Signed by GOVERNOR.

09/08/2015 Chaptered by Secretary of State. Chapter No. 283

CA SB 762

AUTHOR: Wolk [D]

TITLE: Competitive Bidding: Pilot Program: Design-Build

FISCAL: yes

COMMITTEE:

URGENCY: no

CLAUSE:

INTRODUCED: 02/27/2015

ENACTED: 10/08/2015

DISPOSITION: Enacted

LOCATION: Chaptered

CHAPTER: 627

SUMMARY:

Establishes a pilot program to allow specified counties to select a bidder on the basis of best value for construction projects that are in excess of a specified amount. Establishes procedures and criteria for the selection of the best value contractor. Requires that bidders verify specified information. Requires the board of supervisors of a participating county to submit a report to specified legislative committees. Amends the term best value to have the objective criteria evaluated.

STATUS:

10/08/2015 Chaptered by Secretary of State. Chapter No. 627

CA SB 767

AUTHOR: De Leon [D]

SANBAG Position: Support

TITLE: Los Angeles County Metro Transportation Authority

FISCAL: yes

COMMITTEE:

URGENCY: no

CLAUSE:

INTRODUCED: 02/27/2015

ENACTED: 10/07/2015

DISPOSITION: Enacted

LOCATION: Chaptered

CHAPTER: 580

SUMMARY:

Authorizes the Los Angeles County Metropolitan Transportation Authority to impose an additional transportation transactions and use tax at a maximum rate according to a specified formula, for a period of time determined by the Authority, if certain conditions exist and subject to various requirements, including the adoption of an expenditure plan and voter approval.

STATUS:

10/07/2015 Signed by GOVERNOR.

10/07/2015 Chaptered by Secretary of State. Chapter No. 580

ADDITIONAL INFORMATION

BOARD OF DIRECTORS ATTENDANCE RECORD – 2015

Name	Jan	Feb	March	April	May	June	July	Aug DARK	Sept	Sept 17-18 Workshop	Sept. 29 Special Mtg.	Oct	Nov	Dec
Robert A. Lovingood Board of Supervisors	X	X	X		X	X			X	X	X		X	
Janice Rutherford Board of Supervisors		X	X	X	X	X	X		X	X	X		X	X
James Ramos Board of Supervisors	X	X	X		X	X						X		
Curt Hagman Board of Supervisors		X	X	X	X	X	X		X		X	X		X
Josie Gonzales Board of Supervisors	X	X	X	X	X	X	X		X	X		X	X	
Rich Kerr City of Adelanto	X	X	X			X			X				*	
Curt Emick Town of Apple Valley	X	X		X	X		X		X	X	*	X	X	X
Julie McIntyre City of Barstow		X	X		X	X				X		X	X	X
Bill Jahn City of Big Bear Lake	X	X	X	X	X	X	X		X	X	X	X	X	X
Dennis Yates City of Chino	X	X	X	X	X	X	X		X			X	X	X
Ed Graham City of Chino Hills	X	X	X	X	X	X	X		X	X	X	X	X	X
Frank Navarro City of Colton	X	X	X	X	X	X	X		X		X	X	X	X
Michael Tahan City of Fontana	X	X	*	X	X	X	X		X	X	X	X	X	X
Darcy McNaboe City of Grand Terrace	X	X	X	*	X		X		X	X		*	X	X
Mike Leonard City of Hesperia	X		X		X	X			*		*		X	
Larry McCallon City of Highland	X	X	X	X	X	X	*		*	X	X	X	X	X

Communication: Attendance (Additional Information)

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

BOARD OF DIRECTORS ATTENDANCE RECORD – 2015

Name	Jan	Feb	March	April	May	June	July	Aug DARK	Sept	Sept 17-18 Workshop	Sept. 29 Special Mtg.	Oct	Nov	Dec
Rhodes ‘Dusty’ Rigsby City of Loma Linda	X	X	X	X		X			X		X		X	X
Paul Eaton City of Montclair	X	X	X	X	X	X	X		X		X		X	X
Edward Paget City of Needles	X	X	X	X	X	X	X		X	X	X	X	X	X
Alan Wapner City of Ontario	X	X	X	X	X	X	X		X	X	X	*	X	X
L. Dennis Michael City of Rancho Cucamonga	X	X	X	X	X	X	X		X	X			X	X
Jon Harrison City of Redlands	X	X	X	X	X	X	X		X	X	X	X	X	X
Deborah Robertson City of Rialto	X	X	X	X	X		X					X	X	X
R. Carey Davis City of San Bernardino	X	X		X	X	X	X		X	X	X	X	X	X
Joel Klink City of Twentynine Palms	X	X	X	X	X	X	X		X	X			*	X
Ray Musser City of Upland		*	X	X	X		X		*		X	*	X	X
Ryan McEachron City of Victorville	X	X	X	X	X	X	X		X	X	X	X	X	X
Dick Riddell City of Yucaipa	X	X	X	X	X	X	X		X	X	X	X	X	X
George Huntington Town of Yucca Valley	X	X	X	X	X	X	X		X	X		X	X	X
Basem Muallem Ex-Official Member	David Bricker	X	X	David Bricker	X	X	X		X	X	X	X	X	X
John Bulinski Ex-Official Member	X	X	X	X	X	X	X		X			David Bricker	Catalino Pining	X

Communication: Attendance (Additional Information)

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

San Bernardino 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
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

AGENCY REPORTS



REPORT: Mobile Source Air Pollution Reduction Review Committee

FROM: Larry McCallon, SANBAG Representative to the MSRC

SYNOPSIS: Below is a summary of key issues addressed at the MSRC's meeting on November 19, 2015. The next meeting is scheduled for Thursday, December 17, 2015, at 2:00 p.m.

Adoption of 2016 Meeting Schedule

The MSRC adopted its 2016 meeting schedule. The MSRC will continue to meet on the third Thursday of every month at 2:00 p.m. Its Technical Advisory Committee will continue to meet on the first Thursday of every month at 1:30 p.m., except for the months of January and December which have been moved to the second Thursday because of holiday conflicts.

Major Event Center Transportation Program

As part of the FYs 2014-16 Work Program, the MSRC allocated \$4.5 million for event center transportation programs and released a Program Announcement to solicit projects for traffic-impacted centers. To date, the MSRC has awarded a total of \$2,072,266 to two applications. Three additional applications have been received; clarifications are still being obtained on two applications and they will be brought forward for MSRC consideration in the near future. The third application, from Riverside County Transportation Commission (RCTC), requested the MSRC to consider an award of \$1.2 million to provide passenger rail service to the 2016 and 2017 Coachella Valley Music and Arts Festival and the Stagecoach Country Music Festival. Service would be provided by two special round trip Amtrak trains departing from Los Angeles Union Station to Palm Springs on the Thursday prior to the start of each Festival weekend, and two round trips on the following Monday. Passengers arriving in Palm Springs would then be taken to their final destinations by local connection shuttles. Additionally, Coachella Valley residents would be able to ride the reverse train trips from Palm Springs to Los Angeles. Service would promote the use of public transit, including bus and rail, in lieu of personal automobile. Elimination of traffic congestion, especially reductions in automobile stop and go driving and queuing, has a direct link to reduced vehicle exhaust emissions. RCTC and its project partners Amtrak and Golden Voice/Valley Music Travel would contribute at least \$1,200,000 in co-funding. In accordance with the Program terms, RCTC would only seek reimbursement for rail trips performed using Tier 2 or better locomotives.

Additionally, RCTC requested that the MSRC consider amending the Major Event Center Transportation Program Announcement to allow a County Transportation Commission (CTC) to be a qualifying respondent to the Program Announcement and to act in the capacity of prime contractor and contract signatory, even in those cases where they are not the direct provider of transportation services. CTCs, in their roles as the primary source of funding and oversight for all public transportation services in their respective counties, are also well suited to ensure program administration is conducted in accordance with MSRC requirements. The MSRC considered and approved the amendments to the Program Announcement, and approved a contract award to RCTC in an amount not to exceed \$1,200,000 to implement the 2016 and 2017 Coachella & Stagecoach Festivals Passenger Rail Service.

These items will be considered by the SCAQMD Board at its December 4, 2015 meeting.

Alternative Fuel Infrastructure Program

As part of the FYs 2014-16 Work Program, the MSRC allocated \$5.0 million for the implementation of new and expanded CNG and LNG refueling stations and modification of maintenance facilities to accommodate gaseous-fueled vehicles. A Program Announcement, #PA2015-12, was developed and released on May 1, 2015, with an open application period commencing that day and closing July 29, 2016. To date, the MSRC has awarded \$100,000 to one application. The MSRC approved one additional contract award to EDCO Disposal Corporation, in an amount not to exceed \$150,000, for the expansion of their existing public access CNG station as part of the FYs 2014-16 AB 2766 Discretionary Fund Work Program. This contract award will be considered by the SCAQMD Board at its December 4, 2015 meeting.

Transportation Control Measure Partnership Program

As part of the FYs 2014-16 Work Program, the MSRC allocated \$10.0 million for a program to partner with cities, County Transportation Commissions (CTCs) and others to demonstrate transportation control measure (TCM) projects. Innovative TCM projects have potential to reduce significant numbers of automobile trips or remove impediments to efficient traffic flow. The program is intended to provide a portion of the funding for projects, which when combined with other funding sources would accelerate the projects' implementation. Because CTCs typically solicit and co-fund the majority of TCM projects within their respective jurisdictions, the MSRC determined that CTCs would have the best overall perspective regarding the need for TCMs within their respective regions as well as knowledge of where funding can most effectively be applied. Therefore, the MSRC asked CTCs to bring forward work plans proposing projects for funding. Other interested entities would then participate in the projects via separate agreements with the CTCs.

To date, the MSRC has awarded \$943,643 for one work plan. An additional work plan has been submitted, from RCTC. As part of the FYs 2014-16 AB 2766 Discretionary Fund Work Program, the MSRC approved the award of a contract to RCTC in an amount not to exceed \$590,759 to co-fund their Extended State Route 91 Construction Freeway

Service Patrol (FSP) Program. This service, which would be over and above the regular FSP service provided during peak a.m. and p.m. travel periods on weekdays, would include mid-day service on weekdays, extended evening service on Fridays, and weekend hours and would be provided for approximately 10 months starting in April 2016. This contract award will be considered by the SCAQMD Board at its December 4, 2015 meeting.

Request to Modify Invitation to Negotiate

In April 2015, the MSRC approved an Invitation to Negotiate (ITN) solicitation document seeking Work Plans from County Transportation Commissions (CTCs) to partner with the MSRC. The ITN set a deadline of November 25, 2015 for submission of Work Plans. Most of the CTCs need additional time to finalize their submissions. The MSRC considered a request to modify the ITN and approved an extension of the deadline for submissions to March 1, 2016.

Contract Modification Request

The MSRC considered a contract modification request for the City of Coachella, Contract #ML12057, which provided \$57,456 for the purchase of 1 CNG Heavy-duty vehicle and regional street sweeping, and approved an additional 6-month no-cost term extension in order to allow for the required five years' operation.

Received and Approved Final Reports

The MSRC received and unanimously approved five final report summaries this month as follows:

1. Southern California Regional Rail Authority, Contract #MS14088, which provided \$79,660 to implement special Metrolink service to Auto Club Speedway;
2. Orange County Transportation Authority, Contract #MS14007, which provided \$208,520 to implement special Metrolink service to Angel Stadium;
3. TIMCO CNG Fund I, Contract #MS14045, which provided \$150,000 to construct a new public-access CNG station in Inglewood;
4. Penske Truck Leasing Co., Contract #MS12078, which provided \$75,000 for maintenance facility modifications in Vernon.
5. Penske Truck Leasing Co., Contract #MS12081, which provided \$75,000 for maintenance facility modifications in Santa Ana.

Contracts Administrator's Report

The MSRC's AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2004-05 through the present. The Contracts Administrator's Report for November 2015 is attached for your information.

COMMITTEE MEMBERSHIP

APPOINTING/ELECTING AUTHORITY	REGIONAL COUNCIL (12:00 noon)	POLICY COMMITTEES (Regional Council Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TC) (10:00 a.m.)		
		Community, Economic, and Human Development	Energy and Environment	Transportation
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa) District 7 (San Bernardino, Highland) District 8 (Rialto, Fontana) District 9 (Rancho Cucamonga, Upland, Montclair) District 10 (Chino, Chino Hills, Ontario) District 11 (Barstow, Big Bear, Needles, Twentynine Palms, Yucca Valley) District 65 (Adelanto, Apple Valley, Hesperia, Victorville) San Bernardino County	F. Navarro L. McCallon D. Robertson P. Eaton R. Marquez B. Jahn R. McEachron C. Hagman	L. McCallon B. Jahn	D, Robertson	F. Navarro P. Eaton R. Marquez R. McEachron C. Hagman
†SANBAG Acting as County Transportation Commission	A. Wapner			A. Wapner
SANBAG Subregional Appointees* *One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SANBAG has a total of seven subregional appointees to the policy committees.		Julie McIntyre Ray Musser Ed Paget	Diane Williams Eric Schmidt Ed Graham	B. Stanton

Rules of Appointment

1. SANBAG policy stipulates that all SANBAG appointees be SANBAG Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

Terms of Appointment

Terms of appointment are two years, commencing on adjournment of the annual General Assembly in May of each year. Even-numbered District representatives' terms expire in even-numbered years; odd-numbered District representatives expire in odd-numbered years. †SANBAG's Regional Council Representative serves a two-year term from the date of appointment.

Stipend Summary

SCAG Regional Council members receive a \$120 stipend for attendance and travel to SCAG sponsored meetings. Regional Council members may also receive reimbursement for public transit expenses or a mileage reimbursement. Parking is validated at SCAG's downtown Los Angeles office for RC members. RC members are eligible to receive up to six (6) per diem stipends per month. Both RC members and Subregional Appointees, if eligible, may receive reimbursement (\$150 + taxes) for lodging (please review SCAG rules before making expenditure). Subregional Appointees shall receive a \$120 stipend for up to four Policy or Task Force meetings per month.

Meeting Information

The regular meetings of SCAG Regional Council and Policy Committees are on the 1st Thursday of each month at the SCAG offices located at 818 West 7th Street, 12th Floor in Los Angeles. Generally, the Policy Committee meetings start at 10 AM and Regional Council meetings start at 12:15 PM.

Policy Committees

Community, Economic, and Human Development: Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.

Energy and Environment: Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservation. Reviews the Environmental Impact Report of the Regional Comprehensive Plan and Guide. Provides recommendations to the Planning Committee on state and federal legislative proposals and administrative guidelines affecting environmental quality, resource conservation.

Transportation and Communications: Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

Communication: Representatives on SCAG Committees (Committee Membership)

SANBAG Appointments to External Agencies

SANBAG works closely with not only the County and cities within the County of San Bernardino, but with a number of regional governments that relate to the multiple counties within the Southern California region. Members of the SANBAG Board of Directors frequently take active roles in representing the interests of San Bernardino County on these regional bodies. This participation provides assurance that the unique needs and characteristics of San Bernardino County are taken into consideration as policies are developed which impact this County and its individual local government units. Active participation in regional organizations further promotes the interests of San Bernardino County and secures its appropriate role in the Southern California region.

The following table lists some of the regional bodies upon which SANBAG representatives serve.

Committee	Appointee	Appointing Authority	Purpose	Term
Alameda Corridor-East Construction Authority	Paul Eaton, Montclair, Primary Ex-Officio Julie McIntyre, Barstow, Alternate Ex-Officio	SANBAG President	SANBAG representative serves as ex-officio member of the Authority that addresses issues related to the transportation corridor running from Los Angeles to San Bernardino County. This Authority meets on the fourth Monday of each month at Irwindale City Hall. Members receive a \$100 stipend from the Authority.	12/31/16 12/31/17
Inland Empire Economic Partnership (IEEP)	Dennis Michael, Rancho Cucamonga	SANBAG President	The IEEP is a partnership that includes business, government and academic leaders to develop and carry out initiatives to benefit the region.	
The Sam and Alfreda L. Maloof Foundation for Arts and Crafts	Janice Rutherford, Supervisor	SANBAG Board of Directors	A non-profit corporation that participates in the preparation of the Conservation Plan and oversees the activities and assets of the Foundation. SANBAG has not authorized payment of stipend for participation.	12/31/17
Metro Gold Line Phase II Joint Powers Authority	Paul Eaton, Montclair, Primary Curt Hagman, Supervisor, Alternate	SANBAG Board of Directors	The Gold Line Phase II Construction Authority is a joint powers agency formed by thirteen cities along the corridor, LACMTA and SANBAG. THE JPA serves as a forum for the review, consideration, study, development and recommendation of policies and plans for the extension of the Gold Line from Pasadena to Montclair. Members receive \$150 payment from Gold Line Authority for participation.	12/31/17 12/31/16
Metro Gold Line Foothill Extension Construction Authority	Alan Wapner, Ontario, Primary Deborah Robertson, Alternate	SANBAG President	The Authority is responsible for the development of a light rail project from the City of Los Angeles into San Bernardino County. The Authority board meets on the second and fourth Wednesday of the month at 7:00 p.m. at the Authority's office in Monrovia. Members receive \$150 for each day spent on Authority business, not to exceed \$600 per month.	12/31/16 12/31/16
Mobile Source Air Pollution Reduction Review Committee	Larry McCallon, Highland, Primary Ed Graham, Alternate	SANBAG Board of Directors	Develops and implements work programs which reduce mobile source emissions, funded by AB2766 (portion of the \$4 motor vehicle registration fee). County Commissions, SCAQMD, and ARB have one appointment with alternates. In April 2005, SANBAG authorized a stipend of \$100 per day. The MSRC meets once a month on Thursdays at 1:30 p.m. at South Coast Air Quality Management District in Diamond Bar.	12/31/16 12/31/16

Communication: Appointments to External Agencies (Committee Membership)

SANBAG Appointments to External Agencies

Committee	Appointee	Appointing Authority	Purpose	Term
One Water One Watershed (OWOW) Steering Committee of the Santa Ana Watershed Project Authority	Jon Harrison, City of Redlands	SANBAG Board of Directors	Responsible for developing the integrated Regional Water Management Plan for the Santa Ana River. The term of the appointment is for four years for a city representative from San Bernardino County. Officers leaving elected office after appointment are still eligible to serve.	12/31/2019
SCAG Policy Committees	See associated table.	The SANBAG Board has authorized the SANBAG President to make appoints to SCAG Policy Committees.	SANBAG, as the CTC, appoints one elected official to serve on SCAG’s Transportation and Communications Committee. SANBAG, when acting as a subregional agency, also has authority to make six appointments to the three SCAG Policy Committees; i.e., Community Economic and Human Development, Energy and Environment, and Transportation and Communications. (The mayors of the six SCAG districts in SBCO elect members to the SCAG Regional Council. See attachment.) SCAG pays a fee for service to members for attendance at SCAG Policy Committee meetings.	See associated table – SANBAG Representatives on SCAG Committees
Southern California Regional Rail Authority	Paul Eaton, Montclair, Primary Larry McCallon, Highland, Primary Alan Wapner, Ontario, Alternate James Ramos, Supervisor, Alternate	SANBAG Board of Directors (Commuter Rail & Transit Committee makes a recommendation.)	SCRRA serves as the governing body for Metrolink, the regional commuter rail system serving the five Southern California Counties. Members receive payment of \$100 per day from SCRRA for participation.	Indefinite
SR 91 Advisory Committee	Vacant, Ex-Officio Member	SANBAG Board of Directors	The Committee reviews issues and makes recommendations to OCTA regarding the transportation facilities acquired, including tolls imposed, operations, maintenance, use of toll revenues, and improvements in the area of SR 91 between I-15 and SR 55, including the identification and siting of alternate highways. SANBAG has not authorized payment of stipend for participation.	12/31/16
Valley Transportation Services (VTrans)	Ed Graham, Chino Hills Alan Wapner, Ontario John Roberts, Fontana	SANBAG Board of Directors	VTrans is a non-profit organization created and designated by SANBAG as the Consolidated Transportation Service Agency (CTSA) eligible to receive 2% of Measure I Senior/Disabled transportation funds collected in the Valley. SANBAG has three appointments to the VTrans Board. VTrans Board members must be from the Valley region.	09/30/16 09/30/16 09/30/17

Communication: Appointments to External Agencies (Committee Membership)

SANBAG Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>General Policy Committee Membership consists of the following: SANBAG President, Vice President, and Immediate Past President 4 East Valley (3 City, 1 County) 4 West Valley (3 City, 1 County) 4 Mt/Desert (3 City, 1 County) City members shall be SANBAG Board Members elected by caucus of city SANBAG Board Members within the subarea. All Policy Committee and Board Study Session Chairs are included in this policy committee. All City members serving as Board officers, Committee chairs, or Board Study Session Chair, are counted toward their subareas City membership. Supervisors collectively select their representatives. The SANBAG Vice President shall serve as Chair of the General Policy Committee.</p>	<p>Makes recommendations to Board of Directors and: (1) Provides general policy oversight which spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity; (2) Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization; (3) Serves as policy review committee for any program area that lacks active policy committee oversight. Committee has authority to approve contracts in excess of \$25,000 with notification to the Board of Directors. (Brown Act)</p>	<p>Robert Lovingood, Supervisor, Vice President (Chair) Ryan McEachron, Victorville, President (Vice Chair) L. Dennis Michael, Rancho Cucamonga, Past President</p> <p><u>West Valley</u> L. Dennis Michael, Rancho Cucamonga Alan Wapner, Ontario (Chair – MVSS) Dennis Yates, Chino Janice Rutherford, Supervisor</p> <p><u>East Valley</u> James Ramos, Supervisor (Chair – CRTC) Larry McCallon, Highland Rhodes “Dusty” Rigsby, Loma Linda Dick Riddell, Yucaipa</p> <p><u>Mountain/Desert</u> Robert Lovingood, Supervisor, Vice President (Chair – MDC) Ryan McEachron, Victorville, President Joel Klink, Twentynine Palms Bill Jahn, Big Bear Lake</p>	<p>6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016 6/30/2016</p>
<p>Commuter Rail & Transit Committee Membership consists of 11 SANBAG Board Members: 9 Valley-members, two being Southern California Regional Rail Authority (SCRRA) primary (*) and two being SCRRA alternate (**) members. 2 Mountain/Desert Board Members who serve on the Board of a Mountain/Desert transit agency. SCRRA members and alternates serve concurrent with their term on the SCRRA Board of Directors as appointed by the SANBAG Board. Other members are appointed by the SANBAG President for 2-year terms.</p>	<p>Provides policy guidance and recommendations to the SANBAG Board of Directors and Southern California Regional Rail Authority (SCRRA) delegates with respect to commuter rail and transit service. * SCRRA Primary Member ** SCRRA Alternate Member (Brown Act)</p>	<p>James Ramos, Supervisor** (Chair) Bill Jahn, Big Bear Lake (Vice Chair) Paul Eaton, Montclair* Jon Harrison, Redlands Mike Leonard, Hesperia Larry McCallon, Highland* L. Dennis Michael, Rancho Cucamonga Deborah Robertson, Rialto Ray Musser, Upland Dick Riddell, Yucaipa Alan Wapner, Ontario**</p>	<p>Indeterminate (6/30/2016 Indeterminate (6/30/2016 Indeterminate 12/31/2016 12/31/2015 Indeterminate 12/31/2017 12/31/2016 12/31/2017 12/31/2016 12/31/2016 Indeterminate</p>

Communication: SANBAG Committee Membership (Committee Membership)

SANBAG Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Mountain/Desert Committee Membership consists of 12 SANBAG Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First, Second, and Third Districts.</p>	<p>Provides ongoing policy level oversight related to the full array of SANBAG responsibilities as they pertain specifically to the Mountain/Desert subregion. The Committee also meets as the Mountain/Desert Measure I Committee as it carries out responsibilities for Measure I Mountain/Desert Expenditure Plan. (Brown Act)</p>	<p>Robert Lovingood, Supervisor (Chair) Bill Jahn, Big Bear Lake (Vice Chair) Curt Emick, Apple Valley George Huntington, Yucca Valley Rich Kerr, Adelanto Joel Klink, Twentynine Palms Mike Leonard, Hesperia Ryan McEachron, Victorville Julie McIntyre, Barstow Edward Paget, Needles James Ramos, Supervisor Janice Rutherford, Supervisor</p>	<p>Indeterminate (6/30/2016) Indeterminate (6/30/2016) Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate</p>

Policy Committee Meeting Times

General Policy Committee	Second Wednesday, 9:00 a.m., SANBAG Office
Commuter Rail & Transit Committee	Second Thursday, 9:00 a.m., SANBAG Office
Mountain/Desert Committee	Third Friday, 9:30 a.m., Apple Valley

NOTE: Policy Committee meetings will not be held in July of each year (effective 9/5/12).

Board of Directors Study Sessions for Metro Valley Issues

STUDY SESSION	PURPOSE	MEMBERSHIP	TERMS
<p>Board of Directors Study Sessions for Metro Valley Issues Refer to SANBAG Policy 10007.</p>	<p>To review, discuss, and make recommendations for actions to be taken at regular meetings of the Board on issues relating to Measure I Projects in the Valley. (Brown Act)</p>	<p>Board of Directors Alan Wapner, Ontario (Chair) Janice Rutherford, Supervisor (Vice Chair)</p>	<p>6/30/2016 6/30/2016</p>

Meeting Time: Second Thursday, 10:00 a.m., SANBAG Office

I-10 and I-15 Corridor Joint Sub-Committee

Joint Sub-Committee	PURPOSE	MEMBERSHIP
<p>I-10 and I-15 Corridor Joint Sub-Committee In January 2015, the Board approved the change status of Express Lanes Ad Hoc Committee to the creation of the I-10 and I-15 Corridor Joint Sub-Committee of the Board of Directors Metro Valley Study Session and the Mountain/Desert Policy Committee (I-10 and I-15 Joint Sub-Committee). Members of the committee will be members of the SANBAG Board of Directors and will be appointed by the SANBAG Board President. The President will appoint the Chair and Vice-Chair of the Sub-Committee. The Sub-Committee will include a minimum of nine and a maximum of fourteen SANBAG Board members. Membership will be composed of a minimum of three representatives from the East Valley; and a minimum of two representatives from the Victor Valley. The Sub-Committee will meet as necessary immediately following the Metro Valley Study Session.</p>	<p>The purpose is to consider and make recommendations to the Board of Directors on the development of express lanes in San Bernardino County, in particular on the I-10 and I-15 Corridors. (Brown Act)</p>	<p>Alan Wapner, Ontario – Chair Ryan McEachron, Victorville – Vice Chair Josie Gonzales, Supervisor Mike Leonard, Hesperia Robert Lovingood, Supervisor Larry McCallon, Highland L. Dennis Michael, Rancho Cucamonga Frank Navarro, Colton Dusty Rigsby, Loma Linda Deborah Robertson, Rialto Janice Rutherford, Supervisor Michael Tahan, Fontana</p>

Communication: SANBAG Committee Membership (Committee Membership)

Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan</p> <p>The ITOC shall provide citizen review to ensure that all Measure I funds are spent by the San Bernardino County Transportation Authority (hereby referred to as the Authority) in accordance with provision of the Expenditure Plan and Ordinance No. 04-01.</p>	<p>The ITOC shall review the annual audits of the Authority; report findings based on the audits to the Authority; and recommend any additional audits for consideration which the ITOC believes may improve the financial operation and integrity of program implementation.</p> <p>The Authority shall hold a publicly noticed meeting, which may or may not be included on the agenda of a regularly scheduled Board meeting, with the participation of the ITOC to consider the findings and recommendations of the audits.</p> <p>(Brown Act)</p>	<p>Richard Haller Rod Johnson Norman Orfall Craig Scott Vacant Ray Wolfe, Ex-Officio</p> <p>In addition to the appointed members, the SANBAG Executive Director will serve as an ex officio member.</p>	<p>12/31/16 12/31/16 12/31/18 12/31/18 12/31/18</p>

SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
<p>Budget Process</p> <p>In July 2012, the SANBAG Board President appointed this ad hoc committee to review SANBAG’s budget preparation process and final budget document and make recommendations to help improve communication and transparency of SANBAG’s budget to elected officials and the general public.</p>	<p>Review SANBAG’s budget adoption process and final budget document and make recommendations on changes to improve the process and the final budget document to make them more useful and informative to Board Members and the public.</p>	<p>Ray Musser, Upland – Chair Mike Podegracz, P.E. – City Manager, City of Hesperia Sam Racadio – Council Member, City of Highland Kevin Ryan - Principal Transportation Planner, City of Fontana</p>
<p>Legislative</p> <p>In March 2013, the SANBAG Board President appointed this ad hoc committee.</p> <p>This committee will consist of the SANBAG Board Officers.</p>	<p>Review proposed legislation at the state and federal level. Provide direction to staff on positions consistent with the Board-adopted legislative platform.</p>	<p>President – L. Dennis Michael, Rancho Cucamonga Vice President – Ryan McEachron, Victorville Immediate Past President – Bill Jahn, City of Big Bear Lake</p>
<p>Transit Review Ad Hoc Committee</p> <p>In July 2013, the SANBAG Board President appointed this ad hoc committee.</p>	<p>Review transit agency efficiencies and maximize transit funding.</p>	<p>Janice Rutherford, Supervisor – Chair Jim Harris, Twentynine Palms Robert Lovingood, Supervisor Ryan McEachron, Victorville L. Dennis Michael, Rancho Cucamonga Dusty Rigsby, Loma Linda Alan Wapner, Ontario</p>
<p>Statutory Entity Ad Hoc Committee</p> <p>In June 2015, the SANBAG Board President appointed this ad hoc committee.</p>	<p>Study and make recommendations to full Board regarding sponsoring legislation to consolidate certain SANBAG entities and functions into a new statutory entity.</p>	<p>Bill Jahn, Big Bear Lake - Chair Jon Harrison, Redlands George Huntington, Yucca Valley Robert Lovingood, Supervisor Ryan McEachron, Victorville Janice Rutherford, Supervisor Alan Wapner, Ontario</p>

Communication: SANBAG Committee Membership (Committee Membership)

SANBAG Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
<p>Transportation Technical Advisory Committee (TTAC) Committee membership consists of a primary staff representative of each SANBAG member agency designated by the City Manager or County Administrative Officer.</p>	<p>SANBAG’s Transportation Technical Advisory Committee was formed by SANBAG management to provide input to SANBAG staff on technical transportation-related matters and formulation of transportation-related policy recommendations to the SANBAG Board of Directors. The TTAC is not a Brown Act committee.</p>	<p>Generally meets on the first Monday of each month at 1:30 PM, at SANBAG.</p>
<p>City/County Manager’s Technical Advisory Committee (CCM TAC) The committee is made up of up to two representatives of the County Administrator’s Office and the city manager or administrator from each city and town in the County.</p>	<p>SANBAG’s City/County Manager’s Technical Advisory Committee was established in the Joint Powers Authority that established SANBAG. The primary role of the committee is to provide a forum for the chief executives of SANBAG’s member agencies to become informed about and discuss issues facing SANBAG. It also provides a forum for the discussion of items of mutual concern and a way to cooperate regionally in addressing those concerns. The CCM TAC is a Brown Act Committee.</p>	<p>Meets on the first Thursday of each month at 10:00 AM, at SANBAG.</p>
<p>Public and Specialized Transportation Advisory and Coordinating Council (PASTACC) Membership consists of 13 members appointed by the SANBAG Board of Directors 6 representing Public Transit Providers 1 representing County Dept. of Public Works 1 representing the Consolidated Transportation Services Agency 5 representing Social Service Providers</p>	<p>Subject to the Transportation Development Act (TDA) Section 99238 – establishes PASTACC’s statutory responsibilities: (1) Review and make recommendations to SANBAG on annual Unmet Transit Needs, Federal Transit Administration and Measure I Program applications and reports. (2) Assist SANBAG in developing public outreach approach on updating the Coordinated Public Transit/Human Services Transportation Plan and disseminate information in reference to State law and recommendations as they relate to transit and specialized transit. (3) Monitor and make recommendations on Federal regulatory processes as they relate to transit and specialized transit. (4) Address any special issues of PASTACC voting and non-voting members. The PASTACC is a Brown Act committee.</p>	<p>Meets the second Tuesday every other even month at 10:00 AM, at SANBAG.</p>
<p>Planning and Development Technical Forum (PDTF) Committee membership consists of a primary staff representative of each SANBAG member agency designated by the City Manager or County Chief Executive Officer.</p>	<p>The SANBAG Planning and Development Technical Forum was formed by SANBAG management to provide an opportunity for interaction among planning and development representatives of member agencies on planning issues of multijurisdictional importance. The PDTF is not a Brown Act Committee.</p>	<p>Meets the 4th Wednesday of each month at 2:00 p.m. at the Depot (in the SCAG Office).</p>

Communication: SANBAG Committee Membership (Committee Membership)

SANBAG Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
<p>Project Development Teams</p>	<p>Project Development Teams (PDTs) are assembled for all major project development activities by SANBAG staff.</p> <p>Teams are generally composed of technical representatives from SANBAG, member jurisdictions appropriate to the project, Caltrans, and other major stakeholder entities that have significant involvement in the project.</p> <p>PDTs make recommendations related to approaches to project development, evaluation of alternatives, and technical solutions.</p> <p>PDTs meet on a regular basis throughout the project phase to review progress and to provide technical input required for project development.</p> <p>The PDTs are not Brown Act Committees.</p>	<p>Varies with the PDT, at SANBAG.</p>

Communication: SANBAG Committee Membership (Committee Membership)

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