



BOARD OF DIRECTORS MEETING
WEDNESDAY, APRIL 5, 2017 – 8:00 A.M.
OMNITRANS METRO FACILITY
1700 WEST 5TH STREET
SAN BERNARDINO, CA 92411

The Board of Directors meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or Limited English Proficiency services are needed in order to participate in the public meeting, requests should be made through the Board Secretary at least three (3) business days prior to the Board Meeting. The Board Secretary's telephone number is 909-379-7110 (voice) or 909-384-9351 (TTY). 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

1. Invocation
2. Pledge of Allegiance
3. Roll Call

B. ANNOUNCEMENTS/PRESENTATIONS

1. Next Board Meeting: Wednesday, May 3, 2017 – 7:30 a.m. (*Please note time change*)
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 Board of Directors, 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 CONFLICT OF INTEREST ISSUES

1. 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.

E. CONSENT CALENDAR

The following items are expected to be routine and non-controversial. The Board will act upon them at one time without discussion, unless the Board directs that an item be held for further discussion under Agenda Item F, Discussion Items. Any person wishing to address consent items should address the Board under Agenda Item #E13 Action on Consent Calendar.

- | | |
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| 1. Approve Board Minutes – March 1, 2017 | 6 |
| 2. Receive File Administrative & Finance Committee Minutes - February 9, 2017 | 13 |
| 3. Receive and File Construction Progress Report No. 56 through February 28, 2017 – sbX E Street Corridor BRT Project | 17 |
| 4. Receive and File OmniConnects FY2019-2025 SRTP Kick Off | 25 |
| 5. Approve Fiscal Year 2017-2018 Budget Assumptions | 28 |



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E. CONSENT CALENDAR CONTINUED

6. Authorize Release, IFB-ITS17-78, Kronos Workforce Timekeeper Licensing and Maintenance	30
7. Authorize Release, IFB-MKP17-79, Promotional Items	32
8. Authorize Release, IFB-ITS17-49, Variable Message Sign Maintenance, Inspection and Testing	34
9. Authorize Release, RFP-FIN18-01, Banking and Merchant Services	36
10. Authorize Award, Contract ITS17-52, SAP Consulting Services – E-Recruiting	38
11. Authorize Award, Contract ITS17-62(A-B), SAP Consulting Services – Supplier Relationship Management and Rapid Marts	41
12. Authorize Award/Rescind, Contract MNT16-109, Miscellaneous Bulk Oils and Lubricants	44
13. Action on Consent Calendar	

F. DISCUSSION ITEMS

The following items do not legally require any public testimony, although the Chair may open the meeting for public input.

1. CEO/General Manager's Report	46
2. Authorize Award (Bench), Contracts MNT17-26 (A-B), Towing Services	47
3. Authorize Award, Contract HRS17-56, Leadership Programs	50
4. Authorize Award, Contract MKP17-65, Fare Media Printing Services	53
5. Authorize Award, MNT17-57(A-B), Uniform and Textile Services	55
6. Authorize Amendment 3 - Contract MNT12-12, Maintenance and Repair of Liquefied Compressed Natural Gas (LCNG) Facilities	58
7. AB 548 – An Act to Create Omnitrans Transit District – Update from Legal Counsel and Request for Direction from the Board	60

G. BOARD BUSINESS

Closed Session

1. Conference with Labor Negotiator Sam Spagnolo concerning labor negotiations with Chief Executive Officer/General Manager pursuant to Government Code Section 54957.6

Open Session

1. Approve the Amended and Restated Employment Agreement for P. Scott Graham, Chief Executive Officer/General Manager, effective February 5, 2017

H. REMARKS AND ANNOUNCEMENTS

I. ADJOURNMENT

ITEM # D1

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: DISCLOSURE(S) REGARDING RECOMMENDATIONS FOR
ACTION BY THE OMNITRANS BOARD OF DIRECTORS**

FORM MOTION

Staff hereby provides a listing of principals and subcontractors associated with action items on the agenda for the Board of Director's Meeting scheduled April 5, 2017.

Item	Contract	Principals & Agents	Subcontractors
#E10	Authorize Award Contract ITS17-52, SAP Consulting Services – E Recruiting	<i>Genesis Consulting Partners, LLC Glen Allen, VA Cameron Chaplin Vice President</i>	N/A
#E11	Authorize Award Contract ITS17-62 (A-B), SAP Consulting Services and Supplier Relationship Management Rapid Marts	<i>3Nity, LLC Suwanee, GA Smita Nagarajan President</i>	N/A
		<i>Genesis Consulting Partners, LLC Glen Allen, VA Cameron Chaplin Vice President</i>	N/A
#E12	Authorize Award/Rescind Contract MNT16-109, Miscellaneous Bulk Oils and Lubricants	<i>The Soco Group, Inc. Perris, CA Doug Robinson V.P. Marketing</i>	N/A
#F2	Authorize Award Bench, Contracts MNT17-26 (A-B), Towing Services	<i>Armada Transport, Inc. San Bernardino, CA Jay Ingley General Manager</i>	N/A
		<i>Bill & Wag's, Inc. Ontario, CA Jeremy Briggs Sales Manager</i>	N/A

Item	Contract	Principals & Agents	Subcontractors
#F3	Authorize Award Contract HRS17-56, Leadership Programs	<i>Insight Strategies, Inc. Torrance, CA Teri Fisher CEO & Managing Partner</i>	N/A
#F4	Authorize Award Contract MKP17-65, Fare Media Printing Services	<i>Magnetic Ticket & Label Corporation Dallas, TX Stan Welker Senior V.P.</i>	N/A
#F5	Authorize Award MNT17-57 (A-B), Uniform and Textile Services	<i>P&P Uniforms, Inc. Riverside, CA Paul Shanabarger CEO</i>	N/A
		<i>Aramark Uniform Services Riverside, CA Cody Forrester Major Account Executive</i>	N/A
#F6	Authorize Amendment 3 – Contract MNT12-12, Maintenance and Repair of Liquefied Compressed Natural Gas (LCNG) Facilities	<i>Clean Energy Seal Beach, CA Peter Grace Sr. VP, Sales and Finance</i>	N/A

PSG:JMS

CONFLICT OF INTEREST FORM

PURPOSE: This form is provided to assist members of the Omnitrans Board of Directors in meeting requirements of Government Code Section 84308 and 87100 in documenting conflict of interest as related to Omnitrans Board/Committee agenda items.

INSTRUCTIONS: Under certain circumstances, Omnitrans Board Members may be required to disclose and disqualify themselves from participating in, influencing, or voting on an agenda item due to personal income, real property interests, investments, business positions, or receipt of campaign contributions. If applicable, Board Members must personally state the following information, for entry into the public record, prior to consideration of the involved agenda item(s) and turn in the completing form to the Recording Secretary prior to leaving the meeting.

BOARD MEMBER INFORMATION

BOARD MEMBER NAME	CITY/COUNTY NAME	MEETING DATE

CAMPAIGN CONTRIBUTIONS

1. I have a disqualifying campaign contribution of over \$250 from _____
(Name of Company and/or Individual)
 and therefore I am abstaining from participation on Agenda Item _____, Subject: _____
2. I have a disqualifying campaign contribution of over \$250 from _____
(Name of Company and/or Individual)
 and therefore I am abstaining from participation on Agenda Item _____, Subject: _____
3. I have a disqualifying campaign contribution of over \$250 from _____
(Name of Company and/or Individual)
 and therefore I am abstaining from participation on Agenda Item _____, Subject: _____

FINANCIAL INTEREST

1. I have a financial interest of _____
State income, real property interest or business position

Identify company or property location
2. I have a financial interest of _____
State income, real property interest or business position

SIGNATURE

Board Member Signature	Date
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ITEM # _____ E1 _____

**BOARD OF DIRECTORS' MEETING
MINUTES OF MARCH 1, 2017**

A. CALL TO ORDER

Chairman Sam Spagnolo called the regular meeting of the Omnitrans Board of Directors to order at 8:00 a.m., Wednesday, March 1, 2017, at the Omnitrans Facility located at 1700 West 5th Street, San Bernardino, California.

1. Invocation
2. Pledge of Allegiance
3. Roll Call

BOARD MEMBERS PRESENT

Mayor Pro Tem Sam Spagnolo, City of Rancho Cucamonga – Chairman
Council Member Ron Dailey, City of Loma Linda – Vice Chairman
Council Member David Avila, City of Yucaipa
Mayor Carey Davis, City of San Bernardino
Mayor Richard DeLaRosa, City of Colton
Mayor Paul Eaton, City of Montclair
Council Member Pat Gilbreath, City of Redlands
Supervisor Josie Gonzales, County of San Bernardino
Council Member Ed Graham, City of Chino Hills
Supervisor Curt Hagman, County of San Bernardino
Mayor Penny Lilburn, City of Highland
Council Member John Roberts, City of Fontana
Council Member Sylvia Robles, City of Grand Terrace
Council Member Gino Filippi, City of Upland - Alternate
Mayor Eunice Ulloa, City of Chino
Council Member Alan Wapner, City of Ontario

BOARD MEMBERS NOT PRESENT

Supervisor Robert Lovingood, County of San Bernardino
Supervisor James Ramos, County of San Bernardino
Mayor Deborah Robertson, City of Rialto
Supervisor Janice Rutherford, County of San Bernardino

OMNITRANS' ADMINISTRATIVE STAFF PRESENT

P. Scott Graham, CEO/General Manager
Diane Caldera, Director of Operations
Jack Dooley, Director of Maintenance
Marge Ewing, Director of Human Resources, Safety & Regulatory Compliance
Samuel Gibbs, Director of Internal Audit
Jacob Harms, Director of Information Technology
Andres Ramirez, IPMO Manager
Jennifer Sims, Director of Procurement
Doug Stanley, Interim Director of Special Transit Services
Don Walker, Director of Finance
Wendy Williams, Director of Marketing/Planning
Omar Bryant, Maintenance Manager
Melissa Castillo, Customer Service Manager
Barbara Erwin, Safety & Security Regulatory Compliance Manager
Ray Maldonado, Employee Relations Manager
Terry Morocco, Safety & Regulatory Compliance Specialist
Eugenia Pinheiro, Contracts Manager
Oscar Tostado, Maintenance Manager
Meredith Tshilonda, Human Resources Analyst
John Steffon, Transportation Manager
Krystal Turner, Contracts Administrator
Christine Van Matre, Contracts Administrator

LEGAL COUNSEL

Haviva Shane, Legal Counsel

B. ANNOUNCEMENTS/PRESENTATIONS

1. Next Board Meeting: Wednesday, April 5, 2017, 8:00 a.m.
Omnitrans Metro Facility Board Room

Chairman Spagnolo and CEO/General Manager P. Scott Graham, along with the respective department director, presented the Employee of the Year Award to the following recipient:

Marcos Espinoza, City of Perris

Chairman Spagnolo and CEO/General Manager P. Scott Graham, along with the respective department director, presented One Million Mile Awards to the following recipients:

Manuel Acosta, City of Bloomington	Juan Miranda, City of Fontana
David Castillo, City of Rancho Cucamonga	Early Roberts, City of Colton
Kathleen Havey, City of Highland	

Member Josie Gonzales arrived at 8:08 a.m.

C. COMMUNICATIONS FROM THE PUBLIC

Patricia Sachs announced a Save the Date for the “*San Bernardino County Where Vision & Opportunity Meet*” event scheduled for March 8, 2017 and invited anyone interested to attend. Ms. Sachs stated that as a business owner herself, was also there to promote the Inland Empire Executives Association (IEEA) and encouraged investing in the City of San Bernardino. Lastly, she expressed her support for Omnitrans and stated that she was a frequent bus rider.

D. POSSIBLE CONFLICT OF INTEREST ISSUES

There were no Conflict of Interest Issues.

E. CONSENT CALENDAR

1. Approve Board Minutes – February 1, 2017
2. Receive and File Executive Committee Minutes – December 7, 2016
3. Receive and File Administrative & Finance Committee Minutes – December 15, 2016
4. Receive and File – VTrans Board Minutes – September 21, 2016
5. Receive and File Construction Progress Report No. 55 through January 31, 2017 – sbX E Street Corridor BRT Project
6. Receive and File Fiscal Year Ended June 30, 2016 Audit Reports
7. Authorize Award – Contract FIN17-61, Credit/Debit Card Processing and Merchant Services
8. Adopt Resolution No. 298-17, Authorize Execution of the Certification and Assurances for Fiscal Year 2016-2017 Low Carbon Transit Operations Program (LCTOP)
9. Adopt Resolution No. 299-17, Authorize Application Filing and Requests for Reimbursements – California Transit Security Grant Program Funding - (CTSGP) for Fiscal Year 2016-2017
10. Authorize CEO/General Manager to Execute Transfer Agreement with Riverside County Transportation Commission
11. Action on Consent Calendar

M/S (Eaton/DeLaRosa) that approved the Consent Calendar. Motion was unanimous by Members present.

F. DISCUSSION ITEMS

Item F6 was moved up on the agenda.

6. Direct Omnitrans Staff and Legal Counsel – Special Legislation to Change Omnitrans from a Joint Powers Authority to a Statutorily Created Special Transit District

General Counsel, Haviva Shane presented this item. She provided some background by stating that at their February 3, 2017 meeting, the Executive Committee discussed the governance structure and the idea of Omnitrans developing statutory legislation to create a transit district as a way to protect the member entities in the Joint Powers Agreement

(JPA) from Tort Liability. The premise of that discussion was due to the concern from the member agencies regarding the Redlands Passenger Rail Project (RPRP) and the potential risk to the member entities. Ms. Shane stated that the amended JPA covered the member agencies from contractual liability to the fullest extent possible, however under the Tort Liability, if a negligent act occurred that exceeded Omnitrans coverage, the member agencies could be subject to liability incurred by Omnitrans. Lastly, Ms. Shane explained that the deadline to submit a Spot Bill was on February 17, 2017, and the consensus from the Executive Committee was to move forward with a Spot Bill, while concurrently bringing this item before the Board for discussion and direction.

Dr. Ray Wolfe, Executive Director of the San Bernardino County Transportation Authority (SBCTA) attended today's meeting to mention some concerns regarding the special district proposal and asked that the Board consider these issues before taking action. Dr. Wolfe did not support the idea of Omnitrans or any other transit operator in the County request for taxing authority, and felt that SBCTA as the county transportation authority is the appropriate entity to have taxing authority. He reminded the Board that this issue was raised not to seek taxing authority but to seek statutory protection from Tort Liability for the members. He concluded his comments by expressing SBCTA's support with moving this legislation forward, however asked the Board to reconsider the taxing authority piece for the reasons stated.

Ms. Shane clarified that the JPA currently includes taxing authority therefore; removing that section from the legislation would essentially relinquish a power that Omnitrans currently possesses. That being said, it did not mean that the intent was to exercise that taxing authority, however; it will be difficult to get that power back in a future legislation.

The Board engaged in a discussion regarding previous relationship challenges between the two agencies, and although the relationships have greatly improved, there was still some concern from the Board regarding relinquishing taxing authority and Omnitrans being unable to generate funding on their own in the future if need be. Several members opposed the idea of Omnitrans relinquishing a power they currently have to another entity. After much discussion, the consensus was to support the legislation with an MOU between Omnitrans and SBCTA stating that a special tax would not be sought by Omnitrans and both agencies will work together.

M/S (Hagman/Wapner) approved the recommendations below with the added direction that a MOU be presented to both SBCTA and Omnitrans Board in April stating that both agencies will work together and Omnitrans will not compete for a special tax.

1. Provided direction to Omnitrans' staff and legal counsel regarding the desire to pursue legislation in this year of the current legislative cycle to form Omnitrans Transit District, a special transit district, which would take on the powers and obligations of the current joint powers authority;

2. Directed Omnitrans staff and legal counsel, if desired, to finalize an initial draft of the proposed legislation and to engage in the process of locating a bill author by mid-March 2017; and
3. Directed Omnitrans staff and legal counsel, if desired, to continue to work with the Executive Committee to finalize the proposed legislation and to bring back a proposed final draft prior to the September 2017 legislative deadline for bill amendments.

Motion was unanimous by Members present.

Member Lilburn left the meeting at 8:56 a.m. after the vote and did not return. Member McCallon, City of Highland Alternate voted on the remaining agenda items.

Member Gonzales exited the room at 8:56 a.m. and returned at 9:01 a.m.

F. DISCUSSION ITEMS CONTINUED

1. CEO/General Manager's Report

CEO/General Manager P. Scott Graham reviewed the CEO/General Manager's Report.

2. Approve Special Transit Services Fiscal Year 2016/2017 Budget

M/S (Gilbreath/Hagman) that adopted the Special Transit Services Fiscal Year 2016-17 Annual Budget. Motion was unanimous by Members present.

3. Authorize Award – Purchase Orders ITS17-46, Datacenter Hardware Refresh

M/S (Graham/McCallon) that authorized the CEO/General Manager to award Purchase Orders ITS17-46 (A-D) as listed below for the provision of Datacenter and Hardware Refresh in an aggregate amount of \$310,673.71, plus a contingency of \$6,719.00, and a 3.27% Cost Allocation Plan (CAP) of \$10,149.85, for a total not-to-exceed amount of \$327,542.56. Motion was unanimous by Members present.

Purchase Order	Contractor
ITS17-46A	PC Specialists, Inc. dba Technology Integration Group of San Diego, CA
ITS17-46B	Helixstorm, LLC of Temecula, CA
ITS17-46C	Xceptional Networks of San Diego, CA
ITS17-46D	GovConnection, Inc. dba Connection Public Sector Solutions of Rockville, MD

4. Authorize Award – Purchase Orders ITS17-60, Network Monitoring Software Licensing

M/S (Graham/McCallon) that authorized the CEO/General Manager to award purchase orders to Oznet Systems, Inc. of Altadena, CA, for the provision of the Network Monitoring Software Licensing for three (3) years in the amount of \$63,684.84, and a ten

percent contingency of \$6,368.48, for a total not-to-exceed amount of \$70,069.32. Motion was unanimous by Members present.

5. Authorize Award (Bench) – Contract No. MNT17-01K, Approve Amendment 1 to Contracts MNT17-01G and MNT17-01I, Rebuilt Parts and Services

M/S (Graham/McCallon) that authorized the CEO/General Manager to award Contract MNT17-01K to The Janek Corporation of Tuckerton, NJ, Amendment 1 to MNT17-01G with Complete Coach Works of Riverside, CA, and MNT17-01I with Kirk's Automotive, Inc. of Detroit Michigan, for the provision of Rebuilt Parts and Services, ending November 30, 2019, and the authority to exercise two (2) single year options tied to the Consumer Price Index (CPI) in an new aggregate amount not to exceed \$4,575,000, ending no later than November 30, 2021, should all options be exercised. Motion was unanimous by Members present.

G. PUBLIC HEARING

1. Public Hearing – Federal Transit Administration Section 5310 Capital Assistance for Fiscal Year 2015-2017

M/S (Hagman/Roberts) that closed the public hearing concerning the Federal Transit Administration (FTA), Section 5310 Capital Assistance for Fiscal Year 2015-2017, held at 8:00 a.m., March 1, 2017, at the Omnitrans Metro Facility, 1700 West Fifth Street, San Bernardino, CA 92411.

H. BOARD BUSINESS

The Board adjourned into Closed Session at 9:00 a.m.

CLOSED SESSION

1. Public Employee Performance Evaluation – Chief Executive Officer/General Manager pursuant to Government Code Section 54957
2. Conference with Labor Negotiator P. Scott Graham regarding Management Confidential Classifications for Non-Represented employees pursuant to Government Code 54957.6

The Board reconvened at 9:41 a.m. with no reportable action.

OPEN SESSION

1. Adopt Proposed Changes to Personnel Policy #402 – Salary Ranges – Management Confidential Classifications for Non-Represented Employees, effective March 1, 2017

M/S (McCallon/Eaton) that adopted the proposed changes to Personnel Policy #402 Salary Ranges – Management Confidential Classifications for non-represented

employees, effective March 1, 2017, as follows: Salary Ranges – adjust the compa-ratio of levels I through IX to the 2016 market with an annual financial impact of \$400,576.81. (The overall impact to the FY17 budget is \$133,525.60.)

I. REMARKS AND ANNOUNCEMENTS

Member Davis announced that on April 21, 2017, the City of San Bernardino will be hosting their 2nd Annual Art Night.

J. ADJOURNMENT

The Board adjourned at 9:43 a.m. The next regular meeting is scheduled Wednesday, April 5, 2017, at 8:00 a.m., with location posted on the Omnitrans website and at Omnitrans' San Bernardino Metro Facility.

Prepared by:

Araceli Barajas, Executive Staff Assistant

ITEM # _____ E2 _____

**ADMINISTRATIVE & FINANCE COMMITTEE
MINUTES, FEBRUARY 9, 2017**

A. CALL TO ORDER

Chairman Ed Graham called the regular meeting of the Administrative and Finance Committee to order at 8:00 a.m., Thursday, February 9, 2017.

1. Pledge of Allegiance
2. Roll Call

Committee Members Present

Council Member Ed Graham, City of Chino Hills – Committee Chair
Mayor Carey Davis, City of San Bernardino
Council Member Patricia Gilbreath, City of Redlands
Supervisor Curt Hagman, County of San Bernardino
Council Member David Avila, City of Yucaipa
Council Member John Roberts, City of Fontana
Mayor Pro Tem Sylvia Robles, City of Grand Terrace
Mayor Pro Tem Spagnolo, City of Rancho Cucamonga
Council Member Alan Wapner, City of Ontario

Committee Members Absent

Mayor Paul Eaton, City of Montclair

OmniTrans Administrative Staff Present

P. Scott Graham, CEO/General Manager
Diane Caldera, Director of Operations
Mark Crosby, Security & Emergency Preparedness Coordinator
Marge Ewing, Director of Human Resources/Safety & Security
Sam Gibbs, Director of Internal Audit
Jacob Harms, Director of Information Technology
Andres Ramirez, IPMO Program Manager
Jennifer Sims, Director of Procurement
Doug Stanley, Interim Director Special Transit Services
John Steffon, Transportation Manager
Don Walker, Director of Finance
Wendy Williams, Director of Marketing/Planning
Omar Bryant, Maintenance Manager
Tom Dahlin, Construction Manager, IPMO

Maurice Mansion, Treasury Manager
Rubik Zazian, Construction Management Intern, IPMO
Vicki Dennett, Senior Executive Assistant to the CEO/General Manager

B. ANNOUNCEMENTS/PRESENTATIONS

The next Committee Meeting is scheduled Thursday, March 9, 2017, at 8:00 a.m.

C. COMMUNICATIONS FROM THE PUBLIC

There were no communications from the public.

D. POSSIBLE CONFLICT OF INTEREST ISSUES

There were no conflict of interest issues identified.

E. DISCUSSION ITEMS

1. Approve Administrative & Finance Committee Minutes – December 15, 2016

M/S (Gilbreath/Spagnolo) that approved the Committee Minutes of December 15, 2016. The motion was approved by Members present.

2. Recommend the Board of Directors Receive and File Construction Progress Report No. 55 through January 31, 2017 – sbX E Street Corridor BRT Project

IPMO Construction Manager Tom Dahlin presented this item. He reported that the project budget remained at \$191.7 million with \$185.9 million expended to-date. The projected amount at completion is \$188.3 million. There is zero lost time with over 510,000 man hours completed. Mr. Dahlin reviewed the following construction updates through January 31, 2017.

- E Street Corridor Tenth to Highland reopened on September 9, 2016, as scheduled.
- PA Materials were received and the mobilization of the contractor is complete. Installation of wiring and speakers at Loma Linda is in progress.
- Vehicle Maintenance Facility (VMF) modification work is in progress.
- Federal Transit Administration (FTA) project close-out funds transfer for reimbursement is complete. The After Study has commenced and the report will be submitted to the FTA in April 2017.

The committee received and recommended the report be presented to the Board.

3. Receive and File Director of Finance Report – Price of Compressed Natural Gas

Director of Finance Don Walker reported that the price of natural gas was at \$0.76 for the first eight months, which is \$0.10 higher than the budgeted price of \$0.66. The price is currently at \$0.78 for the month of February, with a \$0.05 decrease compared to January.

He noted that the price is expected to decrease during the spring months. Mr. Walker explained that for the Fiscal Year to-date the projected numbers showed \$2.1 million in actual costs against the \$1.5 million budgeted amount. He further explained that the initial pipeline fueling was expected to begin January; however due to weather conditions and delays with acquiring permits, the start dates were pushed back. Fueling is scheduled to begin in March at East Valley and in May at West Valley.

4. Recommend the Board of Directors Receive and File Omnitrans' Fiscal Year Ended June 30, 2016 Audit Reports

Director of Finance Don Walker stated that Mr. Roger Alfaro, Partner of Vavrinek, Trine, Day & Company was scheduled to present this report, however was unable to attend today's meeting.

Mr. Walker presented an overview of this item, summarizing the audit reports:

- Statement of Auditing Standards Letter (SAS 114), and Management Letter
- Agreed-Upon Procedures Performed With Respect to the National Transit Database (NTD) Report
- Single Audit Report on Federal Awards
- Independent Auditor's Report on Proposition 1B
- Comprehensive Annual Financial Report (CAFR)

The audit report noted two observations and the recommendations under the Management Letter Comments with respect to the following areas:

- 1) Risk Assessment - Subrecipient Monitoring
- 2) Procurement Card Policies

Member Davis referred to page 113 of the packet and had some questions regarding the changes in the net pension liability. He expressed his concern regarding potential liability that could be incurred by the agency due changes to the CalPERS' discount rates.

Member Hagman arrived at 8:14 a.m.

Mr. Walker stated that he would forward Member Davis' question to Mr. Alfaro and respond back to the Board.

The committee received and recommended the report be presented to the Board.

F. ADJOURNMENT

The Administrative and Finance Committee meeting adjourned at 8:18 a.m.

The next Administrative and Finance Committee Meeting is scheduled Thursday, March 9, 2017, at 8:00 a.m., with location posted on the Omnitrans website and at Omnitrans' San Bernardino Metro Facility.

Prepared by:

Araceli Barajas, Executive Staff Assistant

ITEM # E3

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

FROM: P. Scott Graham, CEO/General Manager

**SUBJECT: CONSTRUCTION PROGRESS REPORT NO. 56 THROUGH
FEBRUARY 28, 2017 – sbX E STREET CORRIDOR BRT PROJECT**

FORM MOTION

Receive and file Construction Progress Report No. 56 for the sbX E Street Corridor BRT Project through February 28, 2017.

This item was reviewed by the Administrative and Finance Committee at its March 9, 2017, meeting, and recommended for receipt and file.

BACKGROUND

This is Construction Progress Report No. 56 for the sbX E Street Corridor Project.

CONCLUSION

Receive and file Construction Progress Report No. 56 for the sbX E Street Corridor BRT Project through February 28, 2017.

PSG

Attachment

**sbX E Street Corridor
Bus Rapid Transit (BRT) Project
Construction Progress Report No. 56**

February 28, 2017

Prepared By:

**Omnitrans
Integrated Project Management Office**

Contractor: SBX Corridor - Griffith/Comet Joint Venture
PA System – Ford Audio Visual
VMF – USS Cal Builders
10th to Highland – Matich Corporation
VMF Modification – Regency Pacific

Contractor Contract No.: IPMO11-5

Omnitrans Program Manager: Andres Ramirez

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 - A. Project Description
 - B. Summary Status Update
- II. Project Schedule
- III. Safety
- IV. Project Budget and Cost

I. PROJECT STATUS SUMMARY

A. Project Description

The sbX E Street Corridor BRT Project is an Omnitrans transit improvement project that consists of three components.

E Street Corridor: A 15.7-mile-long Bus Rapid Transit corridor that will connect the northern portion of the City of San Bernardino with the City of Loma Linda. 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.

Bus Purchase: In order to provide service to the E Street Corridor a total of fourteen 60' articulated buses will be purchased.

Vehicle Maintenance Facility Modifications: 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, 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.

B. Summary Status Update

E Street Corridor:

10th to Highland:

- Street re-opened on 9/8/16 as planned
- Contract Close Out continues.

PA System:

- Installation of speakers and equipment continues at stations.
- Projected completion June 28, 2017

Vehicle Maintenance Facility:

Contract Closeout

- Final Change Order and Final Acceptance need to be issued

Modification Work

- Programming of low voltage systems continues.
- Certification of fall protection continues.
- Bus yard striping complete.
- Vacuum System start-up on-going.
- Fuel island extensions complete.
- Bus hoist leveling complete.
- Completion projected for April 2017.

Project Closeout with FTA:

Project Closeout

- Funds transfer for FTA reimbursement complete.
- After-study surveys continued.
- Support contracts being closed out.

II. PROJECT SCHEDULE

The three major components of the project (E Street Corridor, 60' Articulated Buses, and the Vehicle Maintenance) are complete and have been placed into operation. Additional components to the project (i.e. 10th to Highland, City Acceptance Work, the PA System, and the VMF Completion Work) are currently being worked on and are in different stages of progress. Projected completion dates listed below:

	Scheduled Completion	Projected Completion
E Street Corridor		
City of SB Final Work / World Oil	February 2016	Completed
10 th to Highland	September 2016	Completed
PA System	November 2016	June 2017
Vehicle Maintenance Facility		
Modification Work	May 2016	April 2017
Project Closeout with FTA		
After-Study	April 2017	April 2017

III. 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. Below is a breakdown of the hours achieved with zero lost time due to injuries:

	Through December 2016
E Street Corridor	
Corridor Construction including final Work	425,441
10 th to Highland	19,893
PA System	1,120
Vehicle Maintenance Facility	65,170
Total	511,624

IV. PROJECT BUDGET AND COST

The project continues to be within budget. We currently have zero open claims on the project. A breakdown of the project costs and projections is detailed in the following tables:

Total Project Budget Summary
Budget as of December 31, 2016

Approved Budget	\$191,706,000
Cost to Date	\$186,149,681
Estimate to Complete	
Corridor Project	\$ 2,194,297
10 th to Highland	\$ 324,645
Estimate at Completion	\$188,668,624

Budget By Contract Packages 31-Jan-2017								(Contract Award + Approved Changes)		(Approved Current Budget- Committed)	Forecast		
											Potential Uses of Contingency		
	PCGA Budget	Approved Current Budget	Authorized for Expenditure	Expended to Date	% of Approved Current Budget	Contracts Awarded	Approved Changes	Committed	Expenditure Authorization Remaining	Remaining Contingency	Pending Commitments/ Potential Changes	Trends/Risks	Estimate At Completion
BRT Construction													
Griffith/Comet JV	90,780,000	84,637,000	87,760,263	81,238,395	96.4%	64,937,853	16,365,742	81,303,595	6,456,668	3,333,405	-	-	81,303,595
Art			68,000	68,000		68,000	-	68,000	-	(68,000)	-	-	68,000
Other Direct Payments			48,401	57,557		57,557	-	57,557	(9,156)	(57,557)	-	-	57,557
Delineators				70,991		89,943	(18,952)	70,991	(70,991)	(70,991)	-	-	70,991
PA System				150,341		563,875	-	563,875	(563,875)	(563,875)	56,388	-	620,263
Miscellaneous Work				-		17,500	-	17,500	(17,500)	(17,500)	75,000	75,000	167,500
BRT Design													
Parsons	19,193,400	17,849,400	18,097,876	19,040,051	107.1%	16,464,092	2,758,926	19,223,018	(1,125,142)	(1,373,618)	-	-	19,223,018
PA System				71,300		83,000	-	83,000	(83,000)	(83,000)	8,300	-	91,300
Miscellaneous Work				-		-	-	-	-	-	-	-	-
VMF Construction													
USS Cal Builders	5,370,000	8,131,000	14,498,152	14,539,965	181.8%	10,579,786	3,955,349	14,535,135	(36,983)	(6,404,135)	100,000	-	14,635,135
Regency Pacific				240,277		697,000	-	697,000	(697,000)	(697,000)	69,700	-	766,700
VMF Design													
STV	1,007,600	1,007,600	1,418,132	1,911,795	191.6%	951,029	1,048,727	1,999,756	(581,624)	(992,156)	-	-	1,999,756
Carlin Environmental			27,800	18,380		10,000	9,800	19,800	8,000	(19,800)	-	-	19,800
Vehicles Design & Manufacturing-N.F.	16,628,000	16,628,000	15,978,093	15,211,154	92.5%	15,483,572	(272,418)	15,211,154	766,939	1,416,846	-	-	15,211,154
Other Vehicle Equipment			318,853	173,484		318,853	(145,369)	173,484	145,369	(173,484)	-	-	173,484
ROW Acquisition Services-SANBAG	6,532,000	10,357,000	11,738,400	11,418,850	110.3%	10,971,135	447,715	11,418,850	319,550	(1,061,850)	-	-	11,418,850
3rd Party Utilities Design & Reloc.		1,003,000	1,157,223	1,106,705	110.3%	1,174,205	-	1,174,205	(16,982)	(171,205)	50,000	-	1,224,205
Project Admin. And Management													
Jacobs	6,638,000	6,632,000	11,852,647	12,969,303	195.6%	3,898,769	9,070,534	12,969,303	(1,116,656)	(6,337,303)	-	-	12,969,303
Other													
IPMO	17,624,000	15,012,450	14,722,701	14,918,810	99.4%	15,006,001	-	15,006,001	(283,300)	6,449	-	-	15,006,001
Insurance	1,113,000	1,112,000	500,000	-	0.0%	500,000	(500,000)	-	500,000	1,112,000	-	-	-
Legal-BB&K, County	2,525,450	1,000,000	1,000,000	374,686	37.5%	1,000,000	(527,136)	472,864	527,136	527,136	-	-	472,864
In Kind Contributions	8,080,550	8,080,550	8,080,550	8,401,239	104.0%	8,401,239	-	8,401,239	(320,689)	(320,689)	-	-	8,401,239
Survey	1,464,000	1,463,000	464,000	-	0.0%	25,000	(25,000)	-	464,000	1,463,000	-	-	-
Start-Up	720,000	720,000	700,000	-	0.0%	264,866	-	264,866	435,134	455,134	10,000	-	274,866
Sub-Total	177,676,000	173,633,000	188,431,091	181,981,282	104.8%	151,563,275	32,167,917	183,731,192	4,699,899	(10,098,192)	369,388	75,000	184,175,579
Unallocated Contingency	14,030,000	18,073,000	4,255,511					10,098,192		7,974,808			7,530,421
10th to Highland Projected Costs			4,484,121	4,168,399	93.0%	4,323,540	160,581	4,484,121	-	(4,484,121)	8,924	-	4,493,045
Remaining Unallocated Contingency													3,037,376
Total	191,706,000	191,706,000	188,659,700	186,149,681	97.1%								191,706,000

IPMO/sbX Project Cost Report											
Period Ended 31-Jan-2017											
Description	Current Budget	Approved Current Budget	Authorized for Expenditure	Expenditures \$	%	Remaining Budget	Committed \$	%	Estimate to Complete	Estimate at Completion	Budget Forecast Variance
BRT Construction	\$ 84,637,000	\$ 84,637,000	\$ 87,876,664	\$ 81,585,284	96.4%	3,051,716	\$ 82,081,518	97.0%	\$ 206,388	\$ 82,287,905	\$ 2,349,095
Vehicle Maintenance Facility (VMF) Construction	\$ 8,131,000	\$ 8,131,000	\$ 14,498,152	\$ 14,780,242	181.8%	(6,649,242)	\$ 15,232,135	187.3%	\$ 169,700	\$ 15,401,835	\$ (7,270,835)
Vehicles - Design & Manufacturing	\$ 16,628,000	\$ 16,628,000	\$ 16,296,946	\$ 15,384,638	92.5%	1,243,362	\$ 15,384,638	92.5%	\$ -	\$ 15,384,638	\$ 1,243,362
ROW Acquisition Services	\$ 10,357,000	\$ 10,357,000	\$ 11,738,400	\$ 11,418,850	110.3%	(1,061,850)	\$ 11,418,850	110.3%	\$ -	\$ 11,418,850	\$ (1,061,850)
3rd Party Utilities Design & Relocation	\$ 1,003,000	\$ 1,003,000	\$ 1,157,223	\$ 1,106,705	110.3%	(103,705)	\$ 1,174,205	117.1%	\$ 50,000	\$ 1,224,205	\$ (221,205)
BRT Design	\$ 17,849,400	\$ 17,849,400	\$ 18,097,876	\$ 19,111,351	107.1%	(1,261,951)	\$ 19,306,018	108.2%	\$ 8,300	\$ 19,314,318	\$ (1,464,918)
VMF Design	\$ 1,007,600	\$ 1,007,600	\$ 1,445,932	\$ 1,930,175	191.6%	(922,575)	\$ 2,019,556	200.4%	\$ -	\$ 2,019,556	\$ (1,011,956)
Other Professional, Technical & Management Services	\$ 34,020,000	\$ 34,020,000	\$ 37,319,898	\$ 36,664,038	107.8%	(2,644,038)	\$ 37,114,273	109.1%	\$ 10,000	\$ 37,124,273	\$ (3,104,273)
Allocated Contingency (Construction Contract)	\$ -	\$ -	\$ -			-	\$ -	0.0%	\$ -	\$ -	\$ -
SUB-TOTAL	\$ 173,633,000	\$ 173,633,000	\$ 188,431,091	\$ 181,981,282	104.8%	(8,348,282)	\$ 183,731,192	105.8%	444,388	184,175,579	(10,542,579)
Unallocated Contingency	\$ 18,073,000	\$ 18,073,000	\$ 4,255,511	\$ -		18,073,000	\$ -	0.0%	\$ -	\$ -	\$ 18,073,000
10th to Highland	\$ -	\$ 4,493,045	\$ 4,484,121	\$ 4,168,399	92.8%	324,645	\$ 4,323,540	96.2%	\$ 324,645	\$ 4,493,045	\$ -
TOTAL	\$ 191,706,000	\$ 191,706,000	\$ 188,659,700	\$ 186,149,681	97.1%	\$ 10,049,363	\$ 188,054,732	98.1%	\$ 769,033	\$ 188,668,624	\$ 7,530,421

ITEM # E4

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Wendy Williams, Director of Marketing & Planning

SUBJECT: OMNICONNECTS FY2019-2025 SRTP KICK OFF

FORM MOTION

Receive and file this kick-off/status report for Omnitrans' next Short-Range Transit Plan (SRTP), OmniConnects FY2019-2025.

This item was reviewed by the Plans and Programs Committee at its March 21, 2017 meeting, and recommended for receipt and file.

BACKGROUND

Short-Range Transit Plans (SRTPs) are essentially 5-7 year business plans for a transit agency. Omnitrans current SRTP is the OmniConnects SRTP covering FY2015-2020. It was adopted by the Board of Directors in May 2014. A current SRTP is required by the Federal Transit Administration in order to receive federal funding. Grant applications often require that proposed services or projects be included in the current SRTP before they are considered in a grant or in order for some level of scoring on a grant application.

The key components of an SRTP are:

1. **Establish, Modify or Reaffirm Agency Goals, Key Performance Indicators and Service Warrants and Standards.**
2. **Gathering and Documenting Public & Stakeholder Feedback.**
3. **Evaluation of the Service Area:** Recent and planned land use changes; travel patterns; population; population density; senior, disabled and student populations; employment; employment density; types of employment; income and poverty levels and related measures and trends.
4. **Evaluation of Omnitrans Existing Services:** Detailed evaluation on all aspects of Omnitrans Family of Services at the route, sub-route and stop level compared to established standards and peer trends.
5. **Evaluation of Partner Services**

6. **Unconstrained Operating & Capital Plan:** Development of services and projects that would be anticipated to meet performance standards and service warrants regardless of funding. These are used to prioritize services and projects and also for grant funding support.
7. **Financial Plan:** Development of revenue and cost projections for FY2019-2025 in collaboration with SBCTA.
8. **Fare Policy:** Planned changes in fares or fare technology.
9. **Constrained Operating & Capital Plan:** Prescribed implementation plan for each fiscal year covered in SRTP, based on funding availability and priorities from the unconstrained plans.
10. **Sustainability Plan:** Evaluation of environmental, economic and sociocultural sustainability.
11. **Title VI Compliance Evaluation:** Inherently part of each step of the SRTP process, Omnitrans must verify compliance with Title VI of the Civil Rights Act of 1964.

Some key elements that will get specific detailed evaluation within this SRTP will include:

- How to proceed if ridership continues to decline,
- Implementation of the Arrow commuter rail service including standards, KPIs and resulting changes in local bus service,
- Implementation of the West Valley Connector rapid transit line and resulting changes in local bus service;
- Fare policy technology;
- Bus technologies; and
- Alternative service delivery/mobility models.

The SRTP builds on many guiding documents from regional entities including the San Bernardino County Transportation Authority (SBCTA) and the Southern California Association of Governments (SCAG), in addition to Omnitrans' adopted Strategic Plan. The SRTP is led by the Service Planning Section of the Marketing and Planning Department, but is truly an Agency-wide effort that touches many aspects of the Agency.

While Omnitrans own internal SRTP process began with data collection in January 2017, it is time to reach out to cities, stakeholders and the public in order to establish the needs and wants of the communities Omnitrans serves. Omnitrans anticipates that the FY2019-2025 SRTP will be completed in late FY2018 in time for phase one implementation in FY2019.

The high level SRTP schedule is:

High Level SRTP Timeline	FY2017		FY2018			
	Q3	Q4	Q1	Q2	Q3	Q4
Data Collection, & Analysis						
Public, Stakeholder, City, Partner Input						
Unconstrained, Constrained & Financial Plans						
Final Draft Plan and Public Hearings						
Approval & Implementation						

The key next steps are gathering input and using that to confirm goals. Key input sessions will include:

- **Invitation to meet with all cities** individually to discuss transit needs in their cities. Letter will be sent to city managers in mid-April. Omnitrans proposes discussing service levels in each city, potential partnerships including Affordable Housing Sustainable Community (AHSC) grant partnership, the passenger amenity program.
- **Public Hearing/Listening Sessions will be held in mid-May.** Omnitrans staff will hold a series of Public Hearings/Listening Sessions in both formal locations and at each transit center in our service area in order to gather public feedback.
- **Stakeholders:** Omnitrans will also reach out to key stakeholder agencies for feedback, including the use of SBCTA's Public and Specialized Transportation Advisory and Coordination Council to reach out to advocates for seniors and the disabled.

Omnitrans' Marketing-Planning staff is also available to meet with other stakeholders to discuss transit needs moving forward on an as needed basis.

The FY2015-2020 SRTP was based on seven key goals:

1. Deliver safe, reliable, clean, frequent, convenient, comfortable and equitable service.
2. Enhance Omnitrans' network design to increase ridership and minimize costs by reducing redundancy.
3. Minimize impact to existing riders while seeking opportunities to expand ridership.
4. Support the local economy by providing connections to where people want to go.
5. Maximize cost recovery while charging a fair fare.
6. Support initiatives that are financially and environmentally sustainable in the short and long term.
7. Expand, maintain and improve existing vehicles, facilities, and passenger amenities.

Staff is evaluating these goals and currently plans to propose a technology themed goal. Staff also will propose splitting goals two and three to create distinct ridership and cost effectiveness goals. Should Omnitrans receive comment about goals at the city or public meetings, or from stakeholders, Omnitrans may propose additional changes to these goals.

At the next Plans and Programs Committee Meeting, Omnitrans will present the outcome of the meetings, data collection and analysis, and the goals for approval so that the SRTP planning effort can move forward.

CONCLUSION

By receiving and filing this SRTP update and kick-off, Omnitrans staff can move forward with gathering feedback from Joint Powers Agreement (JPA) member entities, the public and stakeholders while also providing the Board and Committee the opportunity to comment on the schedule and key items to be evaluated in this SRTP.

PSG:WW:JB

ITEM # E5

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Maurice A. Mansion, Treasury Manager

SUBJECT: FISCAL YEAR 2017-2018 BUDGET ASSUMPTIONS

FORM MOTION

Approve the assumptions listed below to develop the Operating and Capital Budgets for Fiscal Year 2017 - 2018.

This item was reviewed by the Administrative and Finance Committee at its March 9, 2017 meeting and recommended for approval by the Board of Directors.

BACKGROUND

A critical component in the development of the Agency's budget is the development of budget assumptions. This information was obtained through research performed and includes searches on the Internet, review of Agency data, including the Service Plan assumptions and the Teamsters' and the Amalgamated Transit Union's Memorandums of Understanding.

Maintenance and Administrative/Support Unit (Teamsters)	Effective Date
MOU End	June 30, 2021
Wage increase: Based on contract negotiation	2.75%
Step progression increase	MOU qualifications
Benefits Package: Medical Benefits:	July 1, 2016
Single: 100%; Plus 1: 90%; Family: 70% of medical premium	
Source: MOU effective July 1, 2016 through June 30, 2021	

Coach Operators (ATU)	Effective Date
MOU End	March 31, 2019
Wage increase: Based on contract negotiation	2.75%
Step progression increase	MOU qualifications
Benefits Package: Medical Benefits:	April 1, 2016
Single: 100%; Plus 1: 85%; Family: 65% of medical premium	
Source: MOU effective April 1, 2016 through March 31, 2019	

Management /Confidential	Effective Date
Pay for Performance: In accordance with Personnel Policy Manual	FY 2017-18
Benefit Package: In accordance with Personnel Policy Manual	FY 2017-18
Source: Omnitrans Human Resources	

Insurance	Effective Date
Workers' Compensation SIR/IBNR – Stays constant based on Actuarial Analysis	Fiscal Year 2017
SDI: .9%	FY 2017-18
FICA-Medicare 1.45%	FY 2017-18
Source: Omnitrans Finance Department	

CalPERS	Effective Date
12.464% Employer Contribution (2% @55 Plan and 2% @62 Plan) – Miscellaneous Plan	FY 2017-18
Employee contribution covered in employee's wages	
Source: Omnitrans Finance Department	

Unemployment	Effective Date
Annual average expected to remain at 5.2%	December 2016
Source: U.S. Department of Labor	
Riverside/San Bernardino/Ontario CA Metropolitan Statistical Area	
http://www.bls.gov/eag/eag.ca_riverside_msa.htm	

Energy /Fuel Costs /Other Credits	Effective Date
CNG Fuel: \$.59/therm for FY 17-18	FY 2017-18
Source: Finance Department	
Unleaded Fuel: \$2.64/gallon for FY 17-18	FY 2017-18
Source: Finance Department	
ADA Medi-Cal Reimbursement: \$1,500,000 for FY 17-18	FY 2017-18
Source: State of California Reimbursement	

Consumer Price Index	Effective Date
Inflation of about 2.1%	January 2017
Source: U.S. Department of Labor	
http://www.bls.gov/eag/eag.ca_riverside_msa.htm	

CONCLUSION

Approval of the budget assumptions will allow Omnitrans to develop the budget for Fiscal Year 2018, which will be presented to the Board of Directors for approval in May.

PSG:DW:MM

ITEM # _____ E6

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE RELEASE - IFB-ITS17-78
KRONOS WORKFORCE TIMEKEEPER LICENSING AND
MAINTENANCE**

FORM MOTION

Authorize the CEO/General Manager to release Invitation for Bids IFB-ITS17-78 for the provision of Kronos Workforce Timekeeper Licensing and Maintenance for a three (3) year base period and two (2) single option years.

BACKGROUND

Kronos Workforce Timekeeper (Kronos) is a time and attendance system used to collect the timekeeping information and administration of medical leaves. Omnitrans must maintain the software and licensing to ensure the accurate and compliant collection of data.

In accordance with the Procurement Policy 2000, Section 2.3.5.1.3 and FTA Circular 4220.1F, Board authorization and use of a formal procurement procedure is required to release Invitation for Bids for procurements exceeding \$100,000. The Independent Cost Estimate for this project is \$138,142.

FUNDING SOURCES

The cost associated with this procurement is budgeted in the IT Department's Operating budget as follows:

Department	1320
Expenditure Code	505170

_____ Verification of Funding Source and Availability of Funds
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – N/A

CONCLUSION

By proceeding with this solicitation, Omnitrans will have the ability to extend licensing for timekeeping software.

PSG:JMS:CVM

ITEM # _____ E7 _____

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

SUBJECT: AUTHORIZE RELEASE – IFB-MKP17-79, PROMOTIONAL ITEMS

FORM MOTION

Authorize the CEO/General Manager to release Invitation for Bids IFB-MKP17-79 for the provision of Promotional Items for a three (3) year base period and two (2) single year options.

BACKGROUND

As part of Omnitrans' marketing outreach efforts, the Agency offers an array of promotional items such as pens, pencils, backpacks, coffee mugs, etc. to promote services to customers, community members, stakeholders and industry members at conferences, fairs and public outreach events.

In accordance with the Procurement Policy 2000, Section 2.3.5.1.3 and FTA Circular 4220.1F, Board authorization and use of a formal procurement procedure is required to release Invitation for Bids for procurements for good/services exceeding \$100,000. The Independent Cost Estimate for this project is \$451,200, if all options are exercised.

FUNDING SOURCE

The cost associated with this procurement is budgeted in the various department's Operating budget as follows:

Department Number	Various
Expenditure Code	509080 and 509260

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – N/A

CONCLUSION

By proceeding with this solicitation, Omnitrans will have logo items to promote Omnitrans at conferences, events and venues.

PSG:JMS:KT

ITEM # _____ E8

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE RELEASE – IFB-ITS17-49
VARIABLE MESSAGE SIGN MAINTENANCE, INSPECTION AND
TESTING**

FORM MOTION

Authorize the CEO/General Manager to release Invitation for Bids IFB-ITS17-49 for the provision of Variable Message Sign (VMS) Maintenance, Inspection and Testing for a three (3) year base period and two (2) single year options.

BACKGROUND

Thirty-five VMSs have been installed at the San Bernardino Transit Center and along the sbX Corridor to display NextBus real-time bus prediction information. Recent weather conditions have caused a number of VMS failures prompting the need for monthly inspection, functional testing, repair and reporting.

In accordance with the Procurement Policy 2000, Section 2.3.5.1.3 and FTA Circular 4220.1F, Board authorization and use of a formal procurement procedure is required to release Invitation for Bids for procurements for good/services exceeding \$100,000. The Independent Cost Estimate for this project is \$155,152, if all options are exercised.

FUNDING SOURCE

The cost associated with this procurement is budgeted in the Information Technology Department's Operating budget as follows:

Department Number	1320
Expenditure Code	505170

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – Technology Optimization

CONCLUSION

By proceeding with this solicitation, Omnitrans will maintain the variable message signs and continue to provide real-time passenger information to passengers at the San Bernardino Transit Center and along the sbX Corridor.

PSG:JMS:KT

ITEM # _____ E9 _____

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE RELEASE – RFP-FIN18-01
BANKING AND MERCHANT SERVICES**

FORM MOTION

Authorize the CEO/General Manager to release Request for Proposals RFP-FIN18-01 for the provision of Banking and Merchant Services for a three (3) year base period and two (2) single option years.

BACKGROUND

Omnitrans utilizes the services of qualified financial institutions to provide banking and merchant services including online services, lines of credit, tax deposit services, deposits, stop payments, debit and credit card processing, and other general banking and merchant services. These services are due to expire September 30, 2017.

In accordance with the Procurement Policy 2000, Section 2.3.5.1.3 and FTA Circular 4220.1F, Board authorization and use of a formal procurement procedure is required to release Requests for Proposals for procurements for good/services exceeding \$100,000. The Independent Cost Estimate for this project is \$235,915, if all options are exercised.

FUNDING SOURCE

The cost associated with this procurement is budgeted in the Finance and Marketing Departments' Operating Budgets as follows:

Departments	1400, 1800
Expenditure Codes	503060, 509250

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – N/A

CONCLUSION

By proceeding with this solicitation, Omnitrans will have banking and merchant services in place to support its banking requirements.

PSG:JMS:CVM

ITEM # E10

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE AWARD – ITS17-52
SAP CONSULTING SERVICES – E-RECRUITING**

FORM MOTION

Authorize the CEO/General Manager to award Contract ITS17-52 to Genesis Consulting Partners, LLC (GCP) of Glen Allen, VA, for the provision of SAP Consulting Services – E-Recruiting, in the amount of \$42,000, plus a ten percent contingency of \$4,200, and a Cost Allocation Plan (CAP) of \$1,208.59 (3.27% charged on Federal portion of \$36,690) for a total not-to-exceed amount of \$47,408.59.

BACKGROUND

In May 2008, Omnitrans' Board of Directors approved four phases of the Systems Applications and Products (SAP) Enterprise Resource Management (ERP) project implementation. The E-Recruiting module was implemented in Phase II of the project to provide Omnitrans with the ability to enter, track and report applicant data and the capability to track and analyze advertising tools. Functional capabilities within the SAP E-Recruiting module have not been fully realized. Omnitrans' E-Recruiting component requires an external interface for the electronic submission of employment applications.

On November 1, 2016, staff released Request for Proposals RFP-ITS17-52 for SAP Consulting Services – E-Recruiting. The RFP was posted on Omnitrans' online bidding system. Four (4) proposals were received by the January 11, 2017 deadline and all were deemed responsive.

The following firms were evaluated in accordance with the selection criteria included in the RFP and are ranked from highest score to lowest score:

Selection Criteria	Total Points Possible	Genesis Consulting Partners, LLC of Glen Allen, VA	TMR Management Group, Inc. of Harrisburg, PA	3Nity, LLC of Suwanee, GA	CrowdPlat, Inc. of Milpitas, CA
Quality of the Firm	30	25.00	24.50	18.00	16.00
Quality of Work	30	24.50	22.00	12.00	9.00
Experience	30	22.00	23.00	10.00	8.00
Technical Score	90	71.50	69.50	40.00	33.00

The two highest ranking firms were found to be within the competitive range and advanced to the next level of evaluation. Pricing was opened and formula scores applied as follows:

Selection Criteria	Total Points Possible	Genesis Consulting Partners, LLC of Glen Allen, VA	TMR Management Group, Inc. of Harrisburg, PA
Technical Score	90	71.5	69.50
Cost/Price	10	10.00	9.30
Totals	100	81.50	78.80

Clarifications were requested from both firms and technical scores re-evaluated accordingly before staff requested Best and Final Offers. TMR Management Group reduced their price by \$1,200. Below are the revised scores ranked from highest to lowest:

Selection Criteria	Total Points Possible	Genesis Consulting Partners, LLC	TMR Management Group, Inc.
Technical Total	90	75.50	67.00
BAFO Cost/Price	10	10.00	9.60
Final Total Score	100	85.50	76.60

GCP ranked highest technically, provided the best overall value and provided the most comprehensive work plan. The firm offers specific experience with the implementation of E-Recruiting modules.

Award is recommended to the highest technical, lowest cost, responsive, responsible proposer. GCP's proposed pricing of \$42,000 is \$8,400 more than the Independent Cost Estimate (ICE) of \$33,600. The ICE was based on historic rates paid on similar SAP consultant contracts. GCP's lump sum pricing is the lowest competitive proposal and therefore deemed fair and reasonable.

This procurement meets the requirements of Omnitrans' Procurement Policies and Procedures.

FUNDING SOURCE

The cost associated with this procurement is budgeted in Omnitrans' Capital budget as follows:

FUNDING	GRANT	YEAR	PROJECT NAME	INTERNAL ORDER	AMOUNT
FTA	CA-90- Z112	2017	E-Recruiting	D1422007F	\$38,168.59
Prop 1B	Prop 1B	2013	E-Recruiting	D1322022B	\$ 9,240.00

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – Strategic Initiative 6 – Workforce Development.

CONCLUSION

By proceeding with this award, Omnitrans will have the ability to provide an external interface to for electronic submission of employment applications.

PSG:JMS:KT

ITEM # E11

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE AWARD CONTRACT ITS17-62(A-B)
SAP CONSULTING SERVICES – SUPPLIER RELATIONSHIP
MANAGEMENT AND RAPID MARTS**

FORM MOTION

Authorize the CEO/General Manager to award Contract ITS17-62A to 3Nity, LLC (3Nity) of Suwanee, GA, for the provision of SAP Consulting Services – Supplier Relationship Management (SRM), in the amount of \$53,900, plus a ten percent contingency of \$5,390.00, and a Cost Allocation Plan (CAP) of (3.27% charged on Federal portion of \$47,432.00) \$1,551.03 for a total not-to-exceed amount of \$60,841.03.

Authorize the CEO/General Manager to award Contract ITS17-62B to Genesis Consulting Partners (GCP) of Glen Allen, VA, for the provision of SAP Consulting Services – Rapid Marts in the amount of \$34,963, plus a ten percent contingency of \$3,496.30, and a CAP of (3.27% charged on Federal portion of \$30,767.44) \$1,006.10 for a total not-to-exceed amount of \$39,465.40.

BACKGROUND

Omnitrans utilizes Systems, Applications and Products' (SAP) fully integrated enterprise resource planning system. Consultant services are needed to re-configure the system following several upgrades and enhancements to provide the functionality to edit SAP contracts in support of change orders and amendments, resolve error messages, and update and re-map sales tax values.

On December 21, 2016, staff released Request for Proposals RFP-ITS17-62 for SAP Consulting Services – SRM and Rapid Marts applications. The RFP was posted on Omnitrans' online bidding system. Three (3) proposals were received by the January 12, 2017 deadline and all were deemed responsive and evaluated according to the selection criteria included in the RFP.

The following firms proposed SAP Consulting Services – SRM and are ranked below from highest to lowest score:

Selection Criteria	Total Points Possible	3Nity, LLC of Suwanee, GA	Genesis Consulting Partners, LLC of Glen Allen, VA	TMR Management Group, Inc. of Harrisburg, PA
Qualifications of the Firm	20	15.67	16.67	16.33
Quality of Work	15	12.75	9.50	9.50
Experience	50	47.50	40.00	30.00
Technical Score	85	75.92	66.17	55.83
Cost/Price	15	8.74	12.35	15.00
Totals	100	84.66	78.52	70.83

The following firms were found to be within the competitive range and invited to submit Best and Final Offers (BAFO's). GCP reduced their consulting fees for SRM by \$1,487.

Selection Criteria	Total Points Possible	3Nity, LLC	Genesis Consulting Partners, LLC
Technical Total	85	75.92	66.17
BAFO Cost/Price	15	9.73	15.00
Final Total Score	100	85.65	81.17

3Nity ranked highest technically and provided the best overall value. This firm offers extensive experience in the delivery of similar projects and is familiar with Omnitrans' SAP SRM module. 3Nity's proposed pricing of \$53,900 is within ten percent of the Independent Cost Estimate (ICE) of \$49,000 and therefore deemed fair and reasonable.

The following firms proposed SAP Consulting Services – Rapid Marts and are ranked below from highest to lowest score:

Selection Criteria	Total Points Possible	3Nity, LLC of Suwanee, GA	Genesis Consulting Partners, LLC of Glen Allen, VA	TMR Management Group, Inc. of Harrisburg, PA
Qualifications of the Firm	20	16.00	16.67	13.33
Quality of Work	15	11.00	10.00	10.00
Experience	50	30.00	35.00	30.00
Technical Score	85	57.00	61.67	53.33
Cost/Price	15	15.00	8.15	6.00
Totals	100	72.00	69.82	59.33

All firms were found to be within the competitive range and invited to submit Clarifications and BAFO's. GCP reduced their price by \$1,487 and 3Nity reduced their price by \$2,400.

Selection Criteria	Total Points Possible	Genesis Consulting Partners, LLC	3Nity, LLC	TMR Management Group, Inc.
Technical Total	85	66.00	57.00	51.67
BAFO Cost/Price	15	7.47	15.00	4.28
Final Total Score	100	73.47	72.00	55.95

GCP ranked highest technically, provided the best overall value, and the most comprehensive work plan. Based on the evaluation of written proposals, the firms' qualifications, and information obtained from references, award is recommended to the highest ranking firms. Staff recommends award to 3Nity for SRM consulting services and to GCP for Rapid Marts.

GCP's proposed pricing of \$42,000 matches the ICE of \$42,000 and therefore deemed fair and reasonable.

This procurement meets the requirements of Omnitrans' Procurement Policies and Procedures.

FUNDING SOURCE

The cost associated with this procurement is budgeted in Omnitrans' Capital budget as follows:

FUNDING	GRANT	YEAR	PROJECT NAME	INTERNAL ORDER	AMOUNT
FTA	CA-90-Z112	2017	SRM	D1422007B	\$ 48,983.03
Prop 1B	Prop 1B	2013	SRM	D1322022B	\$ 11,858.00
FTA	CA-90-Z112	2017	Rapid Marts	D1422006F	\$ 31,773.54
Prop 1B	Prop 1B	2013	Rapid Marts	D1422000B	\$ 7,691.86
				Total	\$100,306.43

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – N/A

CONCLUSION

By proceeding with this award, Omnitrans will have the ability to generate custom reports and increase efficiencies for the Maintenance and Procurement Departments.

PSG:JMS:KT

ITEM # E12

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE AWARD/RESCIND – CONTRACT MNT16-109
MISCELLANEOUS BULK OILS AND LUBRICANTS**

FORM MOTION

1. Authorize the CEO/General Manager to rescind award of Contract MNT16-109C to Dion & Sons, Inc., Long Beach, CA, and MNT16-109D to Safety-Kleen Systems, Inc., Richardson, TX, for the provision of Miscellaneous Bulk Oils and Lubricants; and
2. Authorize the CEO/General Manager to award Contract MNT16-109F to The Soco Group, Inc. of Perris, CA, for the provision of Miscellaneous Bulk Oils and Lubricants. Contract duration shall be for a three (3) year base period beginning April 7, 2017 and ending December 6, 2019.

BACKGROUND

On December 7, 2016, Omnitrans Board of Directors originally approved the award of Contracts MNT16-109(B-E). On January 9, 2017, M.O. Dion and Sons' Sales Manager notified Omnitrans of their intent to withdraw their bid award of Contract MNT16-109C due to the bid being submitted by an unauthorized representative. On January 31, 2017, Omnitrans received a letter from Safety-Kleen Systems, Inc. requesting the withdrawal of their bid due to the firm's inability to adhere to contractual requirements. Staff recommends rescinding both awards and is working with General Counsel to strengthen language in the solicitations to prevent recurrence. Award is recommended to The Soco Group, Inc. as the next lowest bidder for both Automatic Transmission Fluid and Hydraulic Fluid.

Oil companies no longer honor fixed pricing. As a result, the IFB was designed to meet the fluctuating market pricing by having each bidder establish a fixed margin (profit/discount) and delivery charge by product. A copy of an invoice or statement from the bidder's supplier will be used to establish a margin that the bidder cannot exceed for the contract period. A bench of Contractors will be established per product. Pricing shall remain fixed for a six month period.

Thereafter, unit price(s) may be adjusted, either up or down, every six months after award, reflecting the change in the Consumer Price Index (CPI).

Listed below is the per-gallon price:

Product	*Total Price Per Gallon
Automatic Transmission Fluid	
The SoCo Group, Inc. of Perris, CA	\$27.44
**Rosemead Oil Products, Inc., Santa Fe Springs, CA	\$27.69
Hydraulic Fluid	
The SoCo Group, Inc. of Perris, CA	\$5.16
**Rosemead Oil Products, Inc., Santa Fe Springs, CA	\$5.85

*Pricing is inclusive of fixed margin and delivery charges.

** Contract MNT16-109B originally awarded December 7, 2016. Contractor shall perform as secondary provider for the products listed above.

Award is recommended to the lowest, responsive and responsible bid.

This procurement meets the requirements of Omnitrans' Procurement Policies and Procedures.

FUNDING SOURCE

The cost associated with this procurement is budgeted in the Maintenance Department's Operating budget as follows:

Department Number 1200
Expenditure Codes 504120, 504130

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – This procurement supports Omnitrans' Short Range Transit Plan goal to expand, maintain and improve existing vehicles, facilities and passenger amenities.

CONCLUSION

By proceeding with this award, Omnitrans will have the ability to perform preventative maintenance as needed on Omnitrans fleet of revenue vehicles.

PSG:JMS:KT

ITEM # F1

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

FROM: P. Scott Graham, CEO/General Manager

SUBJECT: CEO/GENERAL MANAGER'S REPORT

Omnitrans received First Place in the American Public Transportation Association's Adwheel competition for the Omnitrans and National Orange Show Event Partnership in the category of Best Marketing and Communications to Increase Ridership or Sales. Credit goes to Marketing Manager Nicole Ramos for her efforts in this award winning effort!

Omnitrans also has a new sbX commercial that will air on cable television in San Bernardino and Loma Linda, as well as in the theater in downtown San Bernardino and online at www.omnitrans.org.

At the request of the San Bernardino County Transportation Authority (SBCTA), Omnitrans will be operating a 20-day bus bridge between the San Bernardino Depot Metrolink Station, Rialto Metrolink Station and the Fontana Metrolink Station beginning March 17. The bus bridge is required due to construction of the Metrolink extension to the San Bernardino Transit Center. Omnitrans has coordinated schedules and communication with SBCTA and Metrolink to ensure that Metrolink riders can connect to trains arriving in or departing from Fontana. From March 17 through March 29, Omnitrans has provided transportation to 2,517 Metrolink passengers.

On March 29th a meeting was held with SBCTA to review/discuss the "Arrow" Maintenance of Equipment and Operations Agreement. It is anticipated this agreement will be presented to the SBCTA Transit and Rail Committee in June and brought before the Omnitrans Board not later than September 2017.

PSG:vd

ITEM # _____ F2 _____

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE AWARD (BENCH) – CONTRACTS MNT17-26(A-B)
TOWING SERVICES**

FORM MOTION

Authorize the CEO/General Manager to award Contracts MNT17-26A to Armada Transport, Inc. of San Bernardino, CA, and MNT17-26B to Bill & Wag's, Inc. of Ontario, CA, for the provision of Towing Services beginning June 1, 2017 and the authority to exercise three (3) single year options tied to the Consumer Price Index (CPI), extending the contracts to no later than May 31, 2022, in an aggregate amount of \$277,729, plus a ten percent contingency of \$27,773, for a total not-to-exceed amount of \$305,502, should all option years be exercised.

BACKGROUND

Omnitrans utilizes contract services to provide towing services on an as-needed basis for towing of Omnitrans' fleet of buses and support vehicles. On September 30, 2016, Omnitrans' Board of Directors approved Resolution No. 293-16 for the adoption of parking restrictions for Omnitrans' parking lots and the San Bernardino Transit Center (SBTC). Omnitrans requires the towing services of privately owned vehicles parked in violation of Omnitrans' parking regulations. All fees associated with the towing of privately owned vehicles will be paid directly to the awarded contractors by the owners of the vehicles being towed.

On November 2, 2016, Omnitrans' Board of Directors authorized the release of Request for Proposals RFP-MNT17-26 for Towing Services. Notices were published in two local newspapers of general circulation and posted on Omnitrans' online bidding system. Four (4) proposals were received by the January 12, 2017 deadline, and three were deemed responsive and evaluated in accordance with the selection criteria included in the RFP.

Proposals are listed below from highest score to lowest score:

Selection Criteria	Total Points Possible	Armada Transport, Inc. of San Bernardino, CA	Bill & Wag's, Inc. of Ontario, CA	Statewide Towing & Recovery, Inc. of Riverside, CA
Responsiveness	35	31.50	29.17	24.50
Quality of Work	20	17.33	17.33	13.33
Experience	20	18.00	17.33	13.33
Technical Score	75	66.83	63.83	51.16
Cost/Price	25	25.00	9.44	11.38
Totals	100	91.83	73.27	62.54

All were found to be within the competitive range and invited to submit Best and Final Offers (BAFO's). Upon receipt of clarifications, the evaluation committee reevaluated the firms.

Selection Criteria	Total Points Possible	Armada Transport, Inc.	Bill & Wag's Inc.	Statewide Towing & Recovery, Inc.
Technical Total	75	66.83	63.83	53.17
BAFO Cost/Price	25	25.00	18.45	14.56
Final Total Score	100	91.83	82.28	67.73

Proposals from Armada Transport, Inc. and Bill & Wag's, Inc. were ranked the highest technically, proposed the most competitive pricing and best overall value. Staff recommends awarding a bench contract to Armada Transport for primary towing of Omnitrans' fleet of buses and support vehicles and Bill & Wag's as a secondary provider for towing of privately owned vehicles.

Armada Transport, Inc. committed to respond on a 24-7 basis and has the capabilities to tow all Omnitrans bus and support vehicles. Bill & Wag's, Inc. has the ability to provide necessary signage or private towing and has facilities located in Ontario and Redlands, which complies with Article 1. under California Vehicle Code Section 22658, Authority to Remove Vehicles.

Award is recommended to the highest technical, lowest cost, responsive, responsible proposers. Pricing is below current contract rates and is therefore deemed fair and reasonable due to competition.

This procurement meets the requirements of Omnitrans' Procurement Policies and Procedures.

FUNDING SOURCE

The cost associated with this procurement is budgeted in the Maintenance Department's Operating Budget as follows:

Department 1200
Expenditure Code 503110

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – This procurement supports Strategic Initiative 4 – Safety & Security Collaboration.

CONCLUSION

By proceeding with this award, Omnitrans will ensure continued availability of towing services for Omnitrans buses, support vehicles and private vehicles parked in violation of Omnitrans' parking restrictions.

PSG:JMS:KT

ITEM # _____ F3 _____

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE AWARD – CONTRACT HRS17-56
LEADERSHIP PROGRAMS**

FORM MOTION

Authorize the CEO/General Manager to award Contract HRS17-56 to Insight Strategies, Inc. (Insight) of Torrance, CA, for the provision of Leadership Programs for a two (2) year base period beginning April 2017, and the authority to exercise three (3) single option years tied to the Consumer Price Index (CPI), extending the contract to no later than April 2022, in the amount of \$330,600, plus a ten percent contingency of \$33,060, for a total not-to-exceed amount of \$363,660, should all option years be exercised.

BACKGROUND

For six (6) years, Omnitrans has maintained a Leadership Action Program which includes 360° Evaluations, Dominance, Influence, Support and Compliance (DISC) profile assessments and workshops. Omnitrans is committed to enhancing leadership development for all Omnitrans employees.

On January 4, 2017, Omnitrans' Board of Directors authorized the release of Request for Proposals RFP-HRS17-56 for Leadership Programs. Notices were published in two local newspapers of general circulation and posted on Omnitrans' online bidding system. Three (3) proposals were received by the January 31, 2017 deadline, and all were deemed responsive and evaluated in accordance with the selection criteria included in the RFP.

The following are ranked from highest to lowest score:

Selection Criteria	Total Points Possible	Insight Strategies, Inc. of Torrance, CA	Boylin Management Institute of Lake Arrowhead, CA	JJA Consultants, Inc. of Fairfax, VA
Qualifications of the Firm	25	24.17	20.83	20.83
Quality of Work	20	18.67	15.33	15.67
Experience	30	29.00	24.00	24.00
Total Technical Score	75	71.84	60.16	60.50
Price	25	18.22	25	19.41
Total Score	100	90.06	85.16	79.91

Insight scored the highest technically. Staff conducted competitive negotiations with Insight prior to inviting a Best and Final Offer (BAFO). The firm modified their work plan to reduce the overall cost for facilitation services by \$157,500.

Insight offers over 20 years of experience in providing similar professional services in transit related environments. Their proposal demonstrated a comprehensive understanding of Leadership Programs and addressed each of the goals and expectations of the project in detail. Insight offered a diverse project team with focused areas of expertise.

Based on the evaluation of the written proposals, the firms' qualifications, and experience, award is recommended to the highest ranking firm, Insight.

BAFO pricing is \$33,060 less than the Independent Cost Estimate of \$363,660 and is deemed fair and reasonable.

This procurement meets the requirements of Omnitrans' Procurement Policies and Procedures.

FUNDING SOURCE

The cost associated with this procurement is budgeted in the Human Resources – Safety & Regulatory Compliance Department's Operating Budget as follows:

Department 1600
Expenditure Code 503060

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – This procurement supports Strategic Initiative 6 – Workforce Development.

CONCLUSION

By proceeding with this award, Omnitrans will expand its training programs and prepare qualified internal candidates to be competitive for advancement.

PSG:JMS:KT

ITEM # _____ F4

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE AWARD – CONTRACT MKP17-65
FARE MEDIA PRINTING SERVICES**

FORM MOTION

Authorize the CEO/General Manager to award Contract MKP17-65 to Magnetic Ticket and Label Corporation of Dallas, TX, for the provision of Fare Media Printing Services for a two (2) year base period beginning June 1, 2017 with the authority to exercise three (3) single option years tied to the Consumer Price Index (CPI) ending no later than May 31, 2022, in the amount of \$180,364, should all options be exercised.

BACKGROUND

Omnitrans utilizes the services of qualified firms to provide the printing of magnetic bus passes and generic trim cards on an as needed basis. In addition, Omnitrans requires the printing of various categories of monthly, weekly, daily and generic bus passes to support use on ticket vending machines and fareboxes.

On February 1, 2017, Omnitrans' Board of Directors authorized release of Invitation for Bids IFB-MKP17-65 for Fare Media Printing Services. Notices were published in two (2) local newspapers of general circulation and posted on Omnitrans' online bidding system. Two (2) bids were received by the March 2, 2017 deadline and all bids were found to be responsive.

Listed below are the bid prices from lowest to highest:

Company	*Total
Magnetic Ticket & Label Corporation, Dallas, TX	\$ 180,364
Electronic Data Magnetics, High Point, NC	\$ 245,530

*If all options are exercised.

Award is recommended to the lowest responsive and responsible bidder, Magnetic Ticket & Label Corporation in the amount \$180,364. The Independent Cost Estimate (ICE) of \$185,225

was based on previous contract rates. Pricing is deemed to be fair and reasonable through competition. Their performance on the current contract met Omnitrans' requirements and staff will regularly monitor the services provided.

This procurement meets the requirements of Omnitrans' Procurement Policies and Procedures.

FUNDING SOURCE

The cost associated with this procurement is budgeted in the Marketing/Planning Department's Operating Budget as follows:

Department	1400
Expenditure Code	509230

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – N/A

CONCLUSION

By proceeding with this award, Omnitrans will continue to provide magnetic bus passes and generic trim cards.

PSG:JMS:KT

ITEM # _____ F5 _____

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE AWARD – CONTRACTS MNT17-57 (A-B)
UNIFORM AND TEXTILE SERVICES**

FORM MOTION

Authorize the CEO/General Manager to award Contract MNT17-57A to P&P Uniforms Inc. of Riverside, CA, and Contract MNT17-57B to Aramark Uniform Services of Riverside, CA, for the provision of Uniform and Textile Services for a three (3) year base period beginning May 1, 2017, and the authority to exercise two (2) single option years tied to the Consumer Price Index (CPI) extending the contracts to no later than April 30, 2022, in the amount of \$998,561, plus a ten percent contingency of \$99,856, for a total aggregate amount not-to-exceed \$1,098,417, should all option years be exercised.

BACKGROUND

Omnitrans utilizes the services of firms to provide uniform and textile services for Operations, Maintenance, Procurement, and Marketing staff. These services include the provision of uniforms, alterations and laundering services, shop towels, entry mats, fender covers, and dust mops.

On December 7, 2016, Omnitrans' Board of Directors authorized the release of Request for Proposals RFP-MNT17-57 for Uniform and Textile Services. Notices were published in two local newspapers of general circulation and posted on Omnitrans' online bidding system. Three (3) proposals were received for the Direct Purchase of Uniforms by the February 7, 2017 deadline and two (2) proposals were deemed responsive. Three (3) proposals were received for Rental of Uniforms and Textile Services by the February 7, 2017 deadline, and all were deemed responsive and evaluated in accordance with the selection criteria included in the RFP.

The following firms proposed on the Direct Purchase of Uniforms and are ranked below from highest to lowest score:

Selection Criteria	Total Points Possible	P&P Uniforms, Inc. of Riverside, CA	G&K Services of Ontario, CA
Qualifications of the Firm	15	10.75	10.50
Quality of Work	40	37.33	30.00
Experience	20	16.00	15.00
Total Technical Score	75	64.08	55.50
Price/Cost	25	25	22.43
Total Direct Purchase Score	100	89.08	77.93

Staff conducted competitive negotiations with the following firms before inviting Best and Final Offers (BAFO's). Through the negotiation process, the scope of work was expanded to include uniform jackets and scarfs for Coach Operators through the negotiation process between Omnitrans and Amalgamated Transit Union (ATU). All firms held their pricing.

The following firms proposed on the Rental of Uniforms and Textile services and are ranked below from highest to lowest score:

Selection Criteria	Total Points Possible	Aramark Uniform Services of Riverside, CA	G&K Services of Ontario, CA	P&P Uniforms, Inc. of Riverside, CA
Qualifications of the Firm	15	12.00	10.50	10.25
Quality of Work	40	32.00	29.33	25.33
Experience	20	15.33	15.00	14.67
Total Technical Score	75	59.33	54.83	50.25
Cost/Price	25	20.82	25.00	14.14
Total Rental Score	100	80.15	79.83	64.39

In accordance with the solicitation, staff conducted competitive negotiations with all firms before inviting BAFO's. All firms held their original pricing.

P&P Uniforms scored the highest and proposed the overall lowest pricing for Direct Purchase of Uniforms. P&P's work plan is comprehensive and illustrates the firm's experience and ability to provide uniform rentals. P&P Uniforms is the current provider for direct purchase of uniforms and their performance and service has been found to be satisfactory.

Aramark Uniform Services ranked the highest for rental of uniforms, shop towels, entry mats, fender covers and dust mops. Aramark provides uniform rental services to more than 300,000 customer accounts and has over 228 service locations. The quality of the uniforms submitted by the firm met Omnitrans' expectation.

Pricing is deemed fair and reasonable as the recommended combined competitive pricing of \$998,561 is within ten percent of the Independent Cost Estimate of \$954,534, which was based on current contract pricing established in 2012.

This procurement meets the requirements of Omnitrans' Procurement Policies and Procedures.

FUNDING SOURCE

The cost associated with this procurement is budgeted in various Departments' Operating Budget as follows:

Department	Various
Expenditure Code	504230

_____ Verification of Funding Sources and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – N/A

CONCLUSION

By proceeding with this award, Omnitrans will continue to provide uniform and textile services throughout the Agency.

PSG:JMS:KT

ITEM # _____ F6 _____

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

**SUBJECT: AUTHORIZE AMENDMENT 3 - CONTRACT MNT12-12
MAINTENANCE AND REPAIR OF LIQUEFIED COMPRESSED
NATURAL GAS (LCNG) FACILITIES**

FORM MOTION

Authorize the CEO/General Manager to execute Amendment 3 to Contract MNT12-12 for Maintenance and Repair of LCNG Facilities to Clean Energy of Seal Beach, CA, to extend services on a month-to-month basis through August 31, 2017, modify scope of work to include equipment, and increase the contract by \$349,968 for a new not-to-exceed amount of \$1,903,623.

BACKGROUND

On April 4, 2012, Omnitrans' Board of Directors approved award of Contract MNT12-12 to Clean Energy to provide maintenance and repair services to Omnitrans' LCNG equipment located at the East Valley and West Valley facilities for three base years and two single option years. All option years have been exercised and the contract is due to expire April 30, 2017.

Omnitrans is in the process of converting to a Compressed Natural Gas (CNG) pipeline at both facilities. Once the pipeline is operational, the services under this contract will no longer be required. Amendment 3 would extend the contract on a month-to-month basis until the pipeline is in operation. The original agreement did not include equipment (cold and warm ends). This amendment adds new and rebuilt equipment to the agreement. Outstanding invoices for cold and warm ends already installed total \$70,800.

Clean Energy has agreed to hold the monthly maintenance fee through August 31, 2017. A cost analysis was conducted on the equipment. Price is deemed fair and reasonable as the unit pricing is 17% less than the Independent Cost Estimate (ICE) and 42% less than the manufacturer's list price.

This procurement meets the requirements of Omnitrans' Procurement Policies and Procedures.

FUNDING SOURCE

The cost associated with this procurement is budgeted in the Maintenance Department's Operating Budget, as follows:

Department	1200
Expenditure Code	505060

_____ Verification of Funding Source and Availability of Funds.
(Verified and initialed by Finance)

Short Range Transit Plan/Strategic Initiative Supported – N/A

CONCLUSION

By proceeding with this award, Omnitrans will have the ability to maintain its fueling equipment until the CNG pipeline is available.

PSG:JMS:CMV

ITEM # _____ F7 _____

DATE: April 5, 2017

TO: Board Chair Sam Spagnolo and Members of the Omnitrans Board of Directors

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Haviva Shane, General Counsel

**SUBJECT: UPDATE ON AB 548
AN ACT TO CREATE OMNITRANS TRANSIT DISTRICT**

FORM MOTION

Receive and file report presented by Omnitrans' General Counsel Haviva Shane regarding status of Assembly Bill (AB) 548, and of discussions with Assemblyman Marc Steinorth's office.

Provide further direction to General Counsel's office regarding AB 548.

BACKGROUND

Assembly Bill 548 would convert Omnitrans from its current form as a Joint Powers Authority (JPA) into a legislatively created Transit District to be formed under Division 10 of the Public Utilities Code. As Omnitrans' role has expanded to include operation of buses on the freeway and will soon include the Maintenance and Operation of the Redlands Passenger Rail Service, the Board expressed a desire to change the structure of Omnitrans to a statutory entity. The Board directed General Counsel's office to work on legislation to create Omnitrans Transit District, with the direction that the new statutory entity would retain the powers and authorities, and board structure, Omnitrans currently has under its joint powers agreement.

General Counsel's office was able, within a short timeframe, to obtain support from Assemblyman Marc Steinorth's office to put forward a spot bill, and to also author the bill. Following direction from the Board, General Counsel's office submitted a draft of the legislation to create the Omnitrans Transit District to Assemblyman Steinorth's office. In light of the timing, Assemblyman Steinorth's office submitted a very pared down version of the bill to the State of California Office of Legislative Counsel. Assemblyman Steinorth's office has now proposed a more robust version of the bill which is attached to this Agenda Report. The redline changes represent the proposed additions to the version of the bill originally submitted to Legislative Counsel by Assemblyman Steinorth's office. Assemblyman Steinorth's office has proposed to get official language drafted in substantially the form contained in the attached version of the bill.

DISCUSSION

While the version of AB 548 currently proposed by Assemblyman Steinorth's office addresses the issue of tort liability of member agencies, it does not include all of the powers that Omnitrans currently has under its JPA. Our understanding is that while there may be the potential to propose future revisions to the attached version of AB 548, this is the version that Assemblyman Steinorth is currently comfortable with moving forward to committee. Although there will be the opportunity to negotiate changes and additions to AB 548, it is uncertain if Assemblyman Steinorth's office, as the bill's author, will agree to incorporate all of Omnitrans' current powers under its JPA into AB 548.

At the direction of the Board, General Counsel's office can inform Assemblyman Steinorth's office of the Board's desire to move AB 548 forward as proposed, with the intent to continue working on future additions and revisions to the bill.

Alternatively, the Board can direct General Counsel's office to inform Assemblyman Steinorth's office that the Board does not desire to move the bill forward as currently presented. In such case, General Counsel can continue working with Assemblyman Steinorth's office and/or other potential bill authors and supporters, with the intent of bringing forward a revised version of the bill in the fall.

PSG:HS

The People of the State of California do enact as follows:

SECTION 1. Part 19 (commencing with Section 108000) is added to Division 10 of the Public Utilities Code, to read:

Part 19. Omnitrans Transit District

Chapter 1. General Provisions

108000. This part shall be known and may be cited as the Omnitrans Transit District Act.

108001. It is the intent of the Legislature in enacting this part to provide for a unified, comprehensive institutional structure for the ownership and governance of a transit system within the County of San Bernardino to develop, provide, operate, and administer public transportation. It is further the intent of the Legislature that the district established by this act may succeed to the powers, duties, obligations, liabilities, immunities, and exemptions of Omnitrans, a joint powers authority formed pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code), upon its dissolution.

Chapter 2. Definitions

108010. Unless the context otherwise requires, the provisions of this chapter govern the construction of this part:

- (a) "District" means the Omnitrans Transit District.
- (b) "Transit" and "transit service" means the transportation of passengers and their incidental baggage by any means.
- (c) "Transit works" or "transit facilities" means any or all real and personal property, equipment, rights, facilities, title, or interests owned, or to be acquired, by the district for transit service or purposes for the operation thereof.
- (d) "Board of directors," "board," and "directors," means the board of directors of the district.
- (e) "City" means, individually, the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland and Yucaipa, and any other city within the County of San Bernardino that joins as a member of the district as set forth in this part.
- (f) "County" means, individually, the County of San Bernardino, and any other county which is annexed, in whole or in part, to the district as provided in this part.
- (g) "Board of supervisors" means the County of San Bernardino Board of Supervisors.
- (h) "Public agency" includes the State of California, and any county, city, district, or other political subdivision or public entity of, or organized under the laws of, this state, or any department, instrumentality, or agency thereof.
- (i) "System" means all transit works and transit facilities owned or held, or to be owned or held, by the district for transit purposes.
- (j) "Revenues", unless otherwise defined, means all rates, fares, tolls, rentals, fees, charges or other income and revenue actually received or receivable by, or for the account of, the district from the operation of the system, including, but not limited to, interest allowed on any

moneys or securities, any profits derived from the sale of any securities, any consideration in any way derived from any properties owned, operated, or at any time maintained by the district, and all local, state, and federal funds received by the district.

(k) "Person" includes any individual, firm, partnership, association, corporation, limited liability company, trust, business trust, or the receiver or trustee or conservator for any thereof, but does not include a public agency, as defined in subdivision (h).

(l) "Establish" includes establish, construct, complete, acquire, extend, or reroute. It does not, however, include the maintenance and operation of any existing system acquired by the district.

(m) "Voter" means any elector who is registered under the Elections Code.

(n) "Omnitrans JPA" means the joint powers authority formed pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code) through that certain joint powers agreement titled "Amended and Restated Joint Powers Agreement between the County of San Bernardino and the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa Creating a County Wide Transportation Authority to be Known as 'Omnitrans'", dated July 1, 2016.

Chapter 3. Formation of District

108030. There is hereby created the Omnitrans Transit District, comprising the territory lying within the boundaries of the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa, and the unincorporated areas of the County of San Bernardino lying within census tracts designated by the board of supervisors, as set forth in the 2010 decennial census maps for the State of California on file with the Bureau of the Census, Department of Commerce, Washington, D.C., and other cities that subsequently qualify as members pursuant to the requirements set forth in Section 108032.

108031. The territory of all or part of any other contiguous city or county may be included within the district through compliance with annexation procedures to be adopted by the district.

108032. Any city within the County of San Bernardino, other than a city specifically listed in Section 108030 that is already included in the district at its formation, may join as a member of the district upon approval by its city council of a resolution approving the city's joining as a member and a resolution of the district's board approving the joining of the new member.

108033. (a) Upon the dissolution of Omnitrans JPA and without the necessity of any further action, the district shall succeed to any or all obligations, liabilities, indebtedness, bonded and otherwise, immunities, and exemptions of Omnitrans JPA and its board of directors.

(b) Upon the dissolution of Omnitrans JPA and without the necessity of any further action, the district shall assume the rights and obligations of Omnitrans JPA under any contract to which Omnitrans JPA is a party and which is to be performed, in whole or in part, on or after the date of dissolution of Omnitrans JPA.

(c) Upon the dissolution of Omnitrans JPA and without the necessity of any further action, all real and personal property owned by Omnitrans JPA shall be transferred to the district.

(d) On and after the date of dissolution of Omnitrans JPA, any reference in any provision of law or regulation to Omnitrans JPA shall be deemed to refer to the district.

Chapter 4. Government of District

108040. The district shall be governed by a board of directors. All powers, privileges, and duties vested in or imposed upon the district shall be exercised and performed by and through the board of directors provided, except that the exercise of all executive, administrative, and ministerial power may be delegated and re-delegated by the board of directors to any of the offices, officers, or committees created pursuant to this chapter or created by the board of directors acting pursuant to this chapter.

108041. The board of directors shall consist of 20 members as follows:

- (a) The board shall be composed of one primary representative selected by the governing body of each city in the county and four (4) members of the San Bernardino County Board of Supervisors to serve until recalled by the governing body of the city or county. Each director shall be a mayor, councilperson, or supervisor of the governing body which selected him or her. Vacancies shall be filled in the same manner as originally selected.
- (b) Each city and the county shall also select in the same manner as the primary or secondary representative, if applicable, one alternate to serve on the board when the primary representative is not available. Whenever the alternate director serves on the board, the alternate director shall have all the powers of a regular director.
- (c) The board may allow for the appointment of advisory representatives to sit with the board but in no event shall said representatives be allowed a vote.

108042. The board, at its first meeting, and biannually thereafter at the first meeting in June, shall elect a chairperson who shall preside at all meetings, and a vice-chairperson who shall preside in the absence of the chairperson. The chairperson and the vice-chairperson shall serve two-year terms. Notwithstanding the foregoing, the vice-chairperson shall become chairperson for the subsequent two-year term in the absence of a vote by the board of directors to the contrary. In the event of their absence or inability to act, the member present, by an order entered in the minutes, shall select one of their members to act as chairperson pro tem, who, while so acting, shall have all the authority of the chairperson.

108043. The board of directors shall establish rules for its proceedings, including:

- (a) Adoption of bylaws consistent with the laws of the state.
- (b) Adoption of an annual budget.
- (c) Adoption of a conflict-of-interest code.
- (d) Make determination of policy for the district.
- (de) Adoption of priorities reflecting the district's goals.
- (f) Cause a post-audit of the financial transactions and records of the district to be made at least annually by a certified public accountant.
- (ge) Do any and all things necessary to carry out the purposes of this part.

108044. A majority of the board or of a standing committee entitled to vote constitutes a quorum for the transaction of business. All official acts of the board or a standing subcommittee of the board require the affirmative vote of a majority of the board or committee members present.

108045. The acts of the board of directors shall be expressed by motion, resolution or ordinance.

108046. All meetings of the board of directors shall be conducted in the manner prescribed by the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

Chapter 5. Powers and Functions of District

108050. The district shall have and may exercise all rights and powers, expressed or implied, that are necessary to carry out the purposes and intent of this chapter, including, but not limited to, the power to do all of the following:

- (a) Sue and be sued except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.
- (b) To appoint necessary employees, and contract for professional services, and to define their qualifications and duties.
- (c) Adopt a conflict-of-interest code.
- (~~d~~e) Make and enter into contracts and enter into stipulations of any nature whatsoever and do all acts necessary and convenient for the full exercise of the powers granted in this part for the operation of the district and transit services and facilities~~To enter into and perform all necessary contracts.~~
- (e) Acquire, convey, construct, manage, maintain, and operate buildings and improvements, equipment, and assets of the district
- (f) Acquire, convey, and dispose of real and personal property, easements, and licenses.
- (g) Lease and sublease real and personal property, equipment, and facilities.
- (h) Create and administer funds and the distribution of those funds.
- (i) Create and enact fares and penalties, as permitted by law.
- (j) Enforce criminally or civilly, as applicable, any and all ordinances, resolutions, and policies, as permitted by law.
- (k) Invest money in the district treasury that is not needed for immediate necessities, as the board determines advisable, in the same manner and upon the same conditions as other local entities in accordance with Section 53601 of the Government Code.
- (l) Pursue collection of obligations owed to the district.
- (~~m~~e) To adopt a seal and alter it at the district's pleasure.
- (~~n~~e) To enter joint powers arrangements with other entities.
- (~~o~~f) Appoint such advisory, standing, or ad hoc committees as it deems necessary.
- (p) Enact ordinances, resolutions, policies, and guidelines.
- (q) To adopt an annual budget and to fix the compensation of its officers, board members, and employees.
- (~~r~~e) Do and undertake any and all other acts reasonable and necessary to carry out the purposes of this part.

~~108060. The district may make contracts and enter into stipulations of any nature whatsoever, employ labor, and do all acts necessary and convenient for the full exercise of the powers granted in this part.~~

108051. The district may insure against any accident or destruction of the system or any part thereof. The district may insure against loss of revenues from any cause whatsoever. It may provide, in the proceedings authorizing the issuance of any bonds, for the carrying of insurance in such amount and of such character as may be specified, and for the payment of the premiums thereon. The district may also provide insurance as provided in Part 6 (commencing with Section 989), Division 3.6, Title 1 of the Government Code.

108062. The Legislature finds and declares that there is a compelling interest in ensuring that all federal, state, local, and private funds available to the district are captured and used in a timely manner. In order to maximize the use of federal, state, local, and private funds and to maintain a competitive posture in seeking supplemental federal funds, the district shall have the authority to establish and use a flexible contracting process to maximize efficient use of public funds.

108063. (a) In the performance of its operations, the district shall do all of the following:

(1) Keep and maintain records and books of accounts in accordance with the uniform system of accounts and records adopted by the Controller pursuant to Section 99243 of the Public Utilities Code.

(2) Provide for and submit to an annual independent audit of its total operations. A copy of each audit report shall be filed with the finance officer of each of the member agencies not later than 120 days following the close of each fiscal year.

(3) Consider and, following a public hearing, adopt an annual operating and capital expenditure budget and a five-year capital expenditure program, in compliance with the requirements of local, state, and federal laws.

(4) Provide for insurance coverage of liability, operations, and assets.

(5) Provide for district employee retirement benefits under the program administered by the California Public Employees' Retirement System or other system permitted by law.

(b) The district fiscal year shall be July 1 through June 30.

(c) Notice of the time and place of a public hearing on the adoption of the annual budget shall be published pursuant to Section 6061 of the Government Code not less than 15 days prior to the day of the hearing. The proposed annual budget shall be available for public inspection at least 15 days prior to the hearing. Copies of the proposed annual budget and the capital expenditure program shall be submitted to the governing bodies of the member agencies for review and comment at least 30 days prior to the date scheduled for public hearing and final adoption.

108063 (a) The board may set fares for public transit service by resolution.

(d) As an alternative procedure for the raising of funds, the district may issue bonds, payable from revenues of any facility or enterprise to be acquired or constructed by the district, in the manner provided by the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section

54300) of Part 1 of Division 2 of Title 5 of the Government Code), all of the provisions of which are applicable to the district.

(e) The district is a local agency within the meaning of the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code). The term “enterprise” as used in the Revenue Bond Law of 1941 shall, for all purposes of this part, include transit facilities and any and all parts thereof and all additions, extensions, and improvements thereto and all other facilities authorized acquired, constructed, or completed by the district. The district may issue revenue bonds under the Revenue Bond Law of 1941, for any one or more facilities or enterprises authorized to be acquired, constructed, or completed by the district, or, in the alternative, may issue revenue bonds under the Revenue Bond Law of 1941, for the acquisition, construction, and completion of any one of those facilities. Nothing in this part shall prevent the district from availing itself of, or making use of, any procedure provided in this part for the issuance of bonds of any type or character for any of the facilities or works authorized under this part, and all proceedings may be carried out simultaneously or, in the alternative, as the directors may determine.

(f) The district may advocate on and act on behalf of all members with their concurrence to further the district’s transit interests, funding, projects, and priorities.

1080654. The district may insure against any accident or destruction of the system or any part thereof. The district may insure against loss of revenues from any cause whatsoever. It may provide, in the proceedings authorizing the issuance of any bonds, for the carrying of insurance in such amount and of such character as may be specified, and for the payment of the premiums thereon. The district may also provide insurance as provided in Part 6 (commencing with Section 989) of Division 3.6 of Title 1 of the Government Code.

108066. (a) The district may hire an independent staff of its own or contract with any department or agency of the United States or with any public or private entity to implement this part.

(b) The district may contract with public or private entities in conformance with applicable procurement procedures for the procurement of engineering, project management, and contract management services.

(c) The board shall fix the compensation of the district’s officers and employees.

(d) The district may employ employees and agents as the board may deem necessary to carry out its powers and duties, including, but not limited to, a general manager and legal counsel. The general manager and legal counsel shall be selected by, and shall serve at the pleasure of, and upon the terms prescribed by, the board.

108067. The members, whether individually or collectively, shall not be liable for any act or omission of the district, including, but not limited to, any of the following:

- (a) Performing any and all things necessary to carry out the purposes of this part.
- (b) Any act of the district, or for any act of the district's agents or employees.
- (c) The payment of wages, benefits, or other compensation to officers, agents, or employees of the district.
- (d) The payment of workers' compensation or indemnity to agents or employees of the district for injury, illness, or death.

Chapter 6. Transit Facilities and Services

108080. The district may provide transit service for the transportation of passengers and their incidental baggage by any means.

108082. The district may lease or contract for the use of its transit facilities, or any portion thereof, to any operator, and may provide for subleases by the operator upon any terms and conditions it deems in the public interest. As used in this section, "operator" means any public agency or any person.

108083. The district may contract with any public agency or person to provide transit facilities and services for the district.

108085. The district may construct and operate or acquire and operate transit works and facilities in, under, upon, over, across, or along any state or public street or highway or any stream, bay or water course, or over any of the lands which are the property of the state, to the same extent that such rights and privileges appertaining thereto are granted to municipalities within the state.

108086. The district may enter into agreements for the joint use of any property and rights by the district and any public agency or public utility operating transit facilities; may enter into agreements with any public agency or public utility operating any transit facilities, and wholly or partially within or without the district, for the joint use of any property of the district or of the public agency or public utility, or the establishment of through routes, joint fares, transfer of passengers, or pooling arrangements.

CHAPTER 7. Claims

108090. (a) All claims for money or damages against the district are governed by Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, except as provided therein or by other statutes or regulations expressly applicable thereto.

(b) No claim for money or damages shall be considered by the board unless the claim conforms to the provisions of Chapter 2 (commencing with Section 910) of Division 3.6 of Title 1 of the Government Code and unless the claim is filed with the clerk of the board not less than five days prior to the time of the meeting of the board at which it is to be considered.

(c) Pursuant to Section 935 of the Government Code, all claims against the district for money or damages that are excepted by Section 905 of the Government Code from the provisions of Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, and which are not governed by any other statutes or regulations expressly relating thereto, shall be governed by the procedures prescribed in this section, as follows:

(1) A signed written claim shall be presented to the district by mailing or delivering it to the clerk of the board by the claimant or by a person acting on behalf of the claimant. The claim shall conform to the requirements of Section 910 of the Government Code or be on a form provided by the district.

(2) Unless otherwise provided in this section, the procedures of presentation, consideration, and action upon all claims filed pursuant to this section shall be the same as the procedures provided and required by Sections 910 to 915.2, inclusive, of the Government Code, and any amendment thereto as enacted, which provisions and sections are hereby adopted as the requirements of this section. The presentation and action on claims provided herein shall be a prerequisite to a suit thereon, and the suit shall be subject to the provisions of Sections 945.5 and 945.6 of the Government Code.

CHAPTER 8. Detachments

108100. (a) Territory within the district may be detached from the district by a supermajority vote of the directors, which shall be at least 80 percent of the nonweighted vote of the existing board provided that all pending legal and financial obligations have been satisfied.

(b) The detachment of territory from the district shall become effective upon giving of the notice required in Section 57204 of the Government Code, provided that the detached territory shall not be relieved from liability for taxation for the payment of any bonded indebtedness existing at the time of detachment.

(c) Notice of the detachment of territory from the district shall be given to each assessor whose roll is used for a tax levy made pursuant to this part and with the State Board of Equalization pursuant to Chapter 8 (commencing with Section 54900) of Part 1 of Division 2 of Title 5 of the Government Code.

CHAPTER 9. Dissolution

108200. (a) The district may be dissolved upon a supermajority vote of the directors which shall be at least 80 percent of the nonweighted vote of the board. However, the winding up of the district shall be conducted by the board and the general manager. The district shall not be fully dissolved and terminated until all debts, financial obligations, and liabilities are paid in full and any and all remaining assets after payment of all debts, financial obligations, and liabilities are distributed to the members.

(b) (1) If the directors cannot agree as to the valuation of the property or to the manner of asset distribution, the question shall be submitted to arbitration, as set forth below, and the directors shall make the distribution or valuation as directed by arbitrators.

(2) Three arbitrators shall be appointed.

(3) The arbitration shall be binding and shall be conducted pursuant to Title 9 (commencing with Section 1280) of the Code of Civil Procedure. Any hearings shall be held within the county. All notices, including notices under Section 1290.4 of the Code of Civil Procedure shall be given to the governing body of each member.

108202. Upon dissolution of the district, the right, title, and interest to any property owned or controlled by the district which was acquired by the district from Omnitrans JPA or the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, Yucaipa, and the County of San Bernardino shall be returned to the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, Yucaipa, and the County of San Bernardino or disposed of as designated by those parties. If a joint powers agency cannot be formed, the district, in consultation with the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, Yucaipa, and the County of San Bernardino, shall make a recommendation to the Legislature regarding an appropriate disposition of the property.

Chapter 107. Rights of Employees

108500. When the district acquires existing facilities, rights, and obligations of Omnitrans JPA, all of the employees of Omnitrans JPA shall be appointed to comparable positions by the district. These employees shall be given sick leave, seniority, vacation credits, and all other rights and obligations that they have with Omnitrans JPA, upon the transfer of Omnitrans JPA to district.

Chapter 11. Transit Police Force

108700. The district may establish and maintain a police force. Those employees of the district appointed by the Chief Executive Officer to the police force and who are duly sworn are peace officers, are subject to Section 830.33 of the Penal Code, in the event the district establishes a police force. The district shall comply with the standards for recruitment and training of peace officers established by the Commission on Peace Officer Standards and Training pursuant to Title 4 (commencing with Section 13500) of Part 4 of the Penal Code.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

~~If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

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