



ADMINISTRATIVE & FINANCE COMMITTEE

MONDAY, JANUARY 13, 2014 – 11:00 A.M.

OMNITRANS METRO FACILITY

1700 WEST 5TH STREET

SAN BERNARDINO, CA 92411

The 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 Recording Secretary at least three (3) business days prior to the Committee Meeting. The Recording Secretary's telephone number is 909-379-7110 (voice) or 909-384-9351 (TTY), located at 1700 West Fifth Street, San Bernardino, California. If you have comments about items on the agenda or other general concerns and are not able to attend the meeting, please mail them to Omnitrans at 1700 West Fifth Street, San Bernardino, California, Attention Board Secretary. Comments may also be submitted by email to BoardSecretary@omnitrans.org.

A. CALL TO ORDER

B. ANNOUNCEMENTS/PRESENTATIONS

1. Next Committee Meeting: Monday, February 10, 2014, at 11:00 a.m.
Omnitrans Metro Facility Board Room

C. COMMUNICATIONS FROM THE PUBLIC

This is the time and place for the general public to address the Board for items that are not on the agenda. In accordance with rules applicable to meetings of the Administrative & Finance Committee, comments on items not on the agenda and on items on the agenda are to be limited to a total of three (3) minutes per individual.

D. POSSIBLE CONFLICTS OF INTEREST ISSUES

Disclosure – Note agenda items 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 in the appropriate item.

E. DISCUSSION ITEMS

- | | |
|---|----|
| 1. Approve Administrative & Finance Committee Minutes – November 12, 2013 | 2 |
| 2. Receive & File Forward Fuel Purchase Program Update for January 2014 | 6 |
| 3. Recommend to Board of Directors, Receive and File Construction Progress Report No. 23-24 through December 25, 2013 – sbX E Street Corridor BRT Project | 10 |
| 4. Recommend to Board of Directors, San Bernardino Transit Center Property Exchange to Result in Property Line Adjustments | 25 |

F. ADJOURNMENT

N/A

ITEM # E1

**ADMINISTRATIVE & FINANCE COMMITTEE
MINUTES
NOVEMBER 12, 2013**

A. CALL TO ORDER

The Administrative & Finance Committee meeting was called to order by Committee Chair Pat Morris at 11:01 a.m. on November 12, 2013.

Committee Members Present

Mayor Pat Morris, City of San Bernardino – Committee Chair
Councilmember Frank Gonzales, City of Colton
Vice Mayor Ed Graham, City of Chino Hills
Councilmember Dick Riddell, City of Yucaipa
Mayor Pro Tem John Roberts, City of Fontana
Mayor Paul Eaton, City of Montclair
Mayor Walt Stanckiewicz, City of Grand Terrace

Committee Members Not Present

Mayor Pro Tem Paul Foster, City of Redlands
Supervisor Gary Ovitt, County of San Bernardino
Councilmember Alan Wapner, City of Ontario

OmniTrans Administrative Staff Present

Scott Graham, Interim CEO/General Manager
Diane Caldera, Interim Director of Operations
Sam Gibbs, Director of Internal Audit Services
Don Walker, Director of Finance
Marge Ewing, Director of Human Resources
Jacob Harms, Director of IT
Anna Rahtz, Acting Director of Planning & Development Services
Jennifer Sims, Director of Procurement
Andres Ramirez, sbX Construction Manager
Jim Deskus, sbX Project Analyst
Eugenia Pinheiro, Contracts Manager
Joanne Cook, Contracts Administrator
Jeremiah Bryant, Service Planning & Scheduling Manager
Lourdes Sandoval, Administrative Secretary

B. ANNOUNCEMENTS/PRESENTATIONS

The next Committee Meeting is scheduled Monday, December 9, 2013, at 11:00 a.m.

C. COMMUNICATION FROM THE PUBLIC

There were no comments from the public.

D. POSSIBLE CONFLICT OF INTEREST ISSUES

None

E. AGENDA ITEMS

1. Approve Administrative & Finance Committee Minutes of October 15, 2013

M/S (Graham/Roberts) that approved the minutes of the October 15, 2013 Committee meeting. Member Eaton abstained. Motion unanimous by remaining members present.

2. Receive & File Forward Fuel Purchase Program Update for November 2013

Director of Finance Walker said 45 percent of Omnitrans' fuel is hedged under the current contract through June 2014. There was a gain on the hedge of \$1,838 for November. Since February 2012, there was a loss of \$40,708 on settled hedge positions. There is an unrecognized gain of \$26,550 through June 2014. CNG fuel prices are expected to remain above the hedge. Staff will make a recommendation whether or not to extend the hedge within the next eight months.

This was a receive and file agenda item.

3. Receive & Forward to Board of Directors, Construction Progress Report No. 22 through October 25, 2013 – sbX E Street Corridor BRT Project

sbX Construction Manager Ramirez presented a PowerPoint of progress along the sbX Corridor and the Vehicle Maintenance Facility and reported that the sbX revenue service is still expected to begin April 30, 2014, within budget. And, to date, no lost time has been reported with over 325,000 man hours logged. As of this week, Ramirez reported that the cap is completed on Hospitality Lane, with striping soon to follow. As for the Vehicle Maintenance Facility, underground storage tanks were removed, the old fuel island was demolished and the contractor has removed the slaps in the existing Maintenance building where the new bus bays for the sbX will be installed.

M/S/C (Eaton/Stanckiewicz) that recommended to the Board of Directors receipt and file of Construction Progress Report No. 22 for the sbX E Street Corridor BRT Project through October 25, 2013. Motion was unanimous by Members present.

4. Recommend to Board of Directors, Authorize Interim CEO/General Manager to Execute Funding Agreement with San Bernardino Associated Governments for Downtown San Bernardino Passenger Rail Project.

Interim CEO/General Manager reported that Omnitrans, as a matter of practice, has charged a CAP (Cost Allocation Plan) for pass through monies; however, in this instance, Omnitrans has agreed not to charge the CAP so that more monies could be applied toward the project.

M/S (Eaton/Stanckiewicz) that recommended the Board of Directors authorize the Interim CEO/General Manager to execute a Funding Agreement to pass through an amount not to exceed \$22,306,000 to San Bernardino Associated Governments (SANBAG) for the Downtown San Bernardino Passenger Rail Project (DSBPRP) and to act as Omnitrans' authorized representative for the term of this agreement. Motion was unanimous by Members present.

5. Recommend to Board of Directors, Authorize Interim CEO/General Manager to Execute Memorandum of Understanding between for Section 5339 Bus and Bus Facilities Formula Grants Program.

Acting Director of Planning and Development Services Rahtz said this is a new funding program under the new MAP-21 (Moving Ahead for Progress in the 21st Century Act) and Fiscal Year 2013-14 funds will be utilized for this program for buses or bus related facilities. As Omnitrans is the only eligible subrecipient of these funds, this agreement simply lays out the administrative process that will be followed by SANBAG in the allocation of the funds.

M/S (Stanckiewicz/Roberts) that recommended the Board of Directors authorize the Interim CEO/General Manager execute a Memorandum of Understanding (MOU) between Omnitrans and San Bernardino Associated Governments (SANBAG) for Section 5339 Bus and Bus Facilities Formula Grants Program. Motion was unanimous by Members present.

6. Recommend to Board of Directors, Authorize Additional Spend Authority, Contract IPMO14-116, As Needed Scheduling Services for sbX E street Corridor and Vehicle Maintenance Facility Projects.

Interim CEO/General Manager explained that the prior contract for scheduling services was canceled as a result of the finding in the Federal Transit Administration's Procurement System Review. Director of Procurement Sims reported that four proposals for As Needed Scheduling Services were received, with two not meeting the minimum qualifications specified in the RFP. To minimize impact to the sbX and Vehicle Maintenance Facility projects, a contract was issued to APSI, the firm with the overall highest score in the amount of \$25,000, which is within the Interim CEO/General Manager's authority and staff now seeks authorization to increase the contract to an amount not to exceed \$78,848. This total includes the initial \$25,000 award and the Cost Allocation Plan and contingency.

M/S (Stanckiewicz/Graham) that recommended the Board of Directors authorize additional spending authority to Contract IPMO14-116 with APSI Construction

Management of Irvine, California, for the provision of As Need Scheduling Services to support the sbX E Street Corridor BRT and Vehicle Maintenance Facility Projects in the amount of \$53,848, bringing the total contract amount to \$78,848, plus the addition of the 3.27% Cost Allocation Plan of \$2,578.33, that will be charged to the total project cost vested in the Omnitrans Interim CEO/General Manager. Motion was unanimous by Members present.

The Administrative & Finance Committee meeting adjourned at 11:24 a.m. The next Administrative & Finance Committee Meeting is scheduled for Monday, December 9, 2013, at 11:00 a.m., with location posted on the Omnitrans website and at Omnitrans' San Bernardino Metro Facility.

Vicki Dennett, Recording Secretary

ITEM # E2

DATE: January 13, 2014

TO: Committee Chair Patrick Morris and
Members of the Administrative and Finance Committee

THROUGH: P. Scott Graham, Interim CEO/General Manager

FROM: Donald Walker, Director of Finance

**SUBJECT: DIRECTOR OF FINANCE'S REPORT ON FORWARD FUEL
PURCHASES FOR JANUARY 2014**

FORM MOTION

Receive and file Director of Finance's report on forward fuel purchases for January 2014. This program was implemented on May 6, 2009, to increase the predictability of Omnitrans costs and reduce operational uncertainty in the event of dramatic fuel price increases in the open market.

BACKGROUND

This report is submitted in order to comply with the requirements of the Omnitrans Forward Fuel Purchase Policy and Procedure. The report highlights activities taken under the Board action of November 2011 authorizing staff to hedge up to 150,000 gallons per month of CNG on the NYMEX exchange through Morgan Stanley. The report includes a summary of the hedge that has been established, an estimate of the monthly variance to be recognized in the Agency's financials, and may include articles on significant matters that have impacted the market for CNG. The current hedge fixes the price of approximately 45% of the Agency's natural gas through June 2014. Staff will make a recommendation on whether or not to extend the hedge within the next four months.

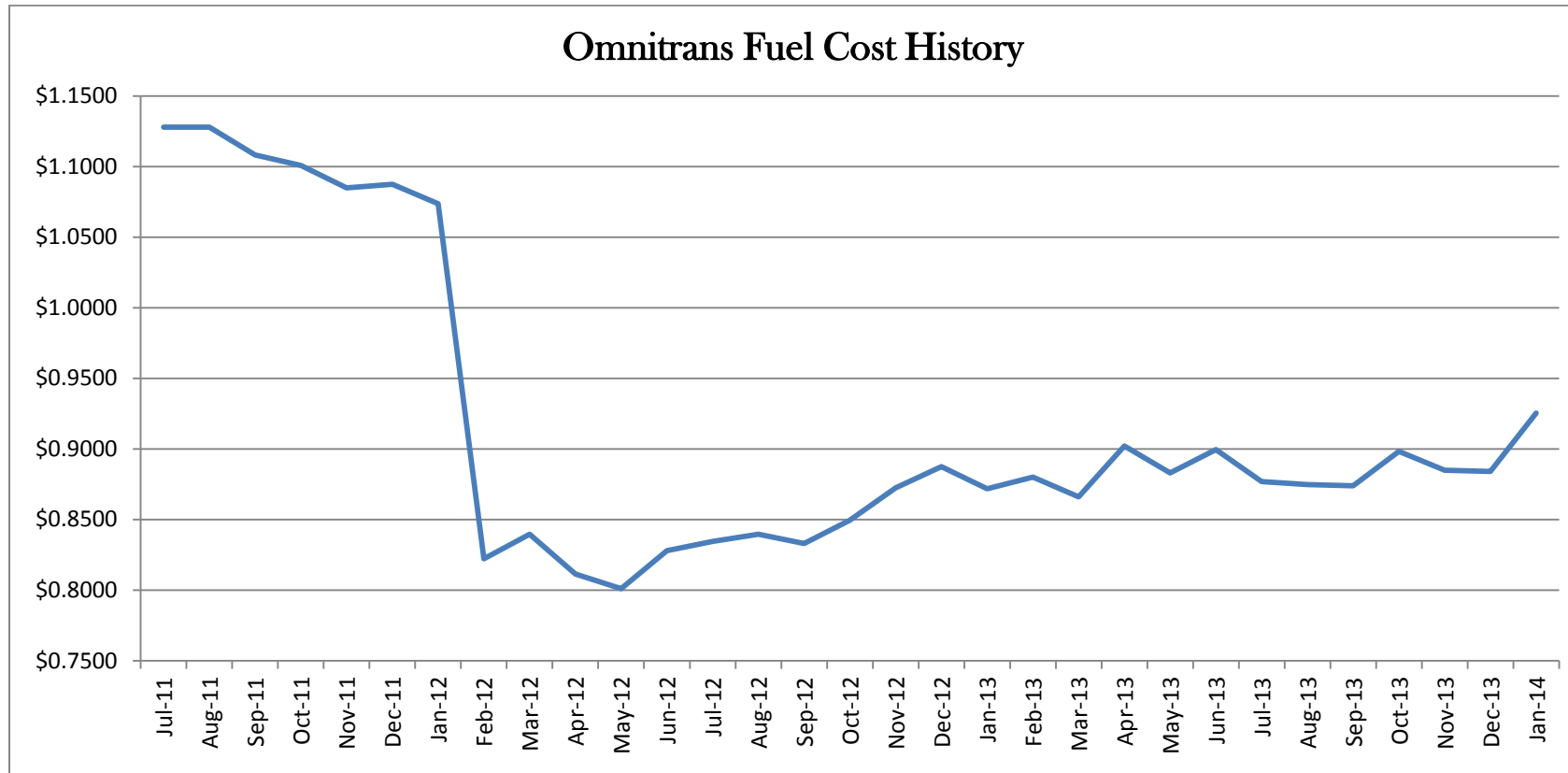
Omnitrans has increased its fuel budget from \$.88 to \$.92 for FY2014, as CNG prices in the market have increased. The January 2014 contract closed above the hedge price. The Agency will record a profit on our futures position for the month of January and that gain will offset a portion of the fuel costs that will be reflected in the Agency's Expense Summary for December 2013.

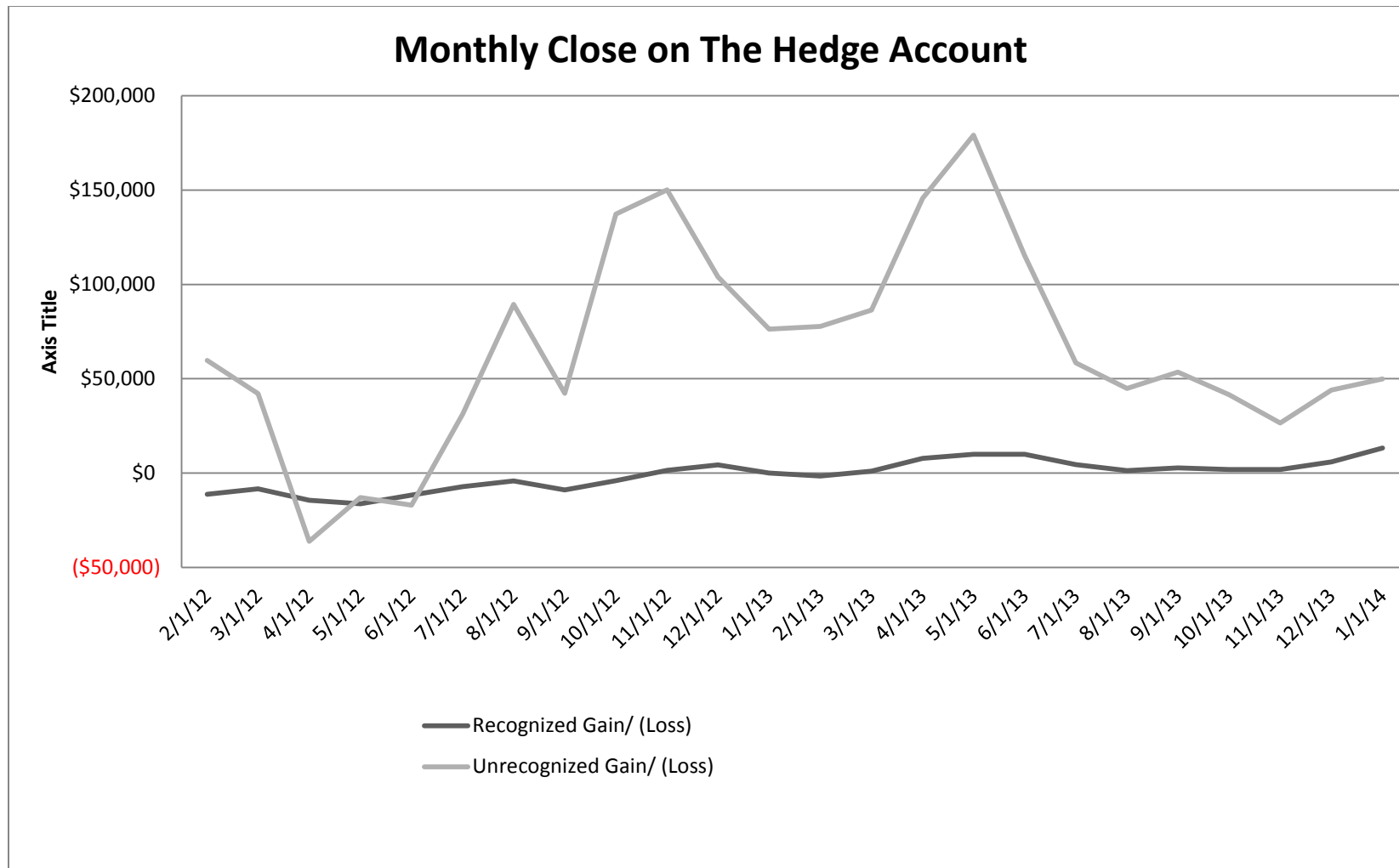
The net price that will be used for Omnitrans' January 2014 fuel purchase is \$0.9255 per gallon. This includes CNG at the So Cal Index price, the gain on the hedge position, liquefaction, delivery, and sales tax. (Note: We do not hedge the index differential. The gain on the hedge is based on the Henry Hub index. Clean Energy prices our deliveries off the SoCal index. In

January, the SoCal Index settled slightly above Henry Hub.) This price is after recognition of the monthly gain on the hedge position in the amount of \$13,225.

Omnitrans will recognize an unfavorable budget variance in the CNG account of approximately \$1,873 in the month of January 2014. Omnitrans has recognized a total loss of \$21,620 on settled hedge positions; February 2012 through January 2014. The Agency has an unrecognized gain of \$49,900 on positions that remain open; February 2014 through June 2014. The forward market is anticipating that CNG fuel prices in the future will remain above the price levels of the Omnitrans hedge.

PSG:dw





ITEM # E3

DATE: January 13, 2014

TO: Committee Chair Patrick Morris and
Members of the Administrative & Finance Committee

THROUGH: P. Scott Graham, Interim CEO/General Manager

FROM: Andres Ramirez, sbX Construction Manager

SUBJECT: **CONSTRUCTION PROGRESS REPORT NO. 23 - 24 THROUGH
DECEMBER 25, 2013 - sbX E STREET CORRIDOR BRT PROJECT**

FORM MOTION

Recommend to the Board of Directors receipt and file of Construction Progress Report No. 23 - 24 for the sbX E Street Corridor BRT Project through December 25, 2013.

BACKGROUND

This is Construction Progress Report No. 23 - 24 for the sbX E Street Corridor Project.

CONCLUSION

Recommend to the Board of Directors receipt and file of Construction Progress Report No. 23 - 24 for the sbX E Street Corridor BRT Project through December 25, 2013.

PSG:AR

Attachment



sbX E Street Corridor Bus Rapid Transit (BRT) Project

Construction Progress Report No. 23/24

**As of December 25, 2013
(Includes November 2013)**

Submitted By:

JACOBS

Contractor:	SBX Corridor - Griffith/Comet VMF – USS Cal Builders
Contractor Contract No.:	IPMO11-5
Project Manager:	Roger Hatton, P.E.
Resident Engineer	Karim Varshochi, P.E. (Corridor) Anni Larkins, P.E. (VMF)
Omnitrans Construction Manager:	Andres Ramirez Construction Manager

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I. PROJECT STATUS SUMMARY

A. Project Description – sbX Corridor

The sbX E Street Corridor BRT Project is a 15.7-mile-long transit improvement project that will connect the northern portion of the City of San Bernardino with the City of Loma Linda. Over the past four years, the sbX E Street Corridor Bus Rapid Transit (BRT) Project has evolved as the highest priority corridor identified in the System-Wide Transit Corridor Plan for the San Bernardino Valley.

The Refined LPA includes:

- 15.7 mile corridor
- 5.4 miles of exclusive center-running BRT lanes
- 10.3 miles of mixed flow BRT operation
- 16 BRT station locations, 6 center stations and 10 curb stations
- 23 station boarding structures
- 4 park-and-ride facilities with a total of 610 parking spaces
- Transit signal priority (TSP) applications at select key intersections

B. Summary Status Update (Accomplishments) – sbX Corridor

November

- Energizing all stations for testing completed, as well as, connection of all stations to Verizon for telephone and internet services.
- Started testing station systems for integration into overall system.
- Started installing signage for completion of project.

December

- Completed installation of platform pavers at Court Station and started Baseline northbound station.
- Continued testing station systems for integration into overall system.
- Completed installation of bus pad, sidewalk with parkway drain at the Baseline Station.
- Continued testing of electrical equipment for stations and traffic signals.
- Completed irrigation and landscaping on E Street and Hospitality Lane median islands.
- Continued installing signage for the entire project.
- Completed installation of final AC pavement cap and slurry seal E Street at Marshall Station, Kendall at Little Mountain and University Station.
- Continued installing final pavement striping on E Street.
- Completed parking lot striping at the Court Station Park and Ride.

C. January Work – sbX Corridor

- Relocation of Cross Connect on the north side of Hospitality Lane, west of Hunts Lane.
- Complete final striping on E Street and Kendall.
- Complete platform pavers at Baseline station northbound.
- Complete testing, systems start up, and integration.

D. Project Description – Vehicle Maintenance Facility (VMF)

The Omnitrans' Vehicle Maintenance Facility is a 4.4-acre facility maintaining and servicing the Omnitrans' bus fleet, comprised of over 160 buses. Modifications to Omnitrans' facility include the demolition of a bus washing station, removal of abandoned underground fuel tanks and new construction of a bus washing system, a new Genset building, a three-lane CNG fueling station, and re-configuring the bus parking area. Modifications to the maintenance building are made in order to accommodate Omnitrans' 60-foot articulated bus fleet.

E. Summary Status Update (Accomplishments) – Vehicle Maintenance Facility (VMF)**November**

- Demolished the existing Fuel Island (Bldg. C) and surrounding slab-on-grade.
- Received non-detect results for the soil sampling associated with the removal of the underground storage tanks (UST's) and product lines. Backfill expected to start November 25, 2013.
- Demolished the slab-on-grade and completed pit excavation inside Maintenance Building A. Formwork and reinforcing steel installation for the new pits is ongoing.
- Completed modifications to the cart dump attachment to the thirty-yard trash compactor.
- Powered up the center row of lights in the bus parking lot.
- The new tire carousels for Building A delivered.

December

- Contractor demolished the existing bus wash facility (Building B). Underground utility locating and safe-off is ongoing and slab-on-grade demolition planned to start late December 2013.
- Underground utilities for the new lifts installed and concrete for the pit slabs placed; placement of the reinforcing steel and formwork for the pit walls was continued.
- The new tire equipment presented for Agency approval such that underground utilities can be completed.
- Temporary bus wash services started on October 21, 2013 and continue.

- Startup and testing of the new thirty-yard compactor, including final inspection, testing, training and turnover is expected to occur is planned for early January 2014.

F. January Work – Vehicle Maintenance Facility (VMF)

- Completion of concrete placement for the new bus lift pits in Maintenance Building A.
- Completion of demolition of the slab-on-grade at the demolished Building B and remove the existing diesel UST.
- Complete backfill of the UST excavation, removal of the existing footings for the demolished Building C, and start site grading operations.
- Construction of the new pad and relocation of the CNG buffer tanks to their final location.

II. PROJECT SCHEDULE

The CM team and the Contractors are using the latest scheduling tools (Primavera V. P6), available to manage the project schedule.

Due to the actual field conditions (E Street Corridor and the VMF), many construction activities needed re-sequencing, resulting in several revisions in the baseline schedules submitted. As a proactive approach, the CM team has created an internal schedule as a guiding tool used to monitor and manage the construction progress.

A. Summary of Project Schedule – sbX Corridor

As of December 21, 2013, the contract completion date has expired. Omnitrans is currently in negotiations with the Contractor in regards to delay time, delay responsibility, and delay cost.

A Dispute Resolution Board meeting has been set for January 16, 2014.

Summary of Project Schedule – Vehicle Maintenance Facility (VMF)

The Contractor submitted a combined October/November 2013 Monthly Schedule Update (UP04), with a data date of November 4, 2013, on December 2, 2013. The schedule update shows the project behind schedule, with approximately (+/-) 219-calendar days of negative float projecting a Substantial Completion Date in early/mid July 2014. The update was reviewed and returned to the Contractor with “Revise and Resubmit” status on December 11, 2013. A meeting to address the comments was held on December 20, 2013, and it is anticipated the Contractor will provide its resubmittal by December 26, 2013.

On October 28, 2013, the Contractor formally submitted a Time Impact Evaluation (TIE) for impacts incurred through the turnover of the existing Building C (on September 19, 2013). The TIE is under evaluation.

The Contractor and CM are meeting weekly to update schedule progress and to assess upcoming work and durations, and potential risks, to ensure further delays are avoided.

III. REQUESTS FOR INFORMATION (RFIs), SUBMITTALS, AND NON-CONFORMANCE REPORTS (NCRs)

A. sbX Corridor

To date, the CM team has met the required timelines and no delay has come about as a result of submittal and RFI responses.

Total RFIs – 982
Total Open – 14

Total Submittals – 801
Total Open – 15

Total NCRs - 24
Total Open - 6

Weekly RFI meetings held every Tuesday morning.

Weekly NCR meetings held every Thursday morning.

B. Vehicle Maintenance Facility (VMF)

To date, the CM team has met the required timelines and no delay has come about as a result of submittal and RFI responses.

Total RFIs – 159
Total Open – 2

Total Submittals – 302
Total Open – 4

Total NCRs – 8
Total Open – 1

IV. SAFETY

The project team considers safety to be the utmost priority. As such, the entire project team works towards a “no-lost time” goal on a daily basis.

SbX Corridor - As of December 25, 2013 there are 379,689 “no-lost time” hours.

VMF - As of December 25, 2013 there are 10,244 “no-lost time” hours.

V. PROJECT BUDGET AND COST**TOTAL PROGRAM BUDGET**

BUDGET AS OF NOVEMBER 30, 2013

Approved Budget	\$191,706,000
Cost to Date	\$141,177,618
Estimate to Complete	\$48,514,970
Estimate at Completion	\$189,692,588

SBX CORRIDOR PROJECT COSTS - AS OF NOVEMBER 30, 2013

	CURRENT AUTHORIZED	CURRENT INVOICES PAID	REMAINING CONTRACT BALANCE
Jacobs	\$11,852,647	\$8,499,946	\$3,352,701
Parsons	\$18,097,876	\$16,841,587	\$1,256,289
Griffith/Comet	\$84,069,351	\$65,635,540	\$18,433,811
Total	\$114,019,874	\$90,977,073	\$23,042,801

VMF CORRIDOR PROJECT COSTS - AS OF NOVEMBER 30, 2013

	CURRENT AUTHORIZED	CURRENT INVOICES PAID	REMAINING CONTRACT BALANCE
STV Inc.	\$1,418,132	\$1,188,925	\$229,207
USS Cal Builders	\$11,471,646	\$3,758,379	\$7,713,267
Total	\$12,889,778	\$4,947,304	\$7,942,474

SBX CORRIDOR CONTRACT TIME

Activity	Days	Date
Notice to Proceed		11/21/11
Calendar Days per Original Contract	730	
Original Completion Date		12/21/13
Calendar Days Completed as of November 25, 2013	734	
CCO Time Extension to Date	0	
Required Completion Days/Date as of November 25, 2013	-4	12/21/13
Forecasted Completion Date as of November 25, 2013		TBD*
Percent Time Elapsed	101%	

VMF CONTRACT TIME

Activity	Days	Date
Notice to Proceed		12/10/12
Calendar Days per Original Contract	425	
Original Completion Date		02/08/14
Calendar Days Completed as of November 25, 2013	380	
CCO Time Extension to Date	0	
Required Completion Days/Date as of November 25, 2013	45	02/08/14
Forecasted Revenue Start Date as of November 25, 2013		04/30/14
Percent Time Elapsed	89%	

*** CONSTRUCTION COMPLETION DATE WILL BE AVAILABLE UPON COMPLETION OF THE SCHEDULE UPDATE.**

CHANGE ORDERS**SBX CORRIDOR CONTRACT CHANGE ORDERS - As of December 25, 2013**

Change Order Status	Amount Approved
Approved Change Orders	\$18,877,427
Pending Change Orders	\$125,037
Potential Change Orders	\$1,975,000
Total	\$20,977,464.00

VMF CONTRACT CHANGE ORDERS - As of September 25, 2013

Change Order Status	Amount
Approved Change Orders	\$797,097
Pending Change Orders	\$229,557
Potential Change Orders	\$2,168,078
Total	\$3,194,732.00

Note: Currently, pricing for Potential Change Orders are estimated based on Rough Order of Magnitude pending designer plans or final submittal of pricing by the Contractor.

Upon the approval of the final to date schedule, an analysis will be completed to determine the effect of the change orders on the scheduled completion date.

VI. Project Photographs

SBX CORRIDOR PROGRESS PHOTOS



1. Construction of equipment module @ Court/E Street.



2. Installation of electrical disconnect for HVAC on roof of Restroom at Palm and Kendall station/park and ride location.

VMF PROGRESS**PHOTOS**

1. Pouring Concrete for Electrical Trench feeding the Center Row of Lights in the Bus Parking Lot (Temporarily Lit for Safety in the Lot).



2. Excavation Completed for Bus Maintenance Pits in Building A, Contractor Setting String Lines in Preparation for Concrete Pour.



3. Backfill and Compaction of Underground Storage Tank (UST) Excavation.



4. Reinforcing Steel Placement in Building A Bus Lift Pits.

**IPMO/sbX Project
Through 11/30/13**

Standard Cost Category (SCC)	Description	Approved Current Budget	Expenditures \$ %	Remaining Budget	Estimate to Complete	Estimate at Completion	Budget Forecast Variance
10	GUIDEWAY & TRACK ELEMENTS	19,725,000	14,978,737 75.9%	\$ 4,746,263	\$ 4,817,956	\$ 19,796,693	\$ (71,693)
10.02	Guideway: At-grade semi-exclusive (allows cross-traffic)	\$ 18,353,000	13,110,949 71.4%	\$ 5,242,051	\$ 4,422,271	\$ 17,533,220	\$ 819,780
10.03	Guideway: At-grade in mixed traffic	\$ 1,372,000	1,867,788 136.1%	\$ (495,788)	\$ 395,685	\$ 2,263,473	\$ (891,473)
20	STATIONS, STOPS, TERMINALS, INTERMODAL	14,917,000	11,200,849 75.1%	\$ 3,716,151	\$ 3,135,230	\$ 14,336,079	\$ 580,921
20.01	At-grade station, stop, shelter, mall, terminal, platform	14,917,000	11,200,849 75.1%	\$ 3,716,151	\$ 3,135,230	\$ 14,336,079	\$ -
30	SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS	\$ 8,131,000	3,758,378 46.2%	\$ 4,372,622	\$ 11,437,320	\$ 15,195,698	\$ (7,064,698)
30.02	Light Maintenance Facility	\$ 4,265,000	2,920,260 68.5%	\$ 1,344,740	\$ 8,780,427	\$ 11,700,687	\$ (7,435,687)
30.05	Yard and Yard Track	\$ 3,866,000	838,118 0.0%	\$ 3,027,882	\$ 2,656,893	\$ 3,495,011	\$ 370,989
40	SITEWORK & SPECIAL CONDITIONS	34,271,000	22,408,068 65.4%	\$ 11,862,932	\$ 8,184,666	\$ 30,592,734	\$ 3,678,266
40.01	Demolition, Clearing, Earthwork	\$ 4,741,000	281,559 5.9%	\$ 4,459,441	\$ 174,000	\$ 455,559	\$ 4,285,441
40.02	Site Utilities, Utility Relocation	\$ 4,993,000	8,449,141 169.2%	\$ (3,456,141)	\$ 2,836,022	\$ 11,285,163	\$ (6,292,163)
40.05	Site structures including retaining walls, sound walls	\$ 90,000	72,224 80.2%	\$ 17,776	\$ 571,642	\$ 643,866	\$ (553,866)
40.06	Pedestrian / bike access and accommodation, landscaping	\$ 6,925,000	2,466,376 35.6%	\$ 4,458,624	\$ 2,387,068	\$ 4,853,444	\$ 2,071,556
40.07	Automobile, bus, van accessways including roads, parking lots	\$ 3,601,000	3,629,509 100.8%	\$ (28,509)	\$ 617,840	\$ 4,247,349	\$ (646,349)
40.08	Temporary Facilities and other indirect costs during construction	\$ 13,921,000	7,509,259 53.9%	\$ 6,411,741	\$ 1,598,094	\$ 9,107,353	\$ 4,813,647
50	SYSTEMS	\$ 16,727,000	18,103,166 108.2%	\$ (1,376,166)	\$ 2,423,137	\$ 20,526,303	\$ (3,799,303)
50.02	Traffic signals and crossing protection	\$ 10,810,000	5,901,402 54.6%	\$ 4,908,598	\$ 596,634	\$ 6,498,036	\$ 4,311,964
50.05	Communications	\$ 4,210,000	7,627,654 181.2%	\$ (3,417,654)	\$ 800,613	\$ 8,428,267	\$ (4,218,267)
50.06	Fare collection system and equipment	\$ 1,707,000	4,574,110 268.0%	\$ (2,867,110)	\$ 1,025,890	\$ 5,600,000	\$ (3,893,000)
	Pending Change Orders				\$ 2,440,037	\$ 2,440,037	\$ (2,440,037)
	Risk				\$ 2,560,000	\$ 2,560,000	\$ (2,560,000)
	Construction Subtotal (10-50)	93,771,000	70,449,198 75.1%	\$ 23,321,802	\$ 34,998,346	\$ 105,447,544	\$ (11,676,544)
60	ROW, LAND, EXISTING IMPROVEMENTS	\$ 6,532,000	\$ 6,006,388 92.0%	\$ 525,612	\$ 792,877	\$ 6,799,265	\$ (267,265)
60.01	Purchase or lease of real estate	\$ 6,327,000	5,841,458 92.3%	\$ 485,542	\$ 752,807	\$ 6,594,265	\$ (267,265)
60.02	Relocation of existing households and businesses	\$ 205,000	164,930 80.5%	\$ 40,070	\$ 40,070	\$ 205,000	\$ -
70	VEHICLES	\$ 16,628,000	\$ 14,800,861 89.0%	\$ 1,827,139	\$ 1,537,869	\$ 16,338,730	\$ 289,270
70.04	Bus	\$ 15,448,000	14,800,861 95.8%	\$ 647,139	\$ 630,821	\$ 15,431,682	\$ 16,318
70.06	Non-revenue vehicles	\$ 250,000	- 0.0%	\$ 250,000	\$ -	\$ -	\$ 250,000
70.07	Spare parts	\$ 930,000	- 0.0%	\$ 930,000	\$ 907,048	\$ 907,048	\$ 22,952
80	PROFESSIONAL SERVICES	56,702,000	49,921,171 88.0%	\$ 6,780,829	\$ 11,185,877	\$ 61,107,048	\$ (4,405,048)
80.01	Preliminary Engineering	\$ 12,921,000	12,876,525 99.7%	\$ 44,475	\$ 17,502	\$ 12,894,027	\$ 26,973
80.02	Final Design	\$ 7,261,000	6,949,913 95.7%	\$ 311,087	\$ 192,209	\$ 7,142,122	\$ 118,878
80.03	Project Management for Design and Construction	\$ 15,997,000	10,685,349 66.8%	\$ 5,311,651	\$ 4,037,351	\$ 14,722,700	\$ 1,274,300
80.04	Construction Administration & Management	\$ 6,632,000	8,499,946 128.2%	\$ (1,867,946)	\$ 4,392,703	\$ 12,892,649	\$ (6,260,649)
80.05	Professional Liability and other Non-Construction Insurance	\$ 1,112,000	- 0.0%	\$ 1,112,000	\$ 500,000	\$ 500,000	\$ 612,000
80.06	Legal; Permits; Review Fees by other agencies, cities, etc.	\$ 10,596,000	10,909,438 103.0%	\$ (313,438)	\$ 1,321,112	\$ 12,230,550	\$ (1,634,550)
80.07	Surveys, Testing, Investigation, Inspection	\$ 1,463,000	- 0.0%	\$ 1,463,000	\$ 25,000	\$ 25,000	\$ 1,438,000
80.08	Start up	\$ 720,000	- 0.0%	\$ 720,000	\$ 700,000	\$ 700,000	\$ 20,000
	Subtotal (10-80)	\$ 173,633,000	\$ 141,177,618 81.3%	\$ 32,455,382	\$ 48,514,969	\$ 189,692,587	\$ (16,059,587)
90	UNALLOCATED CONTINGENCY	18,073,000	- 0.0%	\$ 18,073,000	\$ 2,013,413	\$ 2,013,413	\$ 16,059,587
	Subtotal (10-90)	191,706,000	141,177,618 73.6%	\$ 50,528,382	\$ 50,528,382	\$ 191,706,000	\$ -
100	FINANCE CHARGES	-	-	\$ -	\$ -	\$ -	\$ -
	TOTAL PROJECT COST (10-100)	191,706,000	141,177,618 73.6%	\$ 50,528,382	\$ 50,528,382	\$ 191,706,000	\$ -

IPMO/sbX Project Cost Report
Period Ended 11/30/13

Description	Current Budget	Expenditures \$	%	Remaining Budget	Estimate to Complete	Estimate at Completion	Budget Forecast Variance
BRT Construction	84,637,000	65,711,883	77.6%	18,925,117	23,433,848	89,145,731	(4,508,731)
Vehicle Maintenance Facility (VMF) Construction	8,131,000	3,758,379		4,372,621	11,437,319	15,195,698	(7,064,698)
Vehicles - Design & Manufacturing	16,628,000	14,800,861	89.0%	1,827,139	1,537,869	16,338,730	289,270
ROW Acquisition Services	10,357,000	10,940,793	105.6%	(583,793)	497,607	11,438,400	(1,081,400)
3rd Party Utilities Design & Relocation	1,003,000	978,937	97.6%	24,063	127,180	1,106,117	(103,117)
BRT Design	17,849,400	16,841,587	94.4%	1,007,813	9,495	16,851,082	998,318
VMF Design	1,007,600	1,203,325	119.4%	(195,725)	492,607	1,695,932	(688,332)
Other Professional, Technical & Management Services	34,020,000	26,941,853	79.2%	7,078,147	10,979,044	37,920,897	(3,900,897)
SUB-TOTAL	173,633,000	141,177,618		32,455,382	48,514,969	189,692,587	(16,059,587)
Unallocated Contingency	18,073,000	-		18,073,000	2,013,413	2,013,413	16,059,587
TOTAL	191,706,000	141,177,618	73.6%	50,528,382	50,528,382	191,706,000	-

ITEM # E4

DATE: January 13, 2014

TO: Committee Chair Patrick Morris and
Members of the Administrative & Finance Committee

THROUGH: P. Scott Graham, Interim CEO/General Manager

FROM: Anna Rahtz, Acting Director of Planning and Development Services

SUBJECT: **SAN BERNARDINO TRANSIT CENTER PROPERTY EXCHANGE TO
RESULT IN PROPERTY LINE ADJUSTMENT**

FORM MOTION

Recommend to the Board of Directors the approval of a proposed property exchange between Omnitrans and SANBAG to effectuate a property line adjustment for the benefit of the San Bernardino Transit Center bus facility and the Downtown San Bernardino Passenger Rail Project (DSBPRP):

1. Deed real property to SANBAG being a portion of Lot 1, Block 11 of Map of Rancho San Bernardino, in the City of San Bernardino.
2. Deed real property to SANBAG being a portion of Parcel 1 of Parcel Map No. 1266, in the City of San Bernardino.
3. Accept real property from SANBAG being a portion of Lot 1, Block 11 of Map of Rancho San Bernardino, in the City of San Bernardino.

This item is under review by Omnitrans legal counsel.

BACKGROUND

In 2008, Omnitrans purchased approximately four (4) acres of property at the southwest corner of E Street and Rialto Avenue in San Bernardino, California (Lot 1, Block 11 and Parcel 1 of Parcel Map No. 1266). This property will be used for a 22-bay bus transfer facility as part of the San Bernardino Transit Center project.

The southerly property line borders the railroad tracks owned by the San Bernardino Associated Governments (SANBAG), which will be used for SANBAG's Downtown San Bernardino Passenger Rail Project (DSBPRP). The new Metrolink rail platform (part of the DSBPRP) will be immediately adjacent to Omnitrans' bus facility.

A 15' wide strip along the southerly property line of Omnitrans' property is needed by SANBAG for the DSBPRP. A portion of SANBAG's property is needed by Omnitrans for the bus facility at the San Bernardino Transit Center. The properties are detailed in the table below and in the attached exhibits.

Property Owner	Appraised Value	Land Area	Parcel Name(s)
Omnitrans	\$71,600	7,954 sf	A portion of APN: 0136-021-25 (Lot 1, Block 11), and A portion of APN: 0136-021-23 (Parcel 1 of Parcel Map No. 1266)
SANBAG	\$81,900	7,449 sf	A Portion of APN: 0136-021-12/27 (Lot 1, Block 11)

Appraisals and review appraisals for both portions of property were completed in October 2013 and reviewed by the Federal Transit Administration. The Federal Transit Administration has granted approval to move forward with the property exchange. SANBAG staff will simultaneously request approval from the SANBAG Board of Directors to approve the proposed property exchange in order to effectuate a property line adjustment.

Because the property line adjustment adds value to both agencies' properties and both agencies' projects, there will be no payment of funds to account for the difference in value (shown in the table above) between the two portions of property being exchanged. FTA's review of the proposed transaction found that: "...the exchange of the two parcels is in the best interest of both Transit Agencies and concurs in the exchange."

CONCLUSION

The proposed property exchange will benefit both agencies by allowing the property lines to be adjusted in order to align with the boundaries of the San Bernardino Transit Center bus facility (owned by Omnitrans) and the Downtown San Bernardino Passenger Rail Project (owned by SANBAG).

PSG:AR

Exhibit A

San Bernardino Transit Center
Project bus facility site, owned by
Omnitrans

7,449 square feet of property to be
transferred from SANBAG to
Omnitrans for San Bernardino Transit
Center bus facility project (shown in
Exhibit D)



7,970 square feet of property to be
transferred from Omnitrans to
SANBAG for DSBPRP (shown in
Exhibits B and C)

Part of DSBPRP project site, owned by
SANBAG

Exhibit B

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Omnitrans, a Joint Powers Authority ("Grantor") does hereby GRANT to San Bernardino Associated Governments acting as the San Bernardino County Transportation Commission ("Grantee") the real property located in the City of San Bernardino, County of San Bernardino, State of California, more particularly described in the legal description attached hereto as Exhibit "A" and depicted or illustrated on the map attached hereto as Exhibit "B"; both of such attachments / exhibits are incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the date set forth below.

Dated: _____

GRANTOR:

NOTARY ACKNOWLEDGMENT

(California All-Purpose Acknowledgment)

STATE OF CALIFORNIA

COUNTY OF _____)

On _____, 201_ before me, _____, notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

NOTARY ACKNOWLEDGMENT

(California All-Purpose Acknowledgment)

STATE OF CALIFORNIA

COUNTY OF _____)

On _____, 201_ before me, _____, notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the foregoing Grant Deed dated _____, 201_, from Omnitrans, a Joint Powers Authority (GRANTOR) to the undersigned San Bernardino Associated Governments (SANBAG) acting as the San Bernardino County Transportation Commission (GRANTEE), the provisions of which instrument are incorporated by this reference as though fully set forth in this certificate, is hereby accepted by the undersigned officer(s) on behalf of SANBAG pursuant to authority conferred by the SANBAG Board of Directors Agenda Item ___, adopted on _____, 201_, and GRANTEE consents to recordation thereof by its duly authorized officer.

Description/identification of real property: A Portion of APN: 0136-021-25, San Bernardino, CA 92401

Dated:

By:

Name:

Title:

State of California

County of San Bernardino

On _____, 201_, before me,

Date _____ Here Insert Name and Title of the Officer

personally appeared

Name(s) of Signer(s) _____

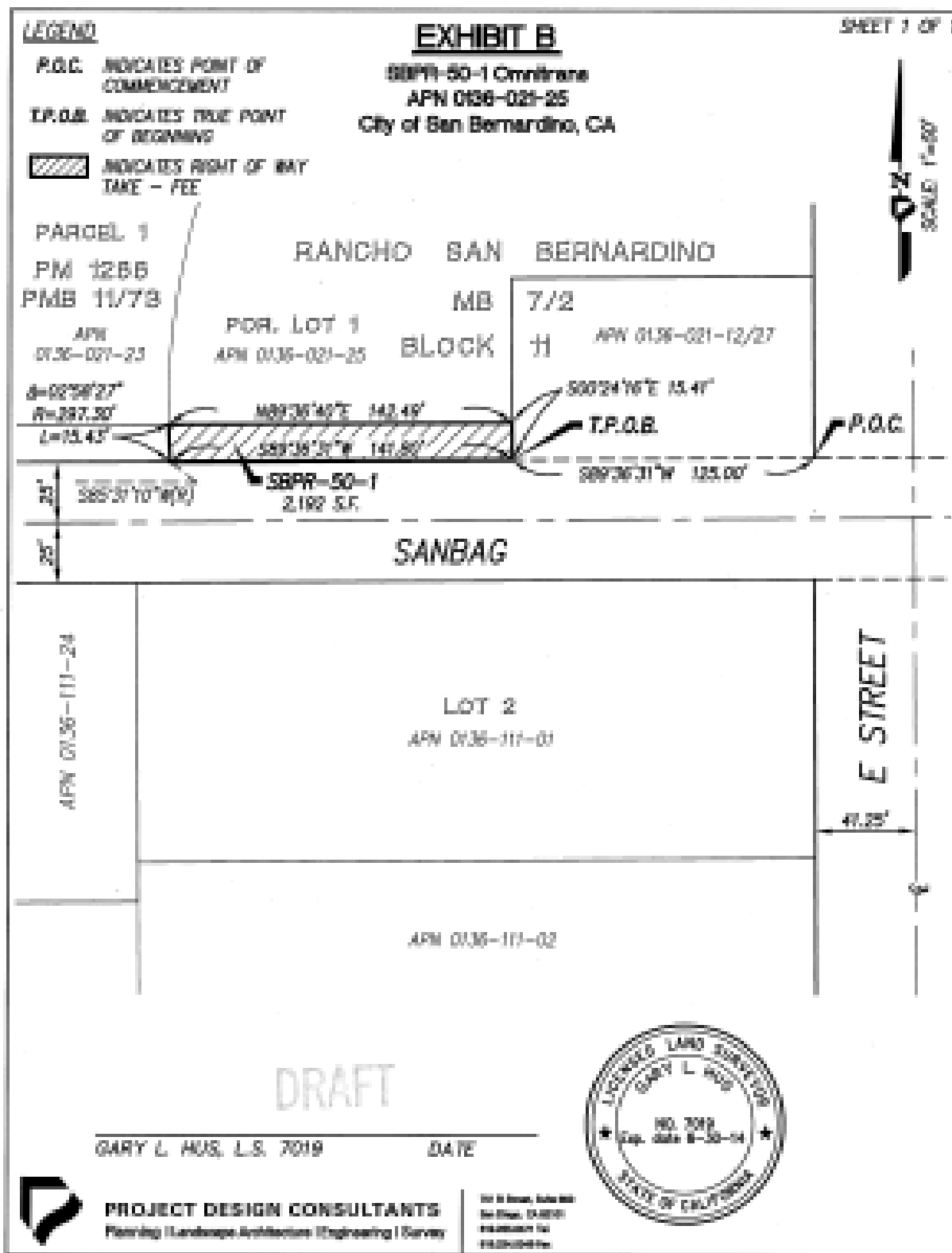
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Seal)



X:\CADD\SURVEY\DESIGN\SURVEY_2\WORK\PLATS\RAILROAD_SF - TAXES\SBPR-50\3001-SBPR-50-1-000.DWG

Exhibit C

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Omnitrans, a Joint Powers Authority (“Grantor”) does hereby GRANTS to San Bernardino Associated Governments acting as the San Bernardino County Transportation Commission ("Grantee") the real property located in the City of San Bernardino, County of San Bernardino, State of California, more particularly described in the legal description attached hereto as Exhibit “A” and depicted or illustrated on the map attached hereto as Exhibit “B”; both of such attachments / exhibits are incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the date set forth below.

Dated: _____

GRANTOR:

NOTARY ACKNOWLEDGMENT

(California All-Purpose Acknowledgment)

STATE OF CALIFORNIA

COUNTY OF _____)

On _____, 201_ before me, _____, notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

NOTARY ACKNOWLEDGMENT

(California All-Purpose Acknowledgment)

STATE OF CALIFORNIA

COUNTY OF _____)

On _____, 201_ before me, _____, notary public,
personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the foregoing Grant Deed dated
_____, 201_, from Omnitrans, a Joint Powers Authority (GRANTOR) to the
undersigned San Bernardino Associated Governments (SANBAG) acting as the San Bernardino
County Transportation Commission (GRANTEE), the provisions of which instrument are
incorporated by this reference as though fully set forth in this certificate, is hereby accepted by
the undersigned officer(s) on behalf of SANBAG pursuant to authority conferred by the
SANBAG Board of Directors Agenda Item ___, adopted on _____, 201_, and
GRANTEE consents to recordation thereof by its duly authorized officer.

Description/identification of real property: A Portion of APN: 0136-021-23, San Bernardino, CA
92401

Dated:

By:

Name:

Title:

State of California

County of San Bernardino

On _____, 201_, before me,

Date Here Insert Name and Title of the Officer

personally appeared

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Seal)

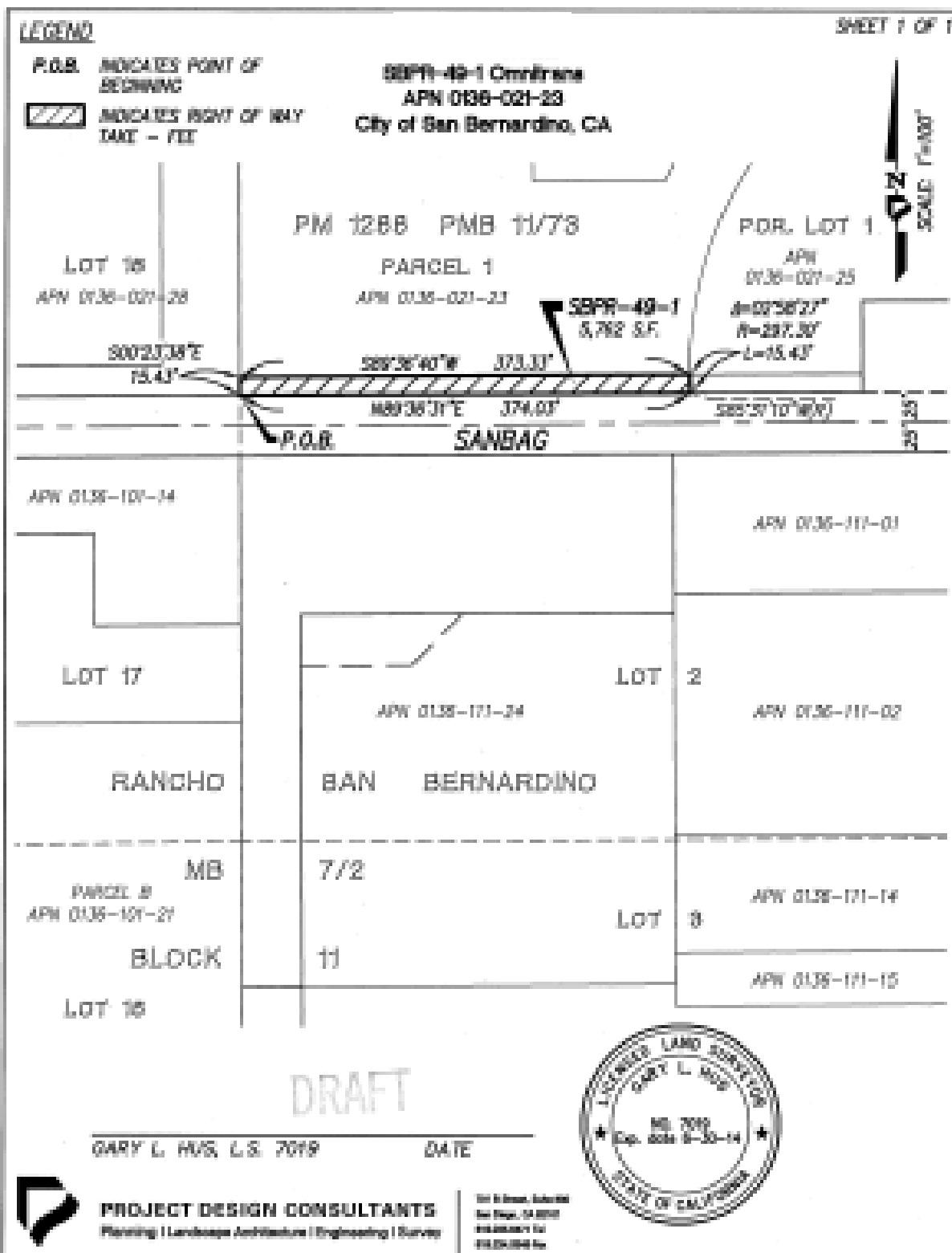


Exhibit D

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, San Bernardino Associated Governments, a county transportation commission and local transportation authority organized under the authority of Sections 130050 et seq. and 180050 of the California Public Utilities Code ("Grantor") does hereby GRANTS to Omnitrans, a Joint Powers Authority ("Grantee") the real property located in the City of San Bernardino, County of San Bernardino, State of California, more particularly described in the legal description attached hereto as Exhibit "A" and depicted or illustrated on the map attached hereto as Exhibit "B"; both of such attachments / exhibits are incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the date set forth below.

Dated: _____

GRANTOR:

NOTARY ACKNOWLEDGMENT

(California All-Purpose Acknowledgment)

STATE OF CALIFORNIA

COUNTY OF _____)

On _____, 201_ before me, _____, notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

NOTARY ACKNOWLEDGMENT

(California All-Purpose Acknowledgment)

STATE OF CALIFORNIA

COUNTY OF _____)

On _____, 201_ before me, _____, notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the foregoing Grant Deed dated _____, 201_, from San Bernardino Associated Governments, a county transportation commission and local transportation authority organized under the authority of Sections 130050 et seq. and 180050 of the California Public Utilities Code (GRANTOR) to the undersigned Omnitrans, a Joint Powers Authority (GRANTEE), the provisions of which instrument are incorporated by this reference as though fully set forth in this certificate, is hereby accepted by the undersigned officer(s) on behalf of Omnitrans pursuant to authority conferred by the Omnitrans Board of Directors Agenda Item ___, adopted on _____, 201_, and GRANTEE consents to recordation thereof by its duly authorized officer.

Description/identification of real property: A Portion of APN: 0136-021-12/27, San Bernardino, CA 92401

Dated:

By:

Name:

Title:

State of California

County of San Bernardino

On _____, 201_, before me,

Date

Here Insert Name and Title of the Officer

personally appeared

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Seal)

