



**BOARD OF DIRECTORS MEETING**  
**WEDNESDAY, JULY 11, 2018 – 8:00 A.M.**  
**OMNITRANS METRO FACILITY**  
**1700 WEST 5<sup>TH</sup> 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](mailto:BoardSecretary@omnitrans.org).

**A. CALL TO ORDER**

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

**B. ANNOUNCEMENTS/PRESENTATIONS**

1. Next Board Meeting: Wednesday, September 5, 2018 – 8:00 a.m.  
Omnitrans Metro Facility Board Room

**C. COMMUNICATIONS FROM THE PUBLIC**

This is the time and place for the general public to address the Board for items that are not on the agenda. In accordance with rules applicable to meetings of the 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.

3

**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 #E11, Action on Consent Calendar.

1. Approve Board Minutes – June 6, 2018
2. Receive and File Executive Committee Minutes – June 1, 2018 (EXE 7/6/18)
3. Receive and File Administrative & Finance Committee Minutes – April 12, 2018 (A&F 6/14/18)
4. Receive and File Project Closeout – E Street Corridor Bus Rapid Transit Project – *Maurice Mansion* (A&F 6/14/18)
5. Approve Resolution No. 307-18, Transfer of Valley Transportation Services (VTrans) Remaining Assets to Omnitrans – *Don Walker* (A&F 6/14/18)

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10  
13  
18  
45



**BOARD OF DIRECTORS MEETING  
WEDNESDAY, JULY 11, 2018 – 8:00 A.M.  
OMNITRANS METRO FACILITY  
1700 WEST 5<sup>TH</sup> STREET  
SAN BERNARDINO, CA 92411**

**E. CONSENT CALENDAR CONTINUED**

- |  |    |
|--|----|
| 6. Approve the Proposed Policy Changes to Policy #614 – State Disability Insurance (SDI) and Paid Family Leave (PFL) – <i>Suzanne Pfeiffer</i> (A&F 6/14/18)   | 49 |
| 7. Adopt the Proposed Overall Disadvantaged Business Enterprise (DBE) Goal for Federal Transit Administration (FTA) Assisted Contracts (October 1, 2018 – September 30, 2021) – <i>Eugenia Pinheiro</i> (EXE 7/6/18) | 55 |
| 8. Authorize Release – Request for Proposals - RFP-ITS19-03, Copier Equipment and Maintenance - <i>Eugenia Pinheiro</i>  | 75 |
| 9. Authorize Release – Request for Proposals – RFP-HRS19-04, Workers’ Compensation Claims Administration Services – <i>Eugenia Pinheiro</i>  | 77 |
| 10. Authorize Award – Contract MNT18-74, Janitorial Services - <i>Eugenia Pinheiro</i> (A&F 6/14/18)   | 79 |
| 11. 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 - <i>P. Scott Graham</i>  | 82 |
| 2. Review the Current Restriction on Political Advertisements and Determine Whether to Maintain, Revise or Eliminate the Restriction – <i>Haviva Shane</i> (EXE 7/6/18) | 84 |
| 3. Authorize Award – Contract MKP18-80, Bus Stop Improvement Project – <i>Eugenia Pinheiro</i>  | 88 |

**G. BOARD BUSINESS**

There is no Closed Session

**H. REMARKS AND ANNOUNCEMENTS**

**I. ADJOURNMENT**

ITEM #           D1          

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

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

**FROM:** Eugenia F. Pinheiro, Contracts Manager

**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 July 11, 2018.

<b>Item</b>	<b>Contract</b>	<b>Principals &amp; Agents</b>	<b>Subcontractors</b>
#E10	Authorize Award Contract MNT18-74 Janitorial Services	<i>Commercial Cleaning Systems Costa Mesa, CA Dana Holladay, Senior Vice President</i>	N/A
#F3	Authorize Award Contract MKP18-80 Bus Stop Improvement Project	<i>AEC Moreno Corporation Colton, CA 92324 Hector Moreno, PE President</i>	N/A

PSG:EFP



## 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

ITEM # \_\_\_\_\_ E1 \_\_\_\_\_

**BOARD OF DIRECTORS' MEETING  
MINUTES OF JUNE 6, 2018**

**A. CALL TO ORDER**

Chairman Ron Dailey called the regular meeting of the Omnitrans Board of Directors to order at 8:01 a.m., Wednesday, June 6, 2018, 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**

Council Member Ron Dailey, City of Loma Linda – Chairman  
Council Member David Avila, City of Yucaipa – Vice Chairman  
Mayor Carey Davis, City of San Bernardino  
Mayor Richard DeLaRosa, City of Colton  
Council Member John Dutrey, City of Montclair  
Mayor Paul Foster, City of Redlands  
Supervisor Josie Gonzales, County of San Bernardino  
Supervisor Curt Hagman, County of San Bernardino  
Mayor Penny Lilburn, City of Highland  
Council Member Ray Marquez, City of Chino Hills - Alternate  
Mayor Pro Tem John Roberts, City of Fontana  
Council Member Sam Spagnolo, City of Rancho Cucamonga  
Mayor Debbie Stone, City of Upland  
Council Member Tom Haughey, City of Chino - Alternate  
Mayor Pro Tem Alan Wapner, City of Ontario

**BOARD MEMBERS NOT PRESENT**

Supervisor James Ramos, County of San Bernardino  
Mayor Pro Tem Sylvia Robles, City of Grand Terrace  
Mayor Deborah Robertson, City of Rialto  
Supervisor Janice Rutherford, County of San Bernardino

**OMNITRANS' ADMINISTRATIVE STAFF PRESENT**

P. Scott Graham, CEO/General Manager  
Erin Rogers, Deputy General Manager  
Trischelle Baysden, Director of Rail

Diane Caldera, Director of Operations  
Marge Ewing, Director of Human Resources/Safety & Regulatory Compliance  
Samuel Gibbs, Director of Internal Audit  
Eugenia Pinheiro, Interim Director of Procurement  
Connie Raya, Director of Maintenance  
Doug Stanley, Director of Special Transit Services  
Don Walker, Director of Finance  
Wendy Williams, Director of Marketing/Planning  
Rick Barone, Materials Manager  
Jeremiah Bryant, Service Planning Manager  
Omar Bryant, Maintenance Manager  
Melissa Castillo, Customer Service Manager  
Barbara Erwin, Safety & Regulatory Compliance Manager  
Don Frazier, Fleet Safety & Training Supervisor  
Anna Jaiswal, Development Planning Manager  
Maurice Mansion, Treasury Manager  
Kathy McClure, Senior Contract Administrator  
Ray Maldonado, Employee Relations Manager  
Krystal Turner, Contracts Administrator  
Christine Van Matre, Contracts Administrator  
Julienne Overland-Villegas, Senior Executive Assistant to CEO/General Manager

**LEGAL COUNSEL**

Haviva Shane, Legal Counsel

**B. ANNOUNCEMENTS/PRESENTATIONS**

1. Next Board Meeting: Wednesday, July 11, 2018, 8:00 a.m.  
Omnitrans Metro Facility Board Room

**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.

**E. CONSENT CALENDAR**

1. Approve Board Minutes – May 2, 2018
2. Receive and File Executive Committee Minutes – April 6, 2018
3. Receive and File Operations and Safety Committee Minutes – February 28, 2018
4. Receive and File Key Performance Indicators – Fiscal Year 2018 Third Quarter Report
5. Receive and File Fiscal Year 2018 Annual Management Plan Strategic Initiatives – Third Quarter Report
6. Approve Arrow Vehicle Design
7. Receive and File Operations / Safety Update

8. Receive and File Collision Avoidance System
9. Authorize Release – Request for Proposals – RFP-FIN19-12, Armored Vehicle and Fare Collection Counting Services
10. Authorize Release – Request for Proposals – RFP-OPS19-13, Vehicle Up-fitting Services
11. Authorize Assignment – Contract HRS17-68, Employee Recognition Awards

M/S (Dutrey/Gonzales) that approved Consent Calendar. Motion was passed unanimously by Members present.

## **F. DISCUSSION ITEMS**

1. CEO/General Manager's Report

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

2. Review and Provide Comments Regarding Draft Special Legislation to Change Omnitrans from a Joint Powers Authority to a Statutorily Created Special Transit District

Chairman Dailey provided a brief background on this item and introduced Legal Counsel, Haviva Shane, to present this item. Ms. Shane stated last year, this item was brought before Executive Committee for discussion due to the concern from the JPA members regarding the Redlands Passenger Rail Project (RPRP) and the potential risk of tort liability. The item was subsequently forwarded to the Board; however, a concern was raised by the San Bernardino Transportation Authority (SBCTA) Executive Director, Mr. Ray Wolfe, regarding Omnitrans retaining the taxation authority included in the current Joint Powers Agreement (JPA). Several Omnitrans Board Members expressed concern regarding relinquishing a power currently held by the Agency. After a lengthy discussion, the Board decided to suspend the process until a consensus was reached and there was clear direction moving forward. Ms. Shane indicated that the Special Transit District legislation would include the taxation authority; however, an MOU would be created between Omnitrans and SBCTA stating that Omnitrans would not exercise the taxing authority, so long as SBCTA represents Omnitrans' interests within its' own taxing measures.

With the Arrow Service moving forward, this item was reintroduced to the Executive Committee at their April 2018, meeting. The Committee directed staff to forward this item to the Board for discussion and feedback. Ms. Shane mentioned that the draft legislation is similar to the language used by North County Transit District (NCTD).

Ms. Shane also noted that Mr. Wolfe expressed a concern regarding Section 108073, under Article 3, regarding potential duplicative or unclearly defined planning functions. She explained that staff is waiting on the suggested verbiage from SBCTA to include in the legislation. Ms. Shane stated that the next steps would be to incorporate the changes requested by SBCTA and include any comments from the Board to the draft legislation prior to taking the item back to the Executive Committee for further consideration, and prior to final Board approval. She explained that the legislation would also be presented to the Local Agency Formation Commission for San Bernardino (LAFCO) for review and approval prior to seeking a new bill sponsor in the Fall.

Member Wapner asked if becoming a statutorily created transit district would protect the members from any potential CalPERS obligations. Ms. Shane responded that it would.

Member Spagnolo asked that the legislation be forwarded to the cities. Ms. Shane responded that the legislation would be forwarded to the City Manager and City Attorney.

Member Lilburn asked that the Board Members be notified when the information is sent to their respective city in order to follow up with their city staff.

Member Davis referred to Chapter 10, Section 108400, regarding Dissolution and asked if there is a provision that allows for the distribution of remaining funds to the members in the event that the district be dissolved. Ms. Shane responded that the District could not be dissolved until all financial liabilities are paid. The language also states that should there be any disagreements between the parties involved, the question shall be submitted to arbitration. She stated that the information in this section could be clarified further in the final draft to better incorporate the provisions in the JPA related to dissolution.

Supervisor Hagman arrived at 8:15 a.m. during the discussion on item F1.

Ms. Shane asked that the Board contact her with any questions or comments regarding the draft legislation.

The Board received and requested that this item be back to the Board in the Fall for final approval.

3. Authorize Award (Bench) – Contracts MKP18-69 (A-C), Printing Services

M/S (Hagman/Gonzales) that authorized the CEO/General Manager to award Contracts MKP18-69 (A-C) as listed below for the provision of Printing Services for a three (3) year base period beginning August 15, 2018 and ending August 14, 2021, with the authority to exercise two (2) single option years tied to the Consumer Price Index (CPI), extending the contracts to no later than August 14, 2023, in the aggregate amount of \$259,750, plus a ten percent contingency of \$25,975, for a total not-to-exceed amount of \$285,725, should all options be exercised.

List of Contracts for authorization:

Contract Number	Contractor
MKP18-69A	American Business Forms, Inc. dba American Solutions for Business of Glenwood, MN
MKP18-69B	Mekong Printing, Inc. dba MK Printing of Santa Ana, CA
MKP18-69C	Rundle Enterprises, Inc. of Lake Arrowhead, CA

Motion was passed unanimously by Members present.



4. Authorize Award Sole Source – Contract ITS19-10, Bus Arrival Prediction Information System (BAPIS)

M/S (Hagman/Dutrey) that authorized the CEO/General Manager to award a sole source Contract to Cubic Transportation Systems (Cubic) of Concord, CA for the provision of Bus Arrival Prediction Information System (BAPIS) for a three (3) year base period beginning July 1, 2018 and ending June 30, 2021, and the authority to exercise two (2) single option years ending no later than June 30, 2023, in the amount of \$408,780, plus a ten percent contingency of \$40,878, for a total not-to-exceed amount of \$449,658, should all options be exercised. Motion was passed unanimously by Members present.

5. Authorize Award – Contract HRS18-42, Landscape Project – San Bernardino Transit Center

M/S (Wapner/Hagman) that authorized the CEO/General Manager to award Contract HRS18-42 to Griffith Company of Brea, CA, for the Landscape Project at the San Bernardino Transit Center (SBTC), in the amount of \$219,893.28, plus a ten percent contingency of \$21,989.32, and a 3.27% CAP in the amount of \$7,909.56, for a not-to-exceed amount of \$249,792.16. Motion was passed unanimously by Members present.

#### **G. BOARD BUSINESS**

There was no Closed Session scheduled.

#### **H. REMARKS AND ANNOUNCEMENTS**

Supervisor Gonzales congratulated all the Members who won their election campaign.

#### **I. ADJOURNMENT**

The Board adjourned at 8:33 a.m. The next regular meeting is scheduled Wednesday, July 11, 2018, at 8:00 a.m., with location posted on the Omnitrans website and at Omnitrans' San Bernardino Metro Facility.

Prepared by:

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Araceli Barajas, Executive Staff Assistant

ITEM #       E2      

**EXECUTIVE COMMITTEE MEETING  
MINUTES  
JUNE 1, 2018**

**A. CALL TO ORDER**

The Executive Committee Meeting was called to order by Chairman Ron Dailey at 9:05 a.m., Friday, June 1, 2018 at the Omnitrans Administrative Offices.

**COMMITTEE MEMBERS ATTENDING**

Council Member Ron Dailey, City of Loma Linda – Board Chairman  
Council Member David Avila, City of Yucaipa – Board Vice Chairman  
Mayor Penny Lilburn, City of Highland  
Mayor Pro Tem John Roberts, City of Fontana  
Council Member Sam Spagnolo, City of Rancho Cucamonga

**OTHERS ATTENDING**

Haviva Shane, General Counsel

**OMNITRANS STAFF ATTENDING**

P. Scott Graham, CEO/General Manager  
Julienne Overland-Villegas, Senior Executive Assistant to CEO/General Manager

**B. ANNOUNCEMENTS/PRESENTATIONS**

Next Committee Meeting:       Friday, July 6, 2018, 9:00 a.m.  
  Omnitrans Metro Facility

**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.

## **E. DISCUSSION ITEMS**

### **1. Approve Executive Committee Minutes – April 6, 2018**

M/S (Roberts/Lilburn) that approved the Executive Committee Minutes of April 6, 2018. Motion was passed unanimously by Members present.

### **2. Review and Provide Comments Regarding Draft Legislation to Change Omnitrans from a Joint Powers Authority to a Statutorily Created Special Transit District**

General Counsel, Haviva Shane, provided some background by stating that this item was being reintroduced to the Committee for discussion due to the concern from the JPA Members regarding potential Tort liability risk related to the Redlands Passenger Rail Project (RPRP). She explained that last year the Board decided to table this item until a consensus was reached regarding the taxation authority issue. Ms. Shane stated that CEO/General Manager, P. Scott Graham and San Bernardino County Transportation Authority (SBCTA), Executive Director, Ray Wolfe, discussed the idea of developing an agreement between the two agencies stating that Omnitrans would not exercise taxing authority so long as SBCTA includes Omnitrans in concurrent or future tax measures.

Ms. Shane further explained that with the adoption of the proposed legislation, the governance structure of Omnitrans would remain the same; however, Omnitrans would be its' own district and the new legislation will supersede the JPA. She stated that the idea is to take the draft legislation back to the Board for discussion and feedback and continue to work with the Executive Committee on developing the final draft prior to Board approval. Lastly, either BBK or SBCTA staff will seek a bill sponsor in the fall.

The Committee requested that the final draft legislation be forwarded to the City Manager and City Attorney of each city for their information.

The Committee received and recommended that this item be forwarded to the Board for discussion and comments.

### **3. Review and Recommend to the Board of Directors, Arrow Vehicle Design**

CEO/General Manager, P. Scott Graham provided a brief background on this item as detailed in the staff report.

M/S (Avila/Lilburn) that recommended the Board of Directors approve the interior and exterior design (white doors and darker upholstery color) for the Arrow Service hybrid-rail vehicles. Motion was passed unanimously by Members present.

### **4. CEO/General Manager's Report**

CEO/General Manager, P. Scott Graham provided an update on the following items:

- California Highway Patrol - Conducted their Annual Terminal Inspection of Omnitrans' West Valley facility and the Agency received the highest rating.
- OSHA Inspection – The Department of Industrial Relations Division of Occupational Safety and Health (OSHA), recently conducted an inspection of Omnitrans' West Valley Facilities and the Agency received a Notification of Penalty for alleged violations. The Committee was briefed on the findings and more detailed information will be provided to the Committee and to the Board following a meeting scheduled with OSHA later this month.
- The Director of Procurement has been on an “Interim” basis for several months; however, an Assembly Bill was recently passed limiting the number of hours an employee can work as Interim under CalPERS. Therefore, the Interim Director of Procurement, was re-assigned to her original position of Contracts Manager.
- A Human Resources Director was hired and will be coming onboard later this month.

#### **F. BOARD BUSINESS**

There was no Closed Session.

#### **G. REMARKS AND ANNOUNCEMENTS**

There were no remarks and announcements.

#### **H. ADJOURNMENT**

The Committee adjourned at 10:42 a.m. The next Executive Committee Meeting is scheduled Friday, July 6, 2018, at 9:00 a.m., with location posted on the Omnitrans website and at the Omnitrans San Bernardino Metro Facility.

Prepared by:

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Araceli Barajas, Executive Staff Assistant

ITEM # E3

**ADMINISTRATIVE & FINANCE COMMITTEE  
MINUTES, APRIL 12, 2018**

**A. CALL TO ORDER**

Committee Chair Sam Spagnolo called the regular meeting of the Administrative and Finance Committee to order at 8:00 a.m., Thursday, April 12, 2018.

1. Pledge of Allegiance
2. Roll Call

**Committee Members Present**

Council Member Sam Spagnolo, City of Rancho Cucamonga – Committee Chair  
Mayor Carey Davis, City of San Bernardino  
Supervisor Curt Hagman, County of San Bernardino  
Mayor Pro Tem John Roberts, City of Fontana  
Mayor Pro Tem Sylvia Robles, City of Grand Terrace  
Mayor Pro Tem Alan Wapner, City of Ontario

**Committee Members Absent**

Council Member David Avila, City of Yucaipa  
Council Member Ron Dailey, City of Loma Linda

**OmniTrans Administrative Staff Present**

Erin Rogers, Deputy General Manager  
Trischelle Baysden, Director of Rail  
Samuel Gibbs, Director of Internal Audit Services  
Marge Ewing, Director of Human Resources/Safety & Regulatory Compliance  
Jacob Harms, Director of Information Technology  
Eugenia Pinheiro, Interim Director of Procurement  
Connie Raya, Director of Maintenance  
Douglas Stanley, Director Special Transit Services  
Don Walker, Director of Finance  
Tom Dahlin, Capital Services Manager  
Maurice Mansion, Treasury Manager  
Terry Morocco, Safety & Regulatory Compliance Specialist  
Roberta Robertson, Transportation Manager  
John Steffon, Transportation Manager  
Misty Tshilonda, Human Resources Analyst  
Julienne Overland-Villegas, Senior Executive Assistant to CEO/General Manager

**B. ANNOUNCEMENTS/PRESENTATIONS**

The next Committee Meeting is scheduled Thursday, May 10, 2018, at 8:00 a.m.

**C. COMMUNICATIONS FROM THE PUBLIC**

Ms. Pilar Cole, Systems Change Advocate for Rolling Start Independent Living Center, spoke on behalf of some customers who are experiencing accessibility issues in the Muscoy area. She also mentioned a complaint from a customer who is uncomfortable with the QPOD wheelchair securement system. Ms. Cole concluded her comments by reiterating the accessibility limitations in Muscoy, specifically on the corner of Darby Street and State Street. CEO/General Manager, P. Scott Graham, stated that staff would follow-up with her following the meeting.

**D. POSSIBLE CONFLICT OF INTEREST ISSUES**

There were no Conflict of Interest Issues.

**E. DISCUSSION ITEMS**

1. Approve Administrative & Finance Committee Minutes – February 15, 2018

M/S (Roberts/Robles) that approved the Committee Minutes of February 15, 2018. Motion was passed unanimously by Members present, with the exception of Member Davis, who abstained.

2. Recommend the Board of Directors Authorize the CEO/General Manager to Award Funds for the Call for Projects – 2018 Measure I Specialized Transportation Program for Fiscal Years FY19 and FY20

Director of Special Transit Services, Douglas Stanley, presented this item as detailed in the staff report.

M/S (Wapner/Roberts) that recommended the Board of Directors authorize the CEO/General Manager to award funds for the Call for Projects - 2018 Measure I Specialized Transportation Program for Fiscal Years FY19 and FY20. Motion was passed unanimously by Members present.

Supervisor Hagman arrived at 8:10 a.m.

3. Recommend the Board of Directors Adopt Fiscal Year 2018-19 Annual Budget

Treasury Manager, Maurice Mansion, reviewed the Fiscal Year 2018-19 Annual Budget. He pointed out two expenditures that significantly increased this year's budget, which are the procurement of revenue vehicles and the increase in the purchased transportation contract. Mr. Mansion explained that the higher cost for purchased transportation is due

to the California minimum wage increase and changes related to the liability insurance coverage.

Supervisor Hagman expressed some concern regarding funding being utilized in the most efficient manner possible, especially when considering future changes such as vehicle electrification. He also had some questions regarding the cost and efficiency of using the 60 foot buses versus the cost of operating 40 foot buses. CEO/General Manager, P. Scott Graham addressed Supervisor Hagman's questions.

The Committee engaged in a discussion regarding looking towards the future in terms of vehicle electrification and some of the benefits and challenges. Mr. Graham stated that there is still some uncertainty in terms of funding for electrification; however, stated that the Agency is moving forward as conservatively as possible and is staying abreast of any new developments from the state and other transit agencies.

M/S (Hagman/Davis) that recommended the Board of Directors adopt the Omnitrans Fiscal Year 2018-19 Annual Budget. Motion was passed unanimously by Members present.

4. Receive and Forward to the Board of Directors, Omnitrans Unfunded Accrued Liability (UAL) with California Public Employees' Retirement System (CalPERS)

Director of Finance, Don Walker, presented this item as detailed in the staff report.

The Committee received and forwarded this item to the Board of Directors for receipt and file.

5. Recommend the Board of Directors Adopt Revisions to Personnel Policy #402, Management Confidential Classifications and Structure Reorganization

Director of Human Resources/Safety & Regulatory Compliance, Marge Ewing and Human Resources Analyst, Misty Tshilonda, presented this item as detailed in the staff report.

M/S (Hagman/Robles) that recommended the Board of Directors adopt revisions to Personnel Policy 402 – Salary Ranges, Management Confidential Classifications for non-represented employees with an effective date of May 2, 2018.

1. New Positions
  - a. Add one (1) new position - Systems Specialist, Information Technology Department, Level V. This additional position was approved by the Board of Directors at the November, 2017 meeting.
  - b. Reinstate one (1) position - Director of Safety, Security and Regulatory Compliance. This position has been approved by the Board of Directors; however, is not funded in current fiscal year budget.
2. Salary Ranges
  - a. Make a 3 percent market adjustment to the salary ranges.

- b. Delete the language relative to compa ratio (page 3) for all levels.
  - c. Add language that allows for merit increases to be paid in a lump sum payment to employees who are at the top of the salary range.
  - d. Add language that allows the Chief Executive Officer/General Manager to provide Special Merit payments to employees who perform assignments above and beyond their routine duties.
- 3. Changes to Organizational Structure
  - a. Move One (1) Operations Applications Specialist from Operations Department to the Information Technology Department;
  - b. Move One (1) Capital Services Manager from the Human Resources, Security and Regulatory Compliance Department to the Maintenance Department;
  - c. Effective with the new fiscal year, move seven (7) Operations Training Staff from Operations Department to the to the new Safety, Security and Regulatory Compliance Department;
  - d. Effective with the new fiscal year, move one (1) Safety, Security and Regulatory Compliance Manager, one (1) Environmental and Occupational Health and Safety Specialist, one (1) Safety and Regulatory Compliance Specialist, and one (1) Security and Emergency Preparedness Coordinator to the Safety, Security and Regulatory Compliance Department.

Member Wapner left the meeting at 9:50 a.m. during the discussion on Item #E5 prior to the vote.

Motion was passed unanimously by Members present.

- 6. Recommend the Board of Directors Approve Proposed Policy Changes to the Existing Personnel Policy Manual

Director of Human Resources/Safety & Regulatory Compliance, Marge Ewing presented this item as detailed in the staff report.

M/S (Davis/Roberts) that recommended the Board of Directors approve the proposed policy changes to the existing Personnel Policy Manual with an effective date of May 2, 2018.

Policy 614	State Disability Insurance (SDI) and Paid Family Leave (PFL)
Policy 705	Discipline
Policy 901	Tuition and Reimbursement

Motion was passed unanimously by Members present.

- 7. Recommend the Board of Directors Approve System Specialist Position

Director of Human Resources/Safety & Regulatory Compliance, Marge Ewing presented this item as detailed in the staff report.



M/S (Davis/Robles) that recommended the Board of Directors authorize the CEO/General Manager to approve the new position of System Specialist, Level V, effective May 2, 2018. Motion was passed unanimously by Members present.

**F. ADJOURNMENT**

The Administrative and Finance Committee meeting adjourned at 9:14 a.m.

The next Administrative and Finance Committee Meeting is scheduled Thursday, May 10, 2018, at 8:00 a.m., with location posted on the Omnitrans website and at Omnitrans' San Bernardino Metro Facility.

Prepared by:

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Araceli Barajas, Executive Staff Assistant

ITEM # E4

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

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

**FROM:** Maurice A. Mansion, Treasury Manager

**SUBJECT:** **FINAL PROJECT CLOSEOUT – E STREET CORRIDOR BUS RAPID TRANSIT PROJECT**

### **FORM MOTION**

Receive and file the final closeout documentation for the E Street Corridor Bus Rapid Transit Project, also known as the sbX Green Line as required by the Federal Transit Administration (FTA).

*This item was presented to the Administrative and Finance Committee at their June 14, 2018 meeting.*

### **BACKGROUND**

In December of 2010, Omnitrans was awarded a FTA 5309 Small Starts Grant to fund the E Street Corridor Bus Rapid Transit Project. Omnitrans also utilized other federal, state and local funds for a total project budget of \$191.7 million.

Omnitrans delivered a 15.7-mile Bus Rapid Transit service with 5.4 miles of dedicated lanes and 16 stations and other major improvements along the E Street corridor. Although revenue service began in April 2014, there are a number of administrative and contractual items that must be completed. Staff is proud to announce the project is officially completed and ready for closeout. The project was budgeted at \$191.7 million and completed for \$188.7 million. Therefore, Omnitrans will be returning \$3,041,024 to the FTA. The project was completed on time for revenue service and with zero lost time accidents.

Staff presented the Before and After Study to the Board of Directors in February 2018, and this is the final administrative closeout of the project with the FTA.

In accordance with FTA Circular C 5010.1E, Omnitrans as a recipient of federal funds is required to closeout a Grant Award upon completion of all activities approved in the award. As part of the closeout process Omnitrans is required to report on the following:

- 1) Confirmation that all activities are completed.

- 2) Provide a list of property acquired or improved in support of the Award that will continue to be within the purview of the Grant.
- 3) A final reconciled Award Budget reflecting project costs.
- 4) A final Federal Financial Report.
- 5) A final Milestone Progress Report.
- 6) Any other documentation or reports required as part of the terms and conditions of the Grant Award.

Omnitrans is submitting the above referenced materials to the FTA with a final closeout report and the required documentation attached to this memo. (Attachments A-D)

### **CONCLUSION**

Receive and file final closeout documentation for the E Street Corridor Bus Rapid Transit Project also known as the sbX Green Line as required by the Federal Transit Administration.

PSG: DW:MM

#### **Attachments:**

- A: CEO Letter to FTA
- B: Project Award and Final Budget
- C: Asset List
- D: sbX Before and After Study



1700 W. Fifth St.  
San Bernardino, CA 92411  
909-379-7100  
www.omnitrans.org

July 11, 2018

Attn: Mr. Edward Carranza, Jr.  
Federal Transit Administration  
San Francisco Federal Building  
90 7th Street, Suite 15-300  
San Francisco, CA 94103

**RE: CA-03-0816-01 | E Street Transit Corridor BRT (sbX): Project Close Out**

Dear Mr. Carranza:

OmniTrans is pleased to inform the Federal Transit Administration (FTA) of its completion of the federally funded sbX Green Line project which is located in San Bernardino, California. As you know, OmniTrans was awarded an FTA 5309 Small Starts Grant which received approval on December 14, 2010. With these funds, OmniTrans delivered a 15.7-mile Bus Rapid Transit (BRT) service with 5.4 miles of dedicated lanes and 16 stations. Revenue service for this project began on April 30, 2014. Other key elements of the project, such as the required after study and final construction elements, were completed along the sbX corridor.

In May of 2015, OmniTrans reported to the FTA an unspent contingency of \$7.6 million. Based on the approved participation rate, OmniTrans would return 39.12% or \$2.9 million to the FTA. OmniTrans informed the FTA a desire to complete a pavement project as part of the sbX total project. The funding would utilize OmniTrans local funds and minimal FTA funds. The FTA allowed OmniTrans to move forward with the pavement project.

OmniTrans is proud to announce that while the total project was originally budgeted at \$191.7 million, it was completed under budget with an unliquidated amount of \$3,041,024 to be returned to the FTA upon the closure of FAIN CA-03-0816-01, a grant that is currently pending an executed closure amendment in TrAMS.

OmniTrans would like to take this opportunity to thank the FTA for its financial commitment and project milestone support. Without the exceptional support of FTA's Region 9 staff and the persistent efforts of our administrative teams here at OmniTrans, the accomplishment of the sbX Green Line would not have achieved such a successful outcome.

If you have any questions regarding the contents of this letter or the details of the grants awarded for this project, please contact me at (909) 379-7112.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. Scott Graham", is written over a horizontal line.

P. Scott Graham  
CEO/General Manager

Enclosures

## IPMO/sbX Expenditures

Period Ended

COMPLETION

Funding Source	Amount
<b>FEDERAL</b>	
5307	\$ 46,252,618
5309	\$ 74,999,999
CMAQ	\$ 21,000,000
SUB-TOTAL	<b>\$ 142,252,617</b>
<b>STATE</b>	
STA	\$ 11,235,864
PROP 1B	\$ 7,128,684
STIP	\$ 5,000,000
SUB-TOTAL	<b>\$ 23,364,548</b>
<b>LOCAL</b>	
LTF	\$ 12,523,879
MEASURE I - Express	\$ 5,484,406
IN-KIND	\$ 8,080,550
SUB-TOTAL	<b>\$ 26,088,835</b>
<b>TOTAL</b>	<b>\$ 191,706,000</b>
<b>FINAL ENGINEER'S ESTIMATE</b>	<b>\$ 191,706,000</b>
<b>SURPLUS</b>	<b>\$ -</b>

Funding Source	Amount	% of Total Funding	Spent	% of Funding Source
<b>FEDERAL</b>				
5307	\$ 46,252,618	24.1%	\$ 46,252,618	100.0%
5309	\$ 74,999,999	39.1%	\$ 71,958,975	95.9%
CMAQ	\$ 21,000,000	11.0%	\$ 21,000,000	100.0%
<b>STATE</b>				
STA	\$ 11,235,864	5.9%	\$ 9,743,839	86.7%
PROP 1B	\$ 7,128,684	3.7%	\$ 7,471,246	104.8%
STIP	\$ 5,000,000	2.6%	\$ 5,000,000	100.0%
<b>LOCAL</b>				
LTF	\$ 12,523,879	6.5%	\$ 13,352,655	106.6%
MEASURE I	\$ 5,484,406	2.9%	\$ 5,484,405	100.0%
IN-KIND	\$ 8,080,550	4.2%	\$ 8,401,239	104.0%
<b>TOTAL</b>	<b>\$ 191,706,000</b>	<b>100.0%</b>	<b>\$ 188,664,976</b>	<b>98.4%</b>

Project Funding Summary (*in millions*)

	Project Funding Amount	% of Total	Expenditure to Date	% of Total
FTA Non Small Starts Share	\$67.3	35.1%	\$67.3	35.1%
FTA Small Starts Share	\$75.0	39.1%	\$72.0	37.5%
Local Share	\$49.5	25.8%	\$49.5	25.8%
<b>TOTAL</b>	<b>\$191.7</b>	<b>100.0%</b>	<b>\$188.7</b>	<b>98.4%</b>
<b>FINAL ENGINEER'S ESTIMATE</b>	<b>\$191.7</b>			

**IPMO/sbX Expenditures**  
**Period Ended COMPLETION**

Standard Cost Category (SCC)	Description	PCGA Budget (\$000s)	Current Budget (\$000s)	Expenditures (\$000s)	% of PCGA Budget	% of Current Budget
10	Guideway & Track Elements (Route Miles)	\$17,984	\$19,725	\$20,177	112.2%	102.3%
20	Stations, Stops, Terminals & Intermodal (number)	\$17,201	\$14,917	\$14,262	82.9%	95.6%
30	Support Facilities, Yards, Shops, Admin. Bldgs.	\$5,370	\$8,131	\$15,254	284.1%	187.6%
40	Sitework and Special Conditions	\$35,610	\$34,271	\$31,079	87.3%	90.7%
50	Systems	\$19,985	\$16,727	\$21,134	105.7%	126.3%
	<b>Construction Subtotal (10-50)</b>	<b>\$96,150</b>	<b>\$93,771</b>	<b>\$101,905</b>	<b>106.0%</b>	<b>108.7%</b>
60	ROW, Land, Existing Improvements	\$6,532	\$6,532	\$6,370	97.5%	97.5%
70	Vehicles ( number)	\$16,628	\$16,628	\$15,385	92.5%	92.5%
80	Professional Services	\$58,365	\$56,702	\$65,005	111.4%	114.6%
90	Unallocated Contingency	\$14,030	\$18,073	\$0	0.0%	0.0%
	<b>Subtotal (10-90)</b>	<b>\$191,706</b>	<b>\$191,706</b>	<b>\$188,665</b>	<b>98.4%</b>	<b>98.4%</b>
100	Financing Costs	\$0	\$0	-	0.0%	0.0%
	<b>Total</b>	<b>\$191,706</b>	<b>\$191,706</b>	<b>\$188,665</b>	<b>98.4%</b>	<b>98.4%</b>

# PROJECT COSTS BY SCC

## IPMO/sbX Project Costs Through COMPLETION

Standard Cost Category (SCC)	Description		Budget Authority (PCGA) \$	Approved Current Budget	Revised Budget	Expenditures \$ %	Remaining Budget
<b>10</b>	<b>GUIDEWAY &amp; TRACK ELEMENTS</b>		<b>\$ 17,984,000</b>	<b>\$ 19,725,000</b>	<b>\$ 19,281,841</b>	<b>\$ 20,177,207 102.3%</b>	<b>\$ (895,366)</b>
10.02	Guideway: At-grade semi-exclusive (allows cross-traffic)	0.19	\$ 16,686,000	\$ 18,353,000	\$ 15,542,530	16,469,696 89.7%	\$ (927,166)
10.03	Guideway: At-grade in mixed traffic	0.05	\$ 1,298,000	\$ 1,372,000	\$ 3,739,312	3,707,512 270.2%	\$ 31,800
<b>20</b>	<b>STATIONS, STOPS, TERMINALS, INTERMODAL</b>		<b>\$ 17,201,000</b>	<b>\$ 14,917,000</b>	<b>\$ 13,510,810</b>	<b>\$ 14,261,850 95.6%</b>	<b>\$ (751,040)</b>
20.01	At-grade station, stop, shelter, mall, terminal, platform	0.17	\$ 17,201,000	\$ 14,917,000	\$ 13,510,810	14,261,850 95.6%	\$ (751,040)
<b>30</b>	<b>SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS</b>		<b>\$ 5,370,000</b>	<b>\$ 8,131,000</b>	<b>\$ 15,401,835</b>	<b>\$ 15,253,590 187.6%</b>	<b>\$ 148,244</b>
30.02	Light Maintenance Facility	0.84	\$ 1,265,000	\$ 4,265,000	\$ 13,060,213	12,850,462 301.3%	\$ 209,751
30.03	Heavy Maintenance Facility	0			\$ -	9,425 0.0%	\$ (9,425)
30.04	Storage or Maintenance of Way Building	0			\$ -	- 0.0%	\$ -
30.05	Yard and Yard Track	0.16	\$ 4,105,000	\$ 3,866,000	\$ 2,341,622	2,393,703 61.9%	\$ (52,082)
<b>40</b>	<b>SITework &amp; SPECIAL CONDITIONS</b>		<b>\$ 35,611,000</b>	<b>\$ 34,271,000</b>	<b>\$ 31,352,991</b>	<b>\$ 31,078,925 90.7%</b>	<b>\$ 274,066</b>
40.01	Demolition, Clearing, Earthwork	0.01	\$ 4,785,000	\$ 4,741,000	\$ 814,292	721,654 15.2%	\$ 92,638
40.02	Site Utilities, Utility Relocation	0.12	\$ 4,745,000	\$ 3,493,000	\$ 9,771,498	10,410,210 298.0%	\$ (638,711)
40.02	Utility Relocation - Utility Company	1	\$ 1,500,000	\$ 1,500,000	\$ 1,224,205	548,863 36.6%	\$ 675,342
40.04	Environmental mitigation, e.g. wetlands, historic/archeologic, parks					160	\$ (160)
40.05	Site structures including retaining walls, sound walls	0.01	\$ 99,000	\$ 90,000	\$ 814,292	447,545 497.3%	\$ 366,746
40.06	Pedestrian / bike access and accommodation, landscaping	0.07	\$ 6,312,000	\$ 6,925,000	\$ 5,700,041	5,745,567 83.0%	\$ (45,526)
40.07	Automobile, bus, van accessways including roads, parking lots	0.05	\$ 6,972,000	\$ 3,601,000	\$ 4,071,458	4,157,392 115.5%	\$ (85,934)
40.08	Temporary Facilities and other indirect costs during construction	0.11	\$ 11,198,000	\$ 13,921,000	\$ 8,957,207	9,047,536 65.0%	\$ (90,329)
<b>50</b>	<b>SYSTEMS</b>		<b>\$ 19,984,000</b>	<b>\$ 16,727,000</b>	<b>\$ 20,180,759</b>	<b>\$ 21,133,927 126.3%</b>	<b>\$ (953,168)</b>
50.02	Traffic signals and crossing protection	0.08	\$ 11,386,000	\$ 10,810,000	\$ 6,514,332	6,634,979 61.4%	\$ (120,647)
50.05	Communications	0.1	\$ 6,294,000	\$ 4,210,000	\$ 8,780,678	8,903,447 211.5%	\$ (122,770)
50.06	Fare collection system and equipment	0.06	\$ 2,304,000	\$ 1,707,000	\$ 4,885,749	5,595,500 327.8%	\$ (709,751)
	<b>Construction Subtotal (10-50)</b>		<b>\$ 96,150,000</b>	<b>\$ 93,771,000</b>	<b>\$ 99,728,236</b>	<b>\$ 101,905,500 108.7%</b>	<b>\$ (2,177,263)</b>
<b>60</b>	<b>ROW, LAND, EXISTING IMPROVEMENTS</b>		<b>\$ 6,532,000</b>	<b>\$ 6,532,000</b>	<b>\$ 6,384,352</b>	<b>\$ 6,369,987 97.5%</b>	<b>\$ 14,366</b>
60.01	Purchase or lease of real estate	0.97	\$ 6,327,000	\$ 6,327,000	\$ 6,179,352	6,205,056 98.1%	\$ (25,704)
60.02	Relocation of existing households and businesses	0.03	\$ 205,000	\$ 205,000	\$ 205,000	164,930 80.5%	\$ 40,070
<b>70</b>	<b>VEHICLES</b>		<b>\$ 16,628,000</b>	<b>\$ 16,628,000</b>	<b>\$ 15,384,638</b>	<b>\$ 15,384,638 92.5%</b>	<b>\$ -</b>
70.04	Bus	1	\$ 15,448,000	\$ 15,448,000	\$ 15,211,154	15,211,154 98.5%	\$ -
70.06	Non-revenue vehicles	1	\$ 250,000	\$ 250,000	\$ -	- 0.0%	\$ -
70.07	Spare parts	1	\$ 930,000	\$ 930,000	\$ 173,484	173,484 18.7%	\$ -
<b>80</b>	<b>PROFESSIONAL SERVICES</b>		<b>\$ 58,365,000</b>	<b>\$ 56,702,000</b>	<b>\$ 63,492,644</b>	<b>\$ 65,004,852 114.6%</b>	<b>\$ (1,512,208)</b>
80.01	Preliminary Engineering	0.63	\$ 12,933,000	\$ 12,921,000	\$ 13,440,341	14,876,525 115.1%	\$ (1,436,185)
80.02	Final Design	0.37	\$ 7,268,000	\$ 7,261,000	\$ 9,682,668	8,849,004 121.9%	\$ 833,664
80.03	Project Management for Design and Construction	1	\$ 17,622,000	\$ 15,997,000	\$ 15,006,001	15,930,143 99.6%	\$ (924,142)
80.04	Construction Administration & Management	1	\$ 6,638,000	\$ 6,632,000	\$ 12,969,303	12,969,303 195.6%	\$ -
80.05	Professional Liability and other Non-Construction Insurance	1	\$ 1,113,000	\$ 1,112,000	\$ -	- 0.0%	\$ -
80.06	Legal; Permits; Review Fees by other agencies, cities, etc.	1	\$ 1,000,000	\$ 1,000,000	\$ 3,718,227	3,713,716 371.4%	\$ 4,510
80.06	In-Kind Contributions		\$ 9,606,000	\$ 9,596,000	\$ 8,401,239	8,401,239 87.5%	\$ -
80.07	Surveys, Testing, Investigation, Inspection	1	\$ 1,464,000	\$ 1,463,000	\$ -	264,922 18.1%	\$ (264,922)
80.08	Start up	1	\$ 721,000	\$ 720,000	\$ 274,866	- 0.0%	\$ 274,866
	<b>Subtotal (10-80)</b>		<b>\$ 177,675,000</b>	<b>\$ 173,633,000</b>	<b>\$ 184,989,871</b>	<b>\$ 188,664,976 108.7%</b>	<b>\$ (3,675,105)</b>
<b>90</b>	<b>UNALLOCATED CONTINGENCY</b>		<b>\$ 14,031,000</b>	<b>\$ 18,073,000</b>	<b>\$ 6,716,129</b>	<b>\$ - 0.0%</b>	<b>\$ 6,716,129</b>
	<b>Subtotal (10-90)</b>		<b>\$ 191,706,000</b>	<b>\$ 191,706,000</b>		<b>188,664,976 98.4%</b>	<b>\$ 3,041,024</b>
<b>100</b>	<b>FINANCE CHARGES</b>		<b>\$ -</b>	<b>\$ -</b>		<b>\$ - 0.0%</b>	<b>\$ -</b>
	<b>TOTAL PROJECT COST (10-100)</b>		<b>\$ 191,706,000</b>	<b>\$ 191,706,000</b>		<b>188,664,976 98.4%</b>	<b>\$ 3,041,024</b>



[List of Major Property Acquisition/Improvement for sbX Project](#)

- 15.7 miles long with 5.6 miles of dedicated bus lanes
- 16 station locations each with shelters, seating, lighting, map case, ticket vending machine, real time arrival signs, emergency call box and public art
- Transit Signal Prioritization system
- Public Address system
- Fourteen 60 foot articulated five-door Compressed Natural Gas powered vehicles
- 4 Park and Ride facilities
- Vehicle Maintenance Facility upgraded:
  - 4 modified service bays
  - New bus wash with 3 lanes
  - New fuel island with 3 lanes
  - Improved bus yard lighting and restriping



May 2018

Final at Closeout

# sbX Green Line Before & After Study



Prepared by Omnitrans

Presented to the Federal Transit  
Administration

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## 1. INTRODUCTION

The E Street Corridor Bus Rapid Transit (BRT) Project is the first BRT Omnitrans planned, constructed and brought into revenue service. It was delivered on-time and on budget.

The sbX Green Line is a 15.7 mile BRT with 5.4 miles of dedicated center running lanes that serves the cities of San Bernardino and Loma Linda.

On April 28, 2014, the E Street Corridor began service as the sbX Green Line. Key project milestones are shown in Exhibit 1. A map of the sbX Green Line is seen in Exhibit 2.

Exhibit 1: Key Milestones

Milestone	Date
Entry into Preliminary Engineering	June 2008
Entry into Final Design	June 2009
Project Construction Grant Agreement	September 2011
Revenue Service	April 2014

Upon opening, the sbX Green Line was recognized by the Institute for Transportation & Development Policy (ITDP) as a Bronze BRT based on the BRT Standard. At the time the sbX Green Line was recognized as one of only five true BRTs in the United States by the ITDP.

Exhibit 2: sbX Green Line Map



The sbX Green Line was built as part of a significant transit investment in San Bernardino. In addition to sbX, Omnitrans and the San Bernardino County Transportation Authority (SBCTA, previously known as SANBAG) opened the San Bernardino Transit Center (SBTC) in September 2015.

Originally planned to be opened prior to the sbX Green Line, the SBTC is a multimodal transit center that serves as a core hub in Omnitrans fixed route system. The SBTC has 22 bus bays, serving 13 additional Omnitrans routes and four other agencies. Prior to SBTC completion, which was during the 16<sup>th</sup> month of sbX operations, Omnitrans used a temporary on-street transfer facility that was 0.4 miles away from the closest sbX station.

Additionally, sbX was intended to provide multimodal connectivity with two rail projects that will be anchored at the SBTC. The first rail project is a one-mile extension of Metrolink commuter rail service into downtown San Bernardino. Initially, this was planned to occur concurrently with the opening of the sbX; however, after delays it opened on December 16, 2017 (after the data collection was completed for this report).

Additionally, SBCTA is building the Redlands Passenger Rail Project, which

Omnitrans will operate as the “Arrow” service, connecting the SBTC and sbX to key employment centers and educational facilities in Redlands.

These rail investments will provide the impetus for sbX to continue to see ridership growth into the future.

From opening day through the writing of this report, the sbX Green Line had delivered 2.3 million boardings. In October 2017, the sbX Green Line’s average weekday boarding stood at 3,323.

Through all construction phases and project closeout, Omnitrans delivered the project with over half a million man hours worked with zero lost time hours from injury.

## 2. PURPOSE

The Federal Transportation Funding and Authorization Bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires the preparation of a Before and After Study for all projects receiving Federal Transit Administration (FTA) New Starts or Small Starts Funding. The sbX Green Line E Street Corridor project received \$74,999,999 in Small Starts funding in FY2011.

The Before and After Study serves to document the project and its impacts, to provide an understanding of the actual costs and impacts on transit service and transit ridership, and also examines the accuracy of forecasts prepared to support the decision making during the project planning and development. The two key “before” phases are then compared to the actual outcome following the completion of the project.

This reports presents an analysis of five (5) major project characteristics that are required to be included in the Before and After Study:

1. Project Scope & Schedule;
2. Capital Costs;
3. Transit Service Levels;
4. Operations & Maintenance Costs; and,
5. Ridership.

Omnitrans also chose to add information on business impact.

Two sets of forecasts were developed to support decision making: Alternatives Analysis (AA) forecast, which presents the project as defined by the approval of the AA phase Small Starts Submittal in December 2007; and, the before construction forecast defined at the completion of Final Design (FD) in May of 2011 and referred to as the final design



forecast. Finally, these forecasts are compared to actual results of sbX following the completing of its third full fiscal year of operation concluding in June 2017.

While this report focuses more on the differences between Final Design and actual outcomes, there were several high level changes that occurred between the AA Phase and Final Design.

The AA developed a Locally Preferred Alternative (LPA) which included a more frequent BRT that had a dedicated transitway over I-10 at Evans St. and an additional station in Loma Linda. These items were removed and a Refined LPA (RLPA) was used in final design and utilized for the Project Construction Grant Agreement (PCGA) but are referenced now to explain some of the differences between AA and FD.

### 3. PROJECT SCOPE & SCHEDULE

#### PROJECT SCOPE

The sbX route alignment and configuration that was built was identical to the RLPA. As shown

by the FD/RLPA map in Exhibit 6 and corresponding tables that compare FRLPA/FD to the actual build, Omnitrans delivered the scope outlined in the PCGA.

Exhibits 3 and 4 presents the project scope as presented at AA, at FD and the actual

scope completed and put into operation.

The original LPA from the AA, mapped in Exhibit 5, was defined as a side-running BRT Project including segments of exclusive and mixed-flow lanes and included a proposed transitway over I-10

**Exhibit 3: Project Scope Comparison**

	AA (2007)	Final Design (2011)	Actual (2014-2017)
Length	16.5 miles	15.7 miles	15.7 miles
Mode	Bus Rapid Transit	Bus Rapid Transit	Bus Rapid Transit
Stations	17	16	16
Station Locations	1. Kendall/Palm - P&R 80 to 100 spaces 2. California State University-SB 3. Kendall at N. Little Mountain Drive 4. Kendall at Shandin/40th Street 5. E Street at Marshall Blvd. - P&R 150 spaces 6. E Street at Highland Ave 7. E Street at Baseline Street 8. E Street at Carousel Mall 9. E Street at Rialto Ave. - P&R 170 spaces 10. E Street at North Mall Way 11. Hospitality Lane at Hunts Lane 12. Hospitality Lane at Carnegie Drive 13. Hospitality Lane at Tippecanoe 14. Richardson Street at Redlands Boulevard - P&R 440 spaces. 15. Anderson Street at Stewart Street 16. Barton Road at Anderson Street 17. Barton Road at Loma Linda Drive - P&R 120 spaces (structured)	1. Kendall /Palm - P&R 80 spaces 2. California State University-SB 3. Kendall at N. Little Mountain Drive 4. Kendall at Shandin Hills Drive 5. E Street at Marshall Blvd - P&R 160 spaces 6. E Street at Highland Avenue 7. E Street at Baseline Street 8. E Street at Court Street - P&R 120 spaces (structured) 9. E Street at Rialto Avenue 10. E Street at North Mall Way 11. Hospitality Lane at Hunts Lane 12. Hospitality Lane at Carnegie Drive 13. Hospitality Lane at Tippecanoe 14. Anderson at Redlands Blvd - P&R 250 spaces 15. Anderson Street at Prospect 16. Barton Road at Benton Street N/A	1. Kendall /Palm-P&R 81 spaces 2. 2. California State University-SB 3. Kendall at N. Little Mountain Drive 4. Kendall at Shandin Hills Drive 5. E Street at Marshall Blvd - P&R 161 spaces 6. E Street at Highland Avenue 7. E Street at Baseline Street 8. E Street at Court Street - P&R 200 spaces (structured) 9. E Street at Rialto Avenue 10. E Street at North Mall Way 11. Hospitality Lane at Hunts Lane 12. Hospitality Lane at Carnegie Drive 13. Hospitality Lane at Tippecanoe 14. Anderson at Redlands Blvd - P&R 242 spaces 15. Anderson Street at Prospect 16. Barton Road at Benton Street N/A

Exhibit 4: Project Scope Comparison

	AA (2007)	Final Design (2011)	Actual (2014-2017)
Major transfer facilities	2. California State University-San Bernardino-Campus Transfer Center to other Omnitrans Local Bus Routes, VVTA buses and Campus Shuttles.	2. California State University-San Bernardino-Campus Transfer Center to other Omnitrans Local Bus Routes, VVTA buses and Campus Shuttles.	2. California State University-San Bernardino-Campus Transfer Center to other Omnitrans Local Bus Routes.
	9. E Street at Rialto Ave.-San Bernardino Transit Center and Metrolink Commuter Rail Station.	9. E Street at Rialto Ave - Downtown San Bernardino Intermodal Transit Station (Future), Metrolink Commuter Rail station (Future), Redlands Passenger Rail Station (Future)	9. E Street at Rialto Ave - Downtown San Bernardino Transit Center to other Omnitrans Local Bus Routes, VVTA, Mountain Transit, Pass Transit, and Intermodal connection to Metrolink Commuter Rail station and Redlands Passenger Rail Station (Future)
	17. Barton Road at Loma Linda Drive-Loma Linda Trans Center transfer to other Omnitrans Routes, RTA and Sunline Transit bus services, LLUMC Shuttles.	N/A	N/A
Number of vehicles	14	14	14
Above grade	N/A	N/A	None
Below grade	N/A	N/A	None
At grade	16.5 miles	15.7 miles	15.9 miles
Exclusive	5.5 miles	5.4 miles	5.4 miles
Mixed Traffic	11 miles	10.3 miles	10.5 miles

to the then-planned Evans Street project. Evans Street would have connected to Barton Road, leading to the VA Hospital end of line. As shown in the original LPA,

the project included 17 stations and was approximately 16.5 miles in length from the Palm/Kendall Station to the Loma Linda Transit Center at the VA Hospital.

Between the AA and the start of preliminary engineering, it was determined that the Evans Street project and the I-10 Transit way were not feasible.

By September of 2008, during initiation of preliminary engineering, the project scope was revisited as documented in the RLPA report.

The sbX project was redefined to follow the existing Omnitrans Route 2 south on Tippecanoe/Anderson to Loma Linda University Medical Center (LLUMC). In moving from the AA to FD, the VA hospital and Loma Linda Transit Center also failed to materialize due to funding constraints of the VA hospital.

This scope change required a new terminus to be located in the front of the VA Hospital on Benton Street and a loop terminus along Prospect Avenue back to Anderson.

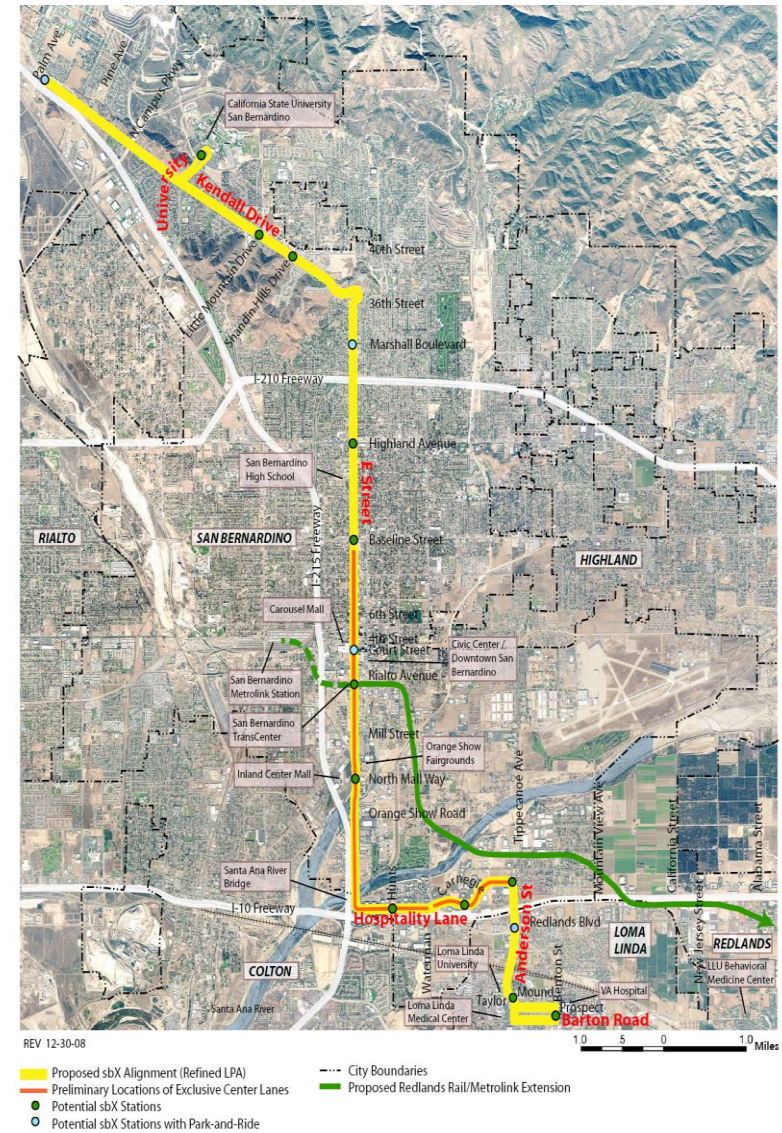
Another refinement in the RLPA was the development of a longer more contiguous section of dedicated center running lanes, compared to the LPA which had several short segments of dedicated lanes.



Exhibit 5: Locally Preferred Alternative Map



Exhibit 6: Refined Locally Preferred Alternative &amp; Actual Route Map



### PROJECT SCHEDULE

The primary project schedule goal set at the execution of the Project Construction Grant Agreement (PCGA) was to achieve revenue service by April 30, 2014. This goal was achieved with the start of service on April 28, 2014. The Vehicle Maintenance Facility (VMF), punch list and closeout items were finalized following the start of service.

Exhibit 1 in the Introduction Section of this report highlighted key milestones for the sbX Green Line. Exhibit 7 below provides the details the actual schedule from the beginning of the environmental clearance process to the closeout of the project.

The key change to the schedule from the AA process through final design was a change in delivery method. During the AA phase, the project was envisioned as a

design-build project

Based on discussions between FTA and Omnitrans after the AA Small Starts submittal, the project development process was modified from a design-build process to a traditional design-bid-build process.

Notice to Proceed (NTP) to begin the final design phase was given in July 2008.

**Exhibit 7: Actual Project Schedule**

	Start Date	End Date	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
<b>Environmental Clearance</b>	6/26/2008	9/3/2009										
<b>Preliminary Engineering</b>	6/26/2008	6/11/2009										
<b>Final Design</b>	6/1/2009	12/31/2010										
<b>Final Cost Estimate</b>	9/2/2009	5/19/2010										
<b>PCGA Signed by FTA</b>	9/15/2011	9/15/2011										
<b>E Street Corridor</b>												
Bid & Award	7/1/2010	11/20/2011										
Notice to Proceed	11/21/2011	11/21/2011										
Construction & Testing	12/21/2011	5/30/2014										
Revenue Service	4/28/2014	4/28/2014										
O&M Hazard Modifications	12/23/2015	5/10/2016										
<b>Vehicle Maintenance Facility</b>												
Bid & Award	2/3/2012	12/3/2012										
Notice to Proceed	12/4/2012	12/4/2012										
Construction & Testing	12/10/2012	6/15/2015										
Beneficial Occupancy	6/15/2015	6/15/2015										
O&M Hazard Modifications / Project Completion	10/3/2016	4/30/2017										
<b>Bus Procurement</b>												
Request for Proposals	6/1/2009	5/16/2010										
Manufacturing	5/17/2010	7/31/2013										
Bus Delivery	7/31/2013	7/31/2017										
<b>Project Closeout</b>	6/16/2015	12/31/2017										
<b>Before and After Study</b>	6/13/2016	12/31/2017										



Preliminary Engineering (PE) was completed by June of 2009. The application to enter final design was completed on time, and advance preliminary engineering began on the project, with FTA concurrence, to help meet the aggressive project development process schedule.

The environmental clearance process was deemed complete by the FTA in mid-September 2009. Although the environmental clearance process was delayed from the AA schedule, with the initiation of advanced preliminary engineering, the delay had a negligible effect on the total project schedule.

Final design was retroactively initiated in June 2009 and ended in December 2010. This reflects a delay from the AA forecasts of 10-months. While the final design process began earlier than the AA phase schedule, the unplanned need to include a 60% plan submittal delayed the completion of final design.

Construction of the E Street Corridor was scheduled to begin in September 2011 and was expected to continue until September 2013. Actual Construction began in December 2011 and completed in May 2014. Under separate tracks, the Vehicle Maintenance Facility (VMF) started in December 2010 and achieved beneficial

occupancy in June 2015; while the Bus Procurement went from May 2010 to July 2013.

#### 4. CAPITAL COST

Omnitrans completed the construction of the sbX Green Line \$3.0 million under the \$191.7 million budget with \$3.0 million remaining in unallocated contingency at the completion of the project.

The project was completed with a total cost of \$188.7 million as compared to the Project Construction Grant Agreement budget of (PCGA) of \$191.7 million. The project was \$3.0 million under budget and Omnitrans will return these funds to the Federal Transit Administration.

Detailed capital expenditures can be seen in Exhibit 8 and Exhibit 9. Professional services accounted for the largest share of the capital budget with a cost of \$65.0 million (34.4% of the final expenditure), followed by site-work and special conditions which cost \$31.1 million (16.4%); systems which cost \$21.1 million (11.2%); and, guideway which cost \$20.2 million (10.7%). The remaining capital cost categories including stations, support facilities, right of way and vehicles each cost less than 10% of the project total.

The final design cost estimate was a bottom up estimate prepared from final design documents. The estimate was developed based on equipment and material processes as well as local prevailing construction wages. The basis of estimate, assumptions and methodology was described in detail in the final cost estimate dated June 2011.

Final Design YOE is defined as 2013 and the base year is 2011.

The actual cost was captured by standard category (SCC) and captured during the construction of the project.

The comparison of the two cost estimates and the actual cost are shown in Exhibit 8 and Exhibit 9.

Between AA and FD, the guideway category experienced the second largest change falling from \$45.9 million to \$20.2 million. Final guideway costs came in approximately \$0.5 million higher than the FD estimate at \$19.8 million. The reason the large change between AA and FD was the I-10 transit way was removed from the project. Final costs included improvements from 10<sup>th</sup> Street to Highland Avenue.

Correspondingly, the site work and special conditions line items were underestimated by approximately \$20.5 million from AA to FD. The FD estimate was \$34.3 million,

while actual expenses came in nearly \$3.2 million lower at \$31.1 million.

In the final capital costs for the project, guideway and site work were a combined \$51.3 million compared to a PCGA budget

of \$53.6 million, which resulted in \$2.3 million in savings compared to the PCGA.

**Exhibit 8: Capital Cost Comparison**

Standard Cost Category (SCC)	Description		Alternative Analysis \$	Final Design \$	Budget Authority PCGA	Final Cost \$	Final Design vs. Final Cost \$	Final Budget vs. Final Cost \$
<b>10</b>	<b>GUIDEWAY &amp; TRACK ELEMENTS</b>		\$ 45,893	\$ 19,725	\$ 17,984	\$ 20,177	\$ (452)	\$ (2,193)
10.02	Guideway: At-grade semi-exclusive (allows cross-traffic)	0.21	\$ 37,991	\$ 18,353	\$ 16,686	\$ 16,470	\$ 1,883	\$ 216
10.03	Guideway: At-grade in mixed traffic	0.03	\$ 7,902	\$ 1,372	\$ 1,298	\$ 3,707	\$ (2,335)	\$ (2,409)
<b>20</b>	<b>STATIONS, STOPS, TERMINALS, INTERMODAL</b>		\$ 16,132	\$ 14,917	\$ 17,201	\$ 14,262	\$ 655	\$ 2,939
20.01	At-grade station, stop, shelter, mall, terminal, platform	0.17	\$ 11,987	\$ 14,917	\$ 17,201	\$ 14,262	\$ 655	\$ 2,939
20.06	Automobile parking multi-story structure		\$ 4,145	\$ -	\$ -	\$ -	\$ -	\$ -
<b>30</b>	<b>SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS</b>		\$ 3,868	\$ 8,131	\$ 5,370	\$ 15,254	\$ (7,123)	\$ (9,884)
30.02	Light Maintenance Facility	0.52	\$ 3,868	\$ 4,265	\$ 1,265	\$ 12,860	\$ (8,595)	\$ (11,595)
30.05	Yard and Yard Track	0.48	\$ -	\$ 3,866	\$ 4,105	\$ 2,394	\$ 1,472	\$ 1,711
<b>40</b>	<b>SITework &amp; SPECIAL CONDITIONS</b>		\$ 13,821	\$ 34,271	\$ 35,611	\$ 31,079	\$ 3,192	\$ 4,532
40.01	Demolition, Clearing, Earthwork	0.06	\$ 1,312	\$ 4,741	\$ 4,785	\$ 722	\$ 4,019	\$ 4,063
40.02	Site Utilities, Utility Relocation	0.06	\$ 4,075	\$ 4,993	\$ 4,745	\$ 10,410	\$ (5,417)	\$ (5,665)
40.02	Utility Relocation - Utility Company	1	\$ -	\$ -	\$ 1,500	\$ 549	\$ (549)	\$ 951
40.03	Hazardous Material		\$ 1,174	\$ -	\$ -	\$ -	\$ -	\$ -
40.04	Environmental Mitigation		\$ 967	\$ -	\$ -	\$ -	\$ -	\$ -
40.05	Site structures including retaining walls, sound walls	0	\$ 898	\$ 90	\$ 99	\$ 447	\$ (357)	\$ (348)
40.06	Pedestrian / bike access and accommodation, landscaping	0.08	\$ 691	\$ 6,925	\$ 6,312	\$ 5,746	\$ 1,179	\$ 566
40.07	Automobile, bus, van accessways including roads, parking lots	0.04	\$ 4,013	\$ 3,601	\$ 6,972	\$ 4,157	\$ (556)	\$ 2,815
40.08	Temporary Facilities and other indirect costs during construction	0.16	\$ 691	\$ 13,921	\$ 11,198	\$ 9,048	\$ 4,873	\$ 2,150
<b>50</b>	<b>SYSTEMS</b>		\$ 16,067	\$ 16,727	\$ 19,984	\$ 21,134	\$ (4,407)	\$ (1,150)
50.02	Traffic signals and crossing protection	0.13	\$ 6,908	\$ 10,810	\$ 11,386	\$ 6,635	\$ 4,175	\$ 4,751
50.05	Communications	0.05	\$ 3,454	\$ 4,210	\$ 6,294	\$ 8,903	\$ (4,693)	\$ (2,609)
50.06	Fare collection system and equipment	0.02	\$ 4,600	\$ 1,707	\$ 2,304	\$ 5,596	\$ (3,889)	\$ (3,292)
50.07	Central Control	0	\$ 1,105	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Construction Subtotal (10-50)</b>			\$ 95,781	\$ 93,771	\$ 96,150	\$ 101,906	\$ (8,135)	\$ (5,756)

## Exhibit 9: Capital Cost Comparison Continued

Standard Cost Category (SCC)	Description		Alternative Analysis \$	Final Design \$	Budget Authority PCGA	Final Cost \$	Final Design vs. Final Cost \$	Final Budget vs. Final Cost \$
60	ROW, LAND, EXISTING IMPROVEMENTS		\$ 15,465	\$ 6,532	\$ 6,532	\$ 6,370	\$ 162	\$ 162
60.01	Purchase or lease of real estate	0.97	\$ 15,465	\$ 6,327	\$ 6,327	\$ 6,205	\$ 122	\$ 122
60.02	Relocation of existing households and businesses	0.03	\$ -	\$ 205	\$ 205	\$ 165	\$ 40	\$ 40
70	VEHICLES		\$ 14,177	\$ 16,628	\$ 16,628	\$ 15,384	\$ 1,244	\$ 1,244
70.04	Bus	1	\$ 14,177	\$ 15,448	\$ 15,448	\$ 15,211	\$ 237	\$ 237
70.06	Non-revenue vehicles	1	\$ -	\$ 250	\$ 250	\$ -	\$ 250	\$ 250
70.07	Spare parts	1	\$ -	\$ 930	\$ 930	\$ 173	\$ 757	\$ 757
80	PROFESSIONAL SERVICES		\$ 30,213	\$ 56,702	\$ 58,365	\$ 65,005	\$ (8,303)	\$ (6,640)
80.01	Preliminary Engineering	0.64	\$ 12,676	\$ 12,921	\$ 12,933	\$ 14,877	\$ (1,956)	\$ (1,944)
80.02	Final Design	0.36	\$ 4,954	\$ 7,261	\$ 7,268	\$ 8,849	\$ (1,588)	\$ (1,581)
80.03	Project Management for Design and Construction	1	\$ 4,954	\$ 15,997	\$ 17,622	\$ 15,930	\$ 67	\$ 1,692
80.04	Construction Administration & Management	1	\$ 4,128	\$ 6,632	\$ 6,638	\$ 12,969	\$ (6,337)	\$ (6,331)
80.05	Professional Liability and other Non-Construction Insurance	1	\$ 1,072	\$ 1,112	\$ 1,113	\$ -	\$ 1,112	\$ 1,113
80.06	Legal; Permits; Review Fees by other agencies, cities, etc.	1	\$ 476	\$ 10,596	\$ 1,000	\$ 3,714	\$ 6,882	\$ (2,714)
80.06	In-Kind Contributions		\$ -	\$ -	\$ 9,606	\$ 8,401	\$ (8,401)	\$ 1,205
80.07	Surveys, Testing, Investigation, Inspection	1	\$ 1,667	\$ 1,463	\$ 1,464	\$ -	\$ 1,463	\$ 1,464
80.08	Start up	1	\$ 286	\$ 720	\$ 721	\$ 265	\$ 455	\$ 456
	Subtotal (10-80)		\$ 155,636	\$ 173,633	\$ 177,675	\$ 188,665	\$ (15,032)	\$ (10,990)
90	UNALLOCATED CONTINGENCY		\$ 7,759	\$ 18,073	\$ 14,031	\$ 3,041	\$ 15,032	\$ 10,990
	Subtotal (10-90)		\$ 163,395	\$ 191,706	\$ 191,706	\$ 191,706	\$ -	\$ 191,706
100	FINANCE CHARGES					\$ -		
	TOTAL PROJECT COST (10-100)		\$ 163,395	\$ 191,706	\$ 191,706	\$ 191,706	\$ -	\$ -

Professional services costs increased during each phase of the project. Initially the AA estimated services at \$30.2 million, the FD estimated \$56.7 million while actual costs came in at \$65.0 million. The largest line item increases were in Construction Administration and Management and In-Kind Contributions.

Construction Administration and Management costs increased due to the establishment of the Internal Project Management Office (IPMO) office, which was not considered as part of the professional services costs during the AA phase. The IPMO office had a larger staff

than anticipated in the Project Management Plan (PMP).

Professional Services costs were \$65.0 million compared to a PCGA budget of \$58.4 million. The biggest driver increasing these costs was construction management.

The other major increase in capital costs is reflected in the legal, permits and review fees by other agencies line item. This increase reflects in-kind contributions in the form of plan check fees, building and construction fees to the total of \$8.4 million, and legal fees for Omnitrans in the ROW acquisition process.

Legal/Permits/Reviews and In-kind costs were \$12.1 million compared to a PCGA budget of \$10.6 million. These costs increased over the PCGA budget based on the value of in-kind donations received from the participating cities being greater than planned.

Station costs were \$14.3 million compared to a PCGA budget amount of \$17.2 million, \$14.9 million in FD and \$16.1 million in the AA phase.

Vehicle unit costs remained relatively constant due to a steady vehicle design concept. The 60' New Flyer vehicle was identified early as the design vehicle, utilizing a low floor, articulated design. The dual sided, 5-door vehicles became desirable once median station design was developed, however this change had only a slight increase in the overall vehicle cost during the four year design process.

Vehicle costs were \$15.4 million compared to a FD estimate and PCGA Budget of \$16.6 million. The AA estimated vehicle cost was \$14.2 million. Substantial cost savings were derived in the reduction in spare parts that were purchased with the vehicles as compared to the PCGA.

Systems costs were \$21.1 million compared to a PCGA budget of \$20.0 million. The AA estimate was \$16.1 million and the FD estimate was \$16.7 million. Cost increases were seen in communication equipment and fare collection, while traffic signals and crossing protection saw decreases in cost compared to PCGA budget.

## 5. TRANSIT SERVICE LEVELS

Omnitrans delivered the sbX Green Line with the proposed and required 10-minute peak and 15-minute off-peak headway and

14 hours of service span.

Omnitrans was able to implement BRT service without degrading service elsewhere in the network. During the first few years of sbX service, Omnitrans did restructure some service for the opening of the San Bernardino Transit center and due to changing demands throughout the network. As seen in Exhibit 10, Omnitrans weekday revenue hours increased 4.6% from 670,700 revenue hours the year before sbX Green line service began to 701,600 after three full years of service. Weekday revenue miles increased at a slightly faster rate of 5.1% growing from 9.2 million revenue miles to 9.6 million revenue miles.

Specifically on the E Street Corridor, revenue hours increased by 43.2% between the two years growing from

**Exhibit 10: Changes in Aggregate Measures of Actual Transit Service Levels**

Characteristic	Weekday Revenue Miles (Annual 000s)				Weekday Revenue Hours (Annual 000s)			
	Before (FY2013)	After (FY2017)	Change	% Chg.	Before (FY2013)	After (FY2017)	Change	% Chg.
<b>E Street Corridor</b>	<b>404.0</b>	<b>714.5</b>	<b>310.4</b>	<b>76.8%</b>	<b>35.7</b>	<b>51.1</b>	<b>15.4</b>	<b>43.2%</b>
sbX Green Line	-	558.7	558.7	---	-	37.4	37.4	---
Route 2	404.0	155.7	(248.3)	61.5%	35.7	13.7	(22.0)	61.6%
Other Routes	8,755.8	9,475.7	719.8	8.2%	635.1	650.5	15.5	2.4%
<b>System Total</b>	<b>9,159.9</b>	<b>9,631.4</b>	<b>471.6</b>	<b>5.1%</b>	<b>670.7</b>	<b>701.6</b>	<b>30.9</b>	<b>4.6%</b>



35,700 revenue hours prior to the start of sbX Green Line service to 51,100 revenue hours afterwards. Driven by the faster operating speeds of sbX compared to local service, annual revenue miles on the corridor increased even faster growing 76.8% from 404,000 weekday revenue miles before sbX green line service to 714,500 miles afterwards.

Exhibit 11 shows Weekday Peak and Off-Peak Headway Levels remained as planned for sbX since the AA phase, at a 10-minute peak headway and 15-minute off peak headway. Route 2 headway levels from the AA to FD were adjusted from 20 minutes to 30 minutes. After the SBTC opened and demand on Route 2 adjusted to sbX, the headway was reduced to 60 minutes and resources were transferred to Route 1 which intersects sbX at the SBTC.

**Exhibit 11 Weekday Peak/Off-Peak Headway Levels (minutes)**

	AA	FD	Initial	Current
Year	2011	2013	2014	2017
sbX	10/15	10/15	10/15	10/15
Rt 2	20	30	30	60

Span has remained the same along the Project Corridor. Exhibit 12 shows an hour of span was added to sbX for a total of 15 hours from FD projections of 14 hours. When sbX began service, Route 2

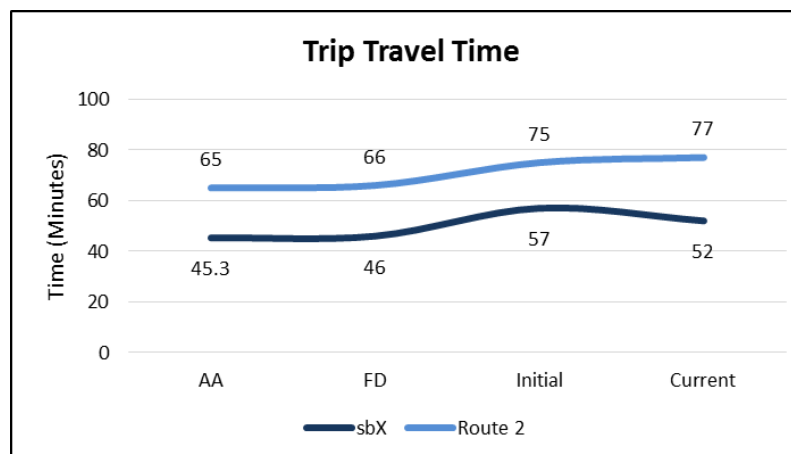
maintained its span of 19 hours, which has remained unchanged.

**Exhibit 12 Weekday Service Span (hours)**

	AA	FD	Initial	Current
Year	2011	2013	2014	2017
sbX	14	14	15	15
Rt 2	19	19	19	19

Travel time on sbX is faster than Route 2. An average one-way trip is 25 minutes faster on sbX than a trip on Route 2, as seen in Exhibit 13. The trend shows that the Average Trip Travel Time has improved on sbX since launch but remains above earlier predictions of 46 minutes each way from the FD.

**Exhibit 13: sbX Green Line & Route 2 One-Way Travel Times**



During the AA & FD phase of the, the sbX Green Line was expected to connect directly to three neighboring transit agencies. The connection to Riverside Transit Agency (RTA) and Mountain Transit has been maintained as planned. The extension of Metrolink Service to the San Bernardino Transit Center, initially planned to occur concurrently, with sbX opened on December 16, 2017. Thus it has not had the opportunity to influence sbX service or ridership to date.

In addition to the three planned regional connections, two additional connections have been formed following the implementation of sbX and SBTC. Victor Valley Transit Authority connects to sbX from the high desert as far as 70 miles away in Barstow. Pass Transit also connects to sbX from 25 miles to the east from Riverside County.

### **FARE POLICY**

Omnitrans implemented a planned 16% fare increase in FY2015 one year after the implementation of sbX. This was the first increase in five years and was designed to maintain farebox recovery ratio as

inflationary pressure continued to increase costs. Omnitrans maintained existing discounts and fare multiples. Omnitrans had previously skipped two planned fare increases and has skipped one planned fare increase since.

In January 2015, Omnitrans implemented a new discounted fare program for Veterans. Omnitrans now offers veterans a 50% discount of regular full fare cash, day, 7-day and 31-day passes. Since the sbX Green Line serves the primary VA Hospital in the area, it has a higher share of Veteran Fare usage than other routes in Omnitrans system.

## 6. OPERATING AND MAINTENANCE COSTS

Generally, sbX annual Operations and Maintenance (O&M) costs slightly

exceeded Final Design expectations while the O&M costs per hour came in slightly lower than expectations. These differences both stem from Omnitrans adding a 12<sup>th</sup> vehicle into service in the P.M. peak. The additional peak vehicle was required to maintain the 10 minute peak headway as the estimated one-way travel time of 46 minutes stabilized in the P.M. peak between 52 and 55 minutes depending on time of year. This added annual operating costs, but lowered the cost per hour as fixed costs such as station area maintenance and technology costs were allocated over more revenue hours.

Exhibit 14 shows O&M costs in 2014 dollars for the sbX Green Line, Route 2, Omnitrans' Fixed Route services, and system wide services. Costs are shown in both annual totals and per revenue hour. Omnitrans refined the cost allocation

methodology each year sbX was in service so both the first full year (FY2015) and third full fiscal year (FY2017) are provided.

sbX hourly costs were projected to be \$132.61 per hour in the AA, \$146.43 per hour in FD, and actually came in at \$129.01 in FY2015 and \$130.83 in FY2017. In FY2015, hourly costs were -11.9% compared to FD and FY2017 hourly costs were -10.7% compared to FD.

sbX annual O&M costs were estimated at \$4.3 million and came in at \$4.6 million in FY2015 and \$4.9 million in FY2017, a difference of 6.5% and 12.3% respectively.

The actual sbX costs for FY2015 and FY2017 were calculated based on the actual expenses for sbX that were captured in a separate cost center for direct expenses and allocated costs based on Omnitrans' standard allocation methodology for administration and

**Exhibit 14: Operations & Maintenance Costs for sbX Green Line, Route 2 and Systemwide (2014 Dollars)**

O&M Cost	AA Future	FD Future	FY2015	FY2017	%Δ FD v. FY15	% Δ FD v. FY17
Route 2 Annual O&M Costs (\$000)	\$3,148	\$2,469	\$3,007	\$2,189	21.8%	-11.4%
sbX Annual O&M Costs (\$000)	\$5,700	\$4,354	\$4,636	\$4,889	6.5%	12.3%
Annual Fixed Route O&M costs (\$000)	\$72,898	\$59,134	\$56,974	\$62,263	-3.7%	5.3%
Annual System wide O&M Cost (\$000)	\$87,797	\$70,253	\$69,741	\$74,580	-0.7%	6.2%
Route 2 O&M Costs per Revenue Hour	\$74.58	\$86.61	\$82.44	\$89.94	-4.8%	3.8%
sbX O&M Costs per Revenue Hour	\$132.61	\$146.43	\$129.01	\$130.83	-11.9%	-10.7%
Fixed Route O&M Costs per Revenue Hour	\$74.58	\$86.61	\$88.20	\$93.58	1.8%	8.0%
System wide O&M Costs per Revenue Hour	\$74.58	\$86.61	\$84.88	\$89.61	-2.0%	3.5%

overhead expenses.

The original AA O&M plan (developed in May 2007) used the 2005 base costs of \$74.58 per revenue hour and added 10% maintenance cost of \$7.46 per revenue hour, for a rate of \$82.04 per revenue hour for sbX service. However, the final financial template (approved by the FTA in December 2007) contained a higher operating cost than what was detailed in the O&M plan with sbX cost at \$132.61 per revenue hour.

The final design O&M costs were prepared in 2009 for the project, and then revised later during the final design as a result of the economic recession. The base cost is reported at \$86.61 per revenue hour. The FD sbX O&M cost is identified at \$146.43 per revenue hour.

The remaining costs for Omnitrans fixed route service and system wide services were in line with FD projections. Route 2's annual operating costs were 21.8% over FD forecasts in FY2015 at \$3.0 million. This corrected to 11.4% under the FD estimates by FY2017 at \$2.2 million. This change was the result of the reduction in frequency on Route 2 following the opening of the San Bernardino Transit Center.

Overall, sbX Green Line costs accounted for 6.6% of Omnitrans system wide costs in both FY2015 and FY217.

The National Transit Database (NTD) captures operating costs in four main categories: vehicle operations, vehicle maintenance, non-vehicle maintenance and general administration. Exhibit 15 shows a comparison of cost per revenue hour between traditional fixed route service and the sbX Green Line for each of the NTD cost categories.

Vehicle operations costs show the biggest percent and dollar value difference between sbX and traditional fixed route service. Fixed route services cost \$51.39 per hour while sbX costs \$80.09 per hour. The primary driver of these differences included dedicated field supervisors for sbX, while other routes share field supervisors. Additionally, sbX had a dedicated dispatcher associated with it for the first three years of operations. Omnitrans also has roving 24 hour security

and monitored video security for sbX, which do not exist on traditional fixed route service. Lastly, sbX drivers receive \$2 per hour premium pay compared to regular fixed route operators.

Vehicle maintenance cost per hour for sbX is 12% higher than fixed route service, a difference of \$2.21 per hour. This is associated with slightly higher fuel costs and higher speed of sbX service compared to fixed route service which accumulates more miles per revenue hour than fixed route service.

Non-vehicle maintenance costs are 40% higher on sbX than on traditional fixed route. sbX non-vehicle maintenance costs are \$6.89 per hour, while fixed route non-vehicle maintenance costs are \$4.92 per hour. These costs are associated with maintenance of the dedicated sbX stations and dedicated maintenance staff for these stops and stations.

General administration expenses on sbX are 39% higher than on fixed route

**Exhibit 15: Comparison of FY2017 Costs per Revenue Hour by NTD Cost Category (2017 Dollars)**

	All FR	sbX	Δ	%Δ
Vehicle Operations	\$ 51.39	\$ 80.09	\$ 28.69	56%
Vehicle Maintenance	\$ 17.85	\$ 20.06	\$ 2.21	12%
Non-Vehicle Maintenance	\$ 4.92	\$ 6.89	\$ 1.98	40%
General Administration	\$ 20.22	\$ 28.12	\$ 7.90	39%
Total Costs	\$ 94.38	\$ 135.15	\$ 40.77	43%

service, at \$28.12 per revenue hour and \$20.22 per revenue hour, respectively. The primary reason for this difference is the technology and licensing costs associated with the cameras, transit signal priority, NexTrip arrival signs and related costs.

## 7. RIDERSHIP

### RIDERSHIP INTRODUCTION

As of October 2017, sbX Green Line average weekday ridership was 3,323 and corridor ridership including the underlying local Route 2 was 4,018. This compares to projected ridership of 5,607 and 7,049, respectively. This is a discrepancy of -40.7% for the sbX Green Line and -43.0% for the corridor as a whole.

A preliminary analysis would indicate that the forecasting methodology significantly overestimated ridership on the corridor. However, multiple unforeseen factors have influenced ridership trends much more broadly than at the corridor level. Additionally, other corridor level impacts such as the delay of the extension of Metrolink commuter rail service, the delay of the SBTC, the current level of economic activity in San Bernardino, and the bankruptcy of the City of San Bernardino may have

hampered ridership growth.

The no-build expected average weekday ridership on the corridor was 4,999. In October 2011 prior to construction, average daily ridership on the corridor was 4,854, in line with trends at the time to reach the expected no-build ridership levels. However, by opening day ridership had fallen to 3,786, a 22% decline. Had this been expected, the forecasted ridership may have likely been 22% lower for the sbX Green Line at 4,373 and the corridor at 5,498. Even considering these potential adjustments, current average daily ridership remains 24% and 27%, respectively, below estimates.

Dealing with the same trends of low gas prices, rising drivers' license levels, increased car ownership and other factors, Omnitrans fixed route ridership has fallen by 28% since peaking in Fiscal Year 2012. Nearly all of the decline occurred since 2014. Comparatively, sbX Green Line

average weekday ridership has grown by 81% since its opening months in FY2014. This represents an increase of 1,309 average daily riders on sbX at the same time, systemwide ridership is falling. Combining these factors, sbX Green Line ridership has exceeded the system wide growth rate by 109 percentage points. Overall E Street corridor ridership has fallen 12.5% over the same time period, which is less than half the systemwide rate of decline of 26% for the same period.

Staff has worked to offset ridership declines by focusing on partnerships in the area. California State University, San Bernardino implemented a University Pass program prior to launch of sbX but in large part because of sbX. Loma Linda University Medical Center used an employee pass program as a construction offset measure during construction on their campus. This is leading to renewed discussion about a longer term University Pass program at that campus. Additionally sbX has been a

**Exhibit 16: Comparison of Ridership Before (FY2013) and After (FY2017) by Corridor and System Wide**

Characteristic	Weekday Revenue Hours (Annual 000s)				Average Weekday Boardings			
	Before (FY2013)	After (FY2017)	Change	% Chg.	Before (FY2013)	After (FY2017)	Change	% Chg.
<b>E Street Corridor</b>	<b>35.7</b>	<b>51.1</b>	<b>15.4</b>	<b>43.2%</b>	<b>4,163</b>	<b>3,639</b>	<b>(524)</b>	<b>-12.6%</b>
sbX Green Line	-	37.4	37.4	---	-	2,935	2,935	---
Route 2	35.7	13.7	(22.0)	61.6%	4,163	704	(3,459)	-83.1%
Other Routes	635.1	650.5	15.5	2.4%	49,943	35,177	(14,766)	-29.6%
<b>System Total</b>	<b>670.7</b>	<b>701.6</b>	<b>30.9</b>	<b>4.6%</b>	<b>54,106</b>	<b>38,816</b>	<b>(15,290)</b>	<b>-28.3%</b>



helpful asset in reaching partnership with a nearby Amazon distribution center and with renewing a University Pass program with San Bernardino Valley College. As these partnerships continue to develop, sbX ridership will continue to grow.

### ***RIDERSHIP DETAIL***

Exhibit 16 shows the specific change in ridership compared to the change in service provided for the sbX Green Line, the E Street Corridor, Omnitrans' other routes and system total for FY2013 and FY2017. E Street Corridor average daily ridership declined 12.6% between the four years as average daily corridor ridership slipped from 4,163 weekday riders to 3,639 weekday riders. This rate is less than half the rate of decline of Omnitrans other routes over this time period, which fell 29.6% from 49,943 average weekday riders to 35,177 riders. System wide average daily riders decline 15,290 riders between 2013 and 2017, a decline of 28.3%. As described earlier, this downward trend has been experienced by other agencies driven by a number of factors ranging from vehicle ownership rates, improving economy, lower gas prices, fare increase, changing drivers license requirements and so on.

Omnitrans contracted Redhill Group to conduct an on-board intercept survey of sbX Green line and system wide riders. This survey included capturing origin, boarding, alighting and destination (OBAD) data, which was used to determine ridership patterns for sbX Green Line riders and also to capture the satisfaction of sbX Green Line riders. The full report can be found in the appendix to this report and key findings are shown below.

While ridership numbers have not met expectations, sbX riders' opinions of sbX have been positive:

- 94% of sbX riders agree that their transit experience is better with sbX;
- 90% of sbX riders say that the initiation of sbX service has changed their transit experience;
- 94% give a positive rating to sbX performance, with more than half (55%)

saying it is excellent;

- 86% of sbX riders indicated that it reduced their travel time;
- 71% say it has resulted in fewer transfers,
- 65% feel safer waiting for sbX;
- 66% indicated that sbX makes trip planning easier; and,
- 67% indicated that they now ride more because of sbX.

The survey data also provide details about trip purpose of sbX riders and this can be compared to Omnitrans riders system wide. This is shown in Exhibit 17. The largest difference between sbX and local services is that sbX has many more home to school/college trips at 19% compared to 11% for regular local service. When the reverse trip is also included 33% of sbX trips are home/school based trips. This is followed by home/work trips at 23%, which is slightly lower than regular fixed

**Exhibit 17: Comparison of Trip Purpose Pairs for Omnitrans Fixed Route Service Compared to sbX Green Line**

Trip Origins & Destinations.		Destination						
Fixed Route::sbX		Home	Work	School	Medical	Shopping	Other	Total
Origin	Home	2% :: 3%	14% :: 12%	11% :: 19%	4% :: 4%	5% :: 4%	9% :: 6%	46% :: 47%
	Work	13% :: 11%	1% :: 1%	1% :: 0%	0% :: 0%	0% :: 1%	1% :: 1%	17% :: 14%
	School	14% :: 14%	1% :: 1%	1% :: 2%	0% :: 0%	0% :: 2%	1% :: 1%	17% :: 20%
	Medical	3% :: 5%	0% :: 0%	0% :: 0%	0% :: 0%	1% :: 0%	1% :: 1%	5% :: 7%
	Shopping	4% :: 3%	0% :: 0%	0% :: 0%	0% :: 0%	1% :: 0%	1% :: 1%	6% :: 4%
	Other	6% :: 4%	1% :: 0%	0% :: 1%	0% :: 0%	1% :: 0%	2% :: 2%	10% :: 8%
	Total	42% :: 40%	17% :: 14%	13% :: 23%	5% :: 5%	8% :: 8%	15% :: 11%	100% :: 100%

Exhibit 18: Daily Trips on sbX Green Line (October, 2017) by Production Attraction Source

	Daily trips on the sbX Green Line	Attracted to Workplaces and other Activities in:			
		Corridor in San Bernardino	Corridor in Loma Linda	Outside of the Corridor	All Locations
Produced by residents of:	E Street Corridor	1,300	300	400	2,000
	Outside Corridor	1,100	100	100	1,300
	All Locations	2,400	400	500	3,300

route riders' roundtrip 27% share of home/work trips. Other trip origin and destination pairs, such as home/medical and home/shopping, are similar between sbX riders and local route riders.

A typical sbX Green Line trip includes taking an average of 1.7 buses and 59% of trips require a transfer. This indicates that the majority of trips on sbX start or end outside of the sbX corridor. Exhibit 18 shows the daily trips by production and attraction source. 1,600 average daily trips out of 3,300 average daily trips on the sbX Green Line start and end on the corridor, representing 48% of total activity.

1,100 average daily trips (33% of the total trips) start outside of the corridor, but end on the corridor inside the city of San Bernardino. The most common attraction locations in this group are near California State University, San Bernardino and along Hospitality Lane.

A total of 400 trips per day are drawn by attractions in Loma Linda, representing 12% of sbX's total trips.

The rider survey also indicated some demographic differences between sbX riders and Omnitrans riders systemwide. sbX riders were more likely to have a vehicle available for their trip, 23% to 17%. sbX riders are more likely to be a full-time student 42% compared to 28% for systemwide riders. Correspondingly, sbX riders are more likely to be in their 20s at 36% compared to 31% for the system as a whole. The household incomes of riders on sbX are similar to that of those on traditional fixed route service.

## 8. BUSINESS IMPACT

Omnitrans contracted Redhill Group to conduct a survey of business along the sbX corridor to evaluate the impact of sbX. Full details of this survey can be seen in the appendix to this report and are summarized below.

36% of businesses surveyed indicated that business volume increased during the three years following the introduction of sbX and 28% indicated that business volume remained the same.

Nearly three quarters (73%) of businesses along the sbX E Street Corridor have been in business six years or longer, which is before the construction and opening of sbX. Of businesses that have been at their location for less than six years, 6 percent say their decision to select the location was, at least in part, influenced by the sbX line.

Businesses' satisfaction (56%) with sbX outpaces dissatisfaction (28%) by a margin of two to one.

Satisfaction with sbX varies depending upon the location of the business along the sbX E Street Corridor alignment.

Businesses north of 9th and North E Street, and east of Waterman Avenue, have a higher level of satisfaction (68%) than businesses that lie between those points (40%). The primary difference between the two areas is whether sbX added a median or not. Areas where no median was added, business were more satisfied while areas where a median was added saw lower satisfaction.

More than half (57%) of businesses along the sbX E Street Corridor agree that the project has improved sidewalks and roads near their location, with an additional 20% saying they do not see a change.

### **TRANSIT-ORIENTED DEVELOPMENT IMPACTS OF SBX GREEN LINE**

In July 2012, the City of San Bernardino adopted a Transit Overlay District (TOD) ordinance. The ordinance includes 13 station areas within ½-mile walking distance of the sbX Green Line stations in

the City of San Bernardino. The stations are subdivided into five areas with distinct neighborhood character, density, building heights, etc. The five areas are Kendall Drive Neighborhood Station Areas; E Street Neighborhood Station Areas; Downtown Station Areas; Village/Urban Center Station Areas; and Employment Center Station Areas.

The ordinance reduces minimum parking requirements in the station areas; makes slight changes to the allowable uses in the station areas (such as disallowing auto-

oriented uses like drive-thru fast food restaurants); and adds form-based requirements such as setbacks, building height step-backs, street block lengths, and bicycle parking requirements in order to facilitate a pedestrian and bicycle-friendly environment in the station areas.

Since the TOD ordinance was adopted, several developments have taken place along the corridor, including new construction as well as new occupancy/new employment at existing

**Exhibit 19: Developments in San Bernardino on the sbX Corridor**

Name of Facility	Type of Project	Opening Date	Location	Influence of sbX on development decision
CSUSB Student Housing	New construction of 400 beds (in first phase) of student housing	2017	Adjacent to CSUSB campus	No, although it's important for students at CSUSB.
Carousel Mall redevelopment	Mixed-use phased redevelopment (including housing and commercial)	Unknown	On E Street (at Court Street station)	Proximity of San Bernardino Transit Center, sbX line, and new rail connections were factors in the decision to develop.
Andreson Building	New owner, new occupants (tech company plus other tenants)	Acquired in 2016	On E Street (at Court Street station)	Not sure of the impact of sbX on ability to get tenants yet, but sbX is convenient to the location. Using it as a sales point to attract tenants, interested in a pass program for employees.
Gateway College (Loma Linda University)	Teaching clinic	September 2016	G Street south of Rialto Avenue (1/2 mile from E and Rialto Station / San Bernardino Transit Center)	Proximity of Transit Center and connection of sbX from Loma Linda was a draw.
Tri-City Corporate Centre	New owner, new occupants	Acquired in March 2015	On Hospitality Lane (at Carnegie station)	Occupancy was at 57% when they acquired property in March 2015, seemed promising to increase occupancy. Transit is a sales point for attracting tenants. Tenants often ask about transit access and say that it's important to their employees and customers.

properties.

Exhibit 19 describes development on the sbX Green Line Corridor in San Bernardino.

The City of Loma Linda does not have any land use regulations specific to the areas around the three sbX Green Line stations in Loma Linda (Anderson and Redlands Blvd., Anderson and Prospect, and Benton and Barton).

However, the City's General Plan adopted in 2009 does designate "Specific Planning Areas" within ½ mile walking distance of all three stations. The Specific Planning Areas have flexible development regulations that allow and encourage the development of high-density housing and mixed use development in proximity to Loma Linda University/Medical Center and the VA Medical Center.

ITEM # E5

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

**THROUGH** P. Scott Graham, CEO/General Manager

**FROM:** Donald Walker, Director of Finance

**SUBJECT: TRANSFER OF VALLEY TRANSPORTATION SERVICES (VTRANS)  
REMAINING ASSETS TO OMNITRANS**

### **FORM MOTION**

Recommend the Board of Directors approve Resolution No. 307-18 to officially accept the surplus assets of Valley Transportation Services.

*This item was presented to the Administrative and Finance Committee at their June 14, 2018 meeting. This item was also reviewed by Legal Counsels for Omnitrans and VTrans.*

### **BACKGROUND**

In February 2016, the San Bernardino County Transportation Authority (SBCTA) approved the orderly transition of VTrans's functions as the Consolidated Transportation Services Agency (CTSA) to Omnitrans. Since then, staff has worked with legal counsels for both Omnitrans and VTrans to transition the responsibilities and complete the dissolution.

Omnitrans took physical control of VTrans assets in May 2016 and has continued to provide service and support to the community partners of VTrans. SBCTA discontinued allocating Measure I funds to VTrans after Omnitrans was designated the CTSA. Currently VTrans operating cost are being paid with Measure I funds from prior years.

In order to safeguard against funding shortages to the community partners prior to VTrans dissolution, SBCTA has forwarded Omnitrans the Measure I funds that were designated for the CTSA.

VTrans surplus assets consist mainly of cash, shop equipment, and leasehold improvements at the leased maintenance facility in Ontario, CA. The three (3) vehicles previously owned by VTrans were leased to the City of Grand Terrace, Industrial Support Services (ISS), and West End YMCA/Ontario-Montclair Branch.

If approved, Omnitrans will include VTrans surplus assets in its accounting records and financial statements in accordance with generally accepted accounting principles.

### **CONCLUSION**

Recommend the Board of Directors approve Resolution No. 307-18 to officially accept the surplus assets of Valley Transportation Services.

PSG:DW

Attachment A: Resolution No. 307-18

**RESOLUTION NO. 307-18****RESOLUTION OF THE OMNITRANS BOARD OF DIRECTORS, SAN BERNARDINO COUNTY, CALIFORNIA, ACCEPTING SURPLUS ASSETS OF VALLEY TRANSPORTATION SERVICES**

**WHEREAS**, Omnitrans is a Transportation Authority in San Bernardino County created pursuant to California Government Code Section 6506 by that certain Joint Powers Agreement dated March 8, 1976, and amended and restated on July 1, 2016;

**WHEREAS**, Valley Transportation Services (“VTrans”) is a California non-profit corporation;

**WHEREAS**, on September 1, 2010, VTrans was appointed by the San Bernardino County Transportation Commission, now known as the San Bernardino County Transportation Authority (“SBCTA”), as the Consolidated Transportation Services Agency (“CTSA”) for the San Bernardino Valley and was provided certain funding as such by SBCTA;

**WHEREAS**, on November 4, 2015 the SBCTA (formerly Sanbag) Board of Directors designated Omnitrans a CTSA for the San Bernardino Valley;

**WHEREAS**, in February 2016, the SBCTA Board approved the orderly transition of VTrans’s functions as CTSA to Omnitrans;

**WHEREAS**, on December 6, 2017, the SBCTA Board authorized the transfer of VTrans assets that were determined to be surplus to SBCTA’s needs to Omnitrans; and

**NOW, THEREFORE, BE IT RESOLVED THAT** the Omnitrans Board of Directors does hereby approve and authorize Omnitrans’ acceptance of the surplus assets of VTrans.

**APPROVED AND ADOPTED** this 11th day of July, 2018.

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Ron Dailey, Chair  
Board Chair, Omnitrans Board of Directors

Approved as to form:

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Haviva Shane  
Counsel for Omnitrans

**CERTIFICATION**

**I, P. Scott Graham**, Secretary, Omnitrans Board of Directors, do hereby certify that the foregoing resolution was adopted by the Omnitrans Board of Directors at a regular meeting thereof held on the 11th day of July, 2018, by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

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P. Scott Graham, CEO/General Manager  
Secretary, Omnitrans Board of Directors



ITEM # E6

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

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

**FROM:** Suzanne Pfeiffer, Director of Human Resources

**SUBJECT:** **PERSONNEL POLICY #614 – STATE DISABILITY INSURANCE (SDI) AND PAID FAMILY LEAVE (PFL)**

**FORM MOTION**

Recommend the Board of Directors approve the proposed policy changes to Policy #614, State Disability Insurance (SDI) and Paid Family Leave (PFL) with an effective date of July 11, 2018.

*This item was presented to the Administrative and Finance Committee at their June 14, 2018 meeting.*

**BACKGROUND**

This policy was pulled from the May 2, 2018, Board Agenda at the request of Legal Counsel in order to further review and ensure that the procedural language for State Disability and Paid Family Leave is clearly stated in the policy. The changes in the policy are necessary to comply with changes in the relevant governing laws.

This policy was reviewed by Legal Counsel, ATU Local 1704 and Teamsters Local 166.

**FUNDING SOURCE**

Any increased costs associated with the recommended action will be covered in the Fiscal Year 2019 Budget.

Department: All  
Account: Salaries and Benefits


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

**CONCLUSION**

Approval of this agenda item supports the Strategic Plan, Section IX: Organizational and Workforce Excellence Goal for Fiscal Years 2017 – 2020; adopted April 6, 2016.

PSG: SEP

Attachment A: Policy #614

 <b>PERSONNEL POLICY MANUAL</b>	POLICY      614      PAGE   1   OF <u>43</u>
SUBJECT  <b>State Disability Insurance (SDI) and Paid Family Leave (PFL)</b>	APPROVED BY OMNITRANS BOARD OF DIRECTORS  DATE: <u>May 5, 2004</u> <u>May 2, 2018</u>

## I. Purpose

To state Omnitrans' policy on California State Disability Insurance and California Paid Family Leave.

## II. Scope

All Departments

## III. Procedure for State Disability Insurance (SDI)

A. The SDI program is a state-mandated, partial wage replacement insurance plan for certain eligible California employees. SDI provides short-term, financial benefits to certain eligible employees who suffer a loss of wages when unable to work due to a non-work-related illness or injury or when medically disabled due to pregnancy or childbirth. SDI is not a leave of absence, but it may provide compensation to eligible employees who are on a medical leave of absence, such as the federal Family Medical Leave Act, California Family Rights Act, or California Pregnancy Disability Leave.

A. Employees may be eligible for compensation from California State Disability Insurance (SDI) funds in whole or in part for loss of pay when they are unable to perform their regular work because of illness or injury.

All employees who are sick more than seven consecutive calendar days must apply for eligible California State Disability Insurance (SDI) funds to coordinate with Omnitrans sick leave payments.

B. There is a seven-day waiting period before disability benefits begin. Employees who are absent due to non-work-connected illness or injury and are eligible for State Disability Insurance (SDI) benefits, must use any may receive sick leave pay accrued but unused paid sick leave during the seven calendar day waiting period, since employees are not eligible to receive disability pay until the eighth calendar day of disability.

C. When the employee receives SDI disability benefits, the amount of sick leave paid by the Agency must be reduced by the disability-SDI benefit amount so that the two together do not exceed 100% of the employee's normal compensation. The amount of sick leave payable to the employee is computed, paid and deducted from the employee's paid sick leave accrual. Accrued vacation may also be used to supplement SDI benefits upon written request by 51



## OmniTrans PERSONNEL POLICY MANUAL

POLICY 614 PAGE 2 OF 43

### SUBJECT

**State Disability Insurance (SDI) and Paid Family Leave (PFL)**

APPROVED BY OMNITRANS  
BOARD OF DIRECTORS

DATE: ~~May 5, 2004~~ May 2, 2018

the employee.

Advance payment of accrued sick leave may be arranged in cases where the waiting period imposes an undue hardship. All requests for advance payments must be referred to Human Resources for approval.

~~D. Weekly and maximum benefit amounts of an employee's claim are based on the wages earned during a certain base period.~~

~~E.D. The Employment Development Department ("EDD"), which administers SDI benefits, determine the eligibility, benefit amounts, and all other aspects of SDI benefits. Qualifications for SDI payment amounts are established and determined by the State of California when the employee applies for SDI. For more information, contact the Employment Development Department at or the Taxpayer Assistance Center at (888) 745-3886.~~

~~E. All employees have received EDD pamphlet DE 2515 – State Disability Insurance Provisions, which summarizes the state disability program, at the time of hire. OmniTrans will also provide this pamphlet to any employee who becomes disabled due to pregnancy or who becomes ill, injured, or hospitalized due to causes unrelated to work.~~

~~F. Benefits are not payable if:~~

- ~~1. Employee is eligible for unemployment insurance.~~
- ~~2. Employee left the labor market prior to becoming disabled.~~
- ~~3. Legal custody is the cause of unemployment.~~
- ~~4. Restrictions stated in a court order.~~

#### IV. Procedure for Paid Family Leave (PFL)

PFL is a state-sponsored insurance program within the SDI program. PFL provides eligible employees paid leave benefits when they miss work to address specified family responsibilities.

A. Beginning ~~July 1, 2004~~ January 1, 2018, employees may be eligible to receive ~~up to up to 55%~~ approximately 60% to 70% of their wages as part of the State Disability Program if they need to take off time from their regular or customary work due to (a) care for a seriously ill child, 52



**SUBJECT**

**State Disability Insurance (SDI) and Paid Family Leave (PFL)**

APPROVED BY OMNITRANS  
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spouse, parent, or domestic partner, or (b) to bond with a new child within one (1) year of birth or placement. A "domestic partner" is defined in Section 297 of the Family Code.

B. Employees are eligible for up to six weeks in a twelve-month period to care for qualified family members as listed above.

C. Like SDI, PFL does not create a right to a leave of absence, but it may provide compensation to eligible employees who are on a medical leave of absence, such as the federal Family Medical Leave Act, California Family Rights Act, California Pregnancy Disability Leave, or California Parental Leave.

D. As with SDI, PFL is administered by the EDD and employees apply directly to the EDD for benefits. The EDD is also responsible for the process of confirming if the absence qualifies for benefits. The EDD can require medical and other documentation in support of the claim. For more information, contact the Employment Development Department at 888-745-3886.

[Wait is the policy for use of sick leave/vacation while an employee is on PFL? This needs to be addressed here.]

PFL is available after a seven day waiting period has been fulfilled. Benefits are not available until the eighth day.

D. Employees will be required to use two weeks of earned, but unused vacation leave prior to receiving PFL benefits, if available. The second week will be counted towards the seven day waiting period.

———— Vacation approved and scheduled, but not used, will be cancelled.

———— If vacation hours are not available, sick hours up to half an employee's annual accrual of 48 hours allowed under Kin Care will be applied towards the waiting period.

———— If neither vacation or sick hours are available, the seven day waiting period will be unpaid.

———— E. Weekly and maximum benefit amounts of an employee's claim is based on the Wages earned during a certain base period.

F. Qualifications for PFL payment amounts are established and determined by the State of California when the employee applies for PFL.

———— G. When applicable, PFL leave will run concurrent with FMLA, CFRA, and Kin Care.



## OmniTrans PERSONNEL POLICY MANUAL

POLICY 614 PAGE 4 OF 43

### SUBJECT

**State Disability Insurance (SDI) and Paid Family Leave (PFL)**

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~~H. Benefits are not payable if:~~

- ~~—— (1) Employee is eligible or receives unemployment compensation benefits.~~
- ~~—— (2) Employee is eligible to receive State Disability Insurance (SDI) under California law or the law of any other state.~~
- ~~—— (3) Another family member is able and available for the same period of time the individual is providing required care.~~
- ~~—— (4) Employee is receiving other benefits, such as worker's compensation.~~

~~J. Falsification of Medical Conditions. Section 3305 of the Unemployment Insurance Code addresses the consequences of falsification of medical conditions.~~

ITEM # E7

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

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

**FROM:** Eugenia F. Pinheiro, Contracts Manager

**SUBJECT: PROPOSED OVERALL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FOR FEDERAL TRANSIT ADMINISTRATION (FTA) ASSISTED CONTRACTS (OCTOBER 1, 2018 – SEPTEMBER 30, 2021)**

### **FORM MOTION**

Adopt the Proposed Overall Triennial Disadvantaged Business Enterprise (DBE) Participation Goal of 1.0% for all Federal Transit Administration (FTA) assisted contracts issued during Federal Fiscal Years (FFYs) 2019-2021 and authorize the CEO/General Manager to submit the goal and all supporting documentation to the FTA.

*This item was reviewed by the Executive Committee at its July 6, 2018 meeting.*

### **BACKGROUND**

As a condition of receiving U.S. Department of Transportation (USDOT) grants, Omnitrans is required to develop and submit an overall triennial DBE goal for DBE participation. Omnitrans must comply with the FTA's DBE Program in accordance with Title 49, Code of Federal Regulations (CFR) Part 26. The DBE Program is designed to enable small businesses owned and controlled by socially disadvantaged individuals to compete for federally-funded contracts.

Omnitrans identified a total of 40 FTA-funded projects anticipated to be solicited during the FFY 2019-2021 triennial contracting period. The attached report includes the methodology and calculations used to develop the proposed triennial goal. The overall triennial DBE Goal for FTA-assisted projects was established utilizing the federal two-step goal setting methodology. Step 1 establishes a base figure utilizing quantifiable evidence of the relative availability of DBEs within specified industries corresponding to Omnitrans' FTA-assisted contracting opportunities anticipated to be awarded within the respective goal period. Omnitrans utilized the California Unified Certification Program (CUCP) Directory of Certified DBE firms and the 2016 United States Census Bureau County Business Patterns North American Industrial Classification System (NAICS) database within Omnitrans' market area (defined as San Bernardino County) for each of the categories of work.

Step 2 of the process requires Omnitrans to survey and assess other known relevant evidence to determine what additional adjustment, if any, is needed to narrowly tailor the base figure to Omnitrans market area, in accordance provisions set forth under 49 CFR part 26.45.

The final Proposed Overall DBE Goal for FFY 2019-2021 for Omnitrans' FTA-assisted contracts is 1.0%. Notice regarding the proposed DBE goal was posted on Omnitrans' website with an invitation to the public to review the goal methodology and provide comments. Omnitrans accepted and solicited comments on the DBE Program and the triennial goal through June 20, 2018.

In response to race-neutral policy directives issued by the USDOT, Omnitrans utilizes a strictly race-neutral program. In a strictly race-neutral program, Omnitrans may not set numeric contract goals on any of its USDOT-assisted contracts for which DBE subcontracting opportunities exist. The application of race-neutral measures is in direct response to the Ninth Circuit U.S. Court of Appeals decision in *Western States Paving Co. v United States & Washington State Department of Transportation*, whereby the FTA issued a Notice (Guidance) for Public Transportation Providers (Docket No. FTA-2006-24063).

Based on the Guidance, each recipient was requested to do the following:

- If a recipient does not currently have sufficient evidence of discrimination of its effects, then the recipient would submit an all-race-neutral Overall DBE Goal.
- The recipient's submission shall include a statement concerning the absence of adequate evidence of discrimination and its effects and a description of plans to either conduct a disparity/availability study or other appropriate evidence gathering process to determine the existence of discrimination or its effects on the recipient's marketplace.
- An action plan describing the study and timeline for its completion should also be included.

Omnitrans is required to perform the appropriate evidence gathering process to determine the existence of discrimination and its effects on its respective marketplace to effectively respond to the Court's ruling and the USDOT's directive (Docket No. FTA-2006-24063; Supplemental Notice dated August 21, 2006). Staff determined it is not feasible for Omnitrans, nor is it required, to conduct its own independent disparity study.

## **FUNDING SOURCE**

Approval of the DBE provisions to comply with 49 CFR §26.5 has no budget impact.

## **CONCLUSION**

Approval of Omnitrans' proposed Overall Triennial DBE Participation Goal of 1.0% for FFY 2019-2021 will allow Omnitrans to submit the Overall DBE Goal-Setting Methodology documents in compliance with Title 49 CFR Part 26.

PSG:EFP:CVM

Attachment: Omnitrans FTA Overall DBE Goal-Setting Methodology





# **OMNITRANS**

## **Federal Transit Administration (FTA) Overall Disadvantaged Business Enterprise (DBE) Goal-Setting Methodology**

**Fiscal Federal Years (FFY) 2019-2021**

**Goal Period**

**August 1, 2018**

Submitted in fulfillment of:  
Title 49 Code of Federal Regulations Part 26

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# DBE GOAL METHODOLOGY

## I. INTRODUCTION

Omnitrans herein sets forth its Overall Disadvantaged Business Enterprise (DBE) Goal and corresponding federally prescribed goal-setting methodology for the three-year Federal Fiscal Year (FFY) goal period of 2019-2021 (October 1, 2018 through September 30, 2021), pursuant to Title 49 Code of Federal Regulations (CFR) Part 26 “Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation Programs.” The purpose of the DBE goal-setting process is to level the playing field so that DBEs can compete fairly for Department of Transportation-assisted contracts, however, the program must be narrowly tailored in accordance with applicable law.

## II. BACKGROUND

Omnitrans is a recipient of U.S. Department of Transportation (USDOT), Federal Transit Administration (FTA), funding. As a condition of receiving this assistance, Omnitrans signed an assurance that it will comply with FTA’s DBE requirements. In accordance with Title 49 CFR Part 26 provisions: Participation by DBEs in USDOT Programs, Omnitrans is required to develop and submit a Triennial Overall DBE Goal for its FTA-assisted projects.

Omnitrans herein presents its Overall DBE Goal Methodology for FFY 2019-2021.

## III. FTA-ASSISTED CONTRACTING PROGRAM FOR FFY 2019-2021

Table 1 represents the Omnitrans FTA-assisted contracting program, which consists of projects considered in preparing this goal methodology. The projects, which include Construction, Professional Services and Materials/Supplies contracting opportunities, are anticipated to be awarded during the triennial period:

**Table 1**

Project Name and Description	Total Estimated Project Cost	Estimated FTA Dollar Share	Estimated FTA % Share
Elevator Modernization (upgrade controls)	\$330,000	\$264,000	80.0%
Concrete & Asphalt Repair	\$648,625	\$534,900	82.5%
HVAC/ IT closet upgrade (AC units/electrical)	\$1,000,000	\$800,000	80.0%
Alternative Energy Maintenance (solar and battery storage)	\$3,000,000	\$2,400,000	80.0%
Eye Wash Stations	\$50,000	\$40,000	80.0%
Trapeze WEB STS Software	\$175,000	\$140,000	80.0%
I Street Facility/ Building Renovation	\$3,000,000	\$1,500,000	50.0%
Training Management Software (HR)	\$100,000	\$80,000	80.0%
Shelters/Premium Shelters (at bus stops)	\$200,000	\$160,000	80.0%
Shelters/Premium Shelters (at bus stops)	\$200,000	\$160,000	80.0%

Project Name and Description	Total Estimated Project Cost	Estimated FTA Dollar Share	Estimated FTA % Share
Shelters/Premium Shelters (at bus stops)	\$200,000	\$160,000	80.0%
Transit Asset Management Software (consulting for Omnitrans ERP/SAP system)	\$2,500,000	\$2,000,000	80.0%
CCTV/ Video Surveillance (camera system for Omni buildings and along sbX corridor)	\$1,000,000	\$800,000	80.0%
Conference Room Refresh (new projectors)	\$80,000	\$64,000	80.0%
Board Room Refresh (flat screen TVs, upgrades to lighting, audio, and teleconferencing)	\$250,000	\$200,000	80.0%
On-Board Video Surveillance System hardware upgrades (servers)	\$80,000	\$64,000	80.0%
Safety Management Software	\$110,000	\$88,000	80.0%
Network Equipment Upgrade Server	\$100,000	\$80,000	80.0%
Mobile Fare Validation (on-board equipment to read mobile fare)	\$100,000	\$80,000	80.0%
e-recruit Software	\$60,000	\$48,000	80.0%
SAP EHP 7 Software	\$300,000	\$300,000	100.0%
Esigns (messaging signs for bus arrival info)	\$200,000	\$200,000	100.0%
SBCTA Vanpool	\$4,000,000	\$1,000,000	25.0%
Industrial Chemicals (cleaning)	\$40,000	\$32,000	80.0%
Methane Detection (calibration/repair)	\$30,000	\$24,000	80.0%
Genfare Parts (for fareboxes and ticket vending machines) - Sole Source	\$800,000	\$640,000	80.0%
A&E Services (for construction projects)	\$2,000,000	\$1,600,000	80.0%
Maintenance, Repair, and Operations Supplies (and vending machines for supplies; keep stocked; requires reporting)	\$700,000	\$560,000	80.0%
Pest Control Services (indoor/outdoor)	\$26,919	\$21,535	80.0%
Fire Extinguisher Services	\$14,667	\$11,734	80.0%
New Flyer Bus Parts	\$1,504,350	\$1,203,480	80.0%
Parts Washer (equipment)	\$80,000	\$64,000	80.0%
Parking Lot Sweeping	\$238,837	\$191,070	80.0%
Haz Waste Treatment/Transportation (pick-up hazardous materials on regular basis; emergency clean-up)	\$283,250	\$226,600	80.0%
Underground Storage Tank/AST Testing and Repair	\$87,460	\$69,968	80.0%
Brake Shoe	\$566,500	\$453,200	80.0%
Onboard Radio Communication	\$171,280	\$137,024	80.0%
John Deere Bus Parts	\$1,732,960	\$1,386,368	80.0%
Compressed Natural Gas Maintenance (maintained CNG fueling equipment)	\$900,000	\$720,000	80.0%
Collision Avoidance System	\$1,700,000	\$850,000	50.0%
	<b>\$26,859,848</b>	<b>\$18,503,878</b>	<b>68.9%</b>

Omnitrans reallocates FTA funds to the San Bernardino County Transportation Authority (SBCTA) Vanpool project which is included in Table 1 above.

The following organizations are subrecipients of FTA funds:

- Central City of Lutheran Mission
- Chino Transit Center
- City of Needles
- City of Rialto
- City of Yucaipa
- Community Senior Services
- Loma Linda Adult Day
- OPARC
- Pomona Valley Workshop
- United Way Inland Empire
- Victor Valley Transit Authority

Each subrecipient is required to sign an implementation agreement with Omnitrans and agrees to provide all reporting to Omnitrans. Omnitrans will include all subrecipients in agency reporting.

Table 2 provides a summary of the categories of work with estimated cost breakdown for each. Categories of work are groups utilizing comparable North American Industry Classification System (NAICS) codes for purposes of weighting the categories of work based on the staff estimates.

**Table 2**

NAICS Code	Category of Work	Estimated FTA Dollars by NAICS	Estimated FTA % by NAICS
213112	Support activities for oil and gas operations	\$69,968	0.4%
236220	Commercial and institutional building construction	\$480,000	2.6%
238140	Masonry contractors	\$615,000	3.3%
238160	Roofing contractors	\$510,000	2.8%
238210	Electrical contractors and other wiring installation contractors	\$3,409,000	18.4%
238220	Plumbing, heating, and air-conditioning contractors	\$1,189,734	6.4%
238310	Drywall and insulation contractors	\$75,000	0.4%
238320	Painting and wall covering contractors	\$75,000	0.4%
238350	Finish carpentry contractors	\$45,000	0.2%
238910	Site preparation contractors	\$195,000	1.1%
238990	All other specialty trade contractors	\$534,900	2.9%
314110	Carpet and rug mills	\$75,000	0.4%
331511	Iron foundries	\$453,200	2.4%
334511	Search, detection, navigation, guidance, aeronautical, and nautical system and instrument manufacturing	\$0	4.6%
336211	Motor vehicle body manufacturing	\$1,386,368	7.5%
423120	Motor vehicle supplies and new parts merchant wholesalers	\$1,843,480	10.0%

NAICS Code	Category of Work	Estimated FTA Dollars by NAICS	Estimated FTA % by NAICS
423440	Other commercial equipment merchant wholesalers	\$64,000	0.3%
423450	Medical, dental, and hospital equipment and supplies merchant wholesalers	\$40,000	0.2%
423490	Other professional equipment and supplies merchant wholesalers	\$560,000	3.0%
424690	Other chemical and allied products merchant wholesalers	\$32,000	0.2%
517210	Wireless telecommunications carriers (except satellite)	\$137,024	0.7%
532112	Passenger car leasing	\$634,786	3.4%
541330	Engineering services	\$1,600,000	8.6%
541511	Custom computer programming services	\$2,754,126	14.9%
541512	Computer systems design services	\$144,000	0.8%
541611	Administrative management and general management consulting services	\$227,536	1.2%
541613	Marketing consulting services	\$19,283	0.1%
561110	Office administrative services	\$23,139	0.1%
561439	Other business service centers (including copy shops)	\$77,131	0.4%
561710	Exterminating and pest control services	\$21,535	0.1%
561730	Landscaping services	\$75,000	0.4%
561790	Other services to buildings and dwellings	\$191,070	1.0%
562910	Remediation services	\$226,600	1.2%
811310	Commercial and industrial machinery and equipment (except automotive and electronic) repair and maintenance	\$720,000	3.9%
<b>TOTAL</b>		<b>\$18,503,878.11</b>	<b>100.0%</b>

#### IV. GOAL METHODOLOGY

##### A. Step 1: Determination of a Base Figure (26.45)<sup>1</sup>

To establish the Omnitrans Base Figure of the relative availability of DBEs relative to all comparable firms (DBE and Non-DBE) available to bid or submit proposals on Omnitrans FTA-assisted contracting opportunities projected to be solicited during the triennial goal period, Omnitrans followed the prescribed federal methodology to determine relative availability. This was accomplished by assessing the *California Unified Certification Program (CUCP) DBE Database of Certified Firms* and the 2016 *U.S. Census Bureau County Business Patterns Database* within the Omnitrans market area, defined as San Bernardino county for each of the categories of work defined in Table 2.

<sup>1</sup> 26.45 represents Title 49 CFR Part 26 regulatory goal setting methodology reference.



The Federal DBE program requires agencies to implement the DBE program based on information from the relevant geographic market area—the area in which the agency spends the substantial majority of its contracting dollars.

The Omnitrans local market for contracts consists of a geographic area that:

- is where a large majority of contracting dollars is expended, and
- is where a substantial number of contractors and subcontractors are located and available to submit bids or quotes.

The Omnitrans bidders list was reviewed, and it confirms this market area.

In accordance with the formula listed below, the Base Figure is derived by:

- dividing the number of ready, willing and able DBE firms identified for each NAICS work category by the number of all firms identified within the Omnitrans market area for each corresponding work category (*relative availability*),
- weighting the relative availability for each work category by the corresponding work category weight from Table 2 (*weighted ratio*), and
- adding the weighted ratio figures together.

$$\text{Base Figure} = \sum \frac{(\text{Number of Ready, Willing and Able DBEs})}{(\text{Number of All Ready, Willing and Able Firms})} \times \text{weighted ratio}$$

⇒ For the numerator: CUCP DBE Database of Certified Firms

⇒ For the denominator: 2016 U.S. Census Bureau County Business Patterns Database

A concerted effort was made to ensure that the scope of businesses included in the numerator were as close as possible to the scope included in the denominator. The result of the Base Figure calculation is shown in Table 3 as follows:

**Table 3**

NAICS Code	Category of Work	Estimated FTA % by NAICS	DBEs	All Firms	Weighted Ratio
213112	Support activities for oil and gas operations	0.4%	0	4	0.0%
236220	Commercial and institutional building construction	2.6%	4	207	0.1%
238140	Masonry contractors	3.3%	1	53	0.1%
238160	Roofing contractors	2.8%	0	114	0.0%
238210	Electrical contractors and other wiring installation contractors	18.4%	4	387	0.2%
238220	Plumbing, heating, and air-conditioning contractors	6.4%	3	471	0.0%
238310	Drywall and insulation contractors	0.4%	0	109	0.0%
238320	Painting and wall covering contractors	0.4%	0	141	0.0%

NAICS Code	Category of Work	Estimated FTA % by NAICS	DBEs	All Firms	Weighted Ratio
238350	Finish carpentry contractors	0.2%	0	126	0.0%
238910	Site preparation contractors	1.1%	5	132	0.0%
238990	All other specialty trade contractors	2.9%	1	178	0.0%
314110	Carpet and rug mills	0.4%	0	-	0.0%
331511	Iron foundries	2.4%	0	1	0.0%
334511	Search, detection, navigation, guidance, aeronautical, and nautical system and instrument manufacturing	4.6%	0	3	0.0%
336211	Motor vehicle body manufacturing	7.5%	0	8	0.0%
423120	Motor vehicle supplies and new parts merchant wholesalers	10.0%	0	203	0.0%
423440	Other commercial equipment merchant wholesalers	0.3%	0	28	0.0%
423450	Medical, dental, and hospital equipment and supplies merchant wholesalers	0.2%	0	61	0.0%
423490	Other professional equipment and supplies merchant wholesalers	3.0%	0	12	0.0%
424690	Other chemical and allied products merchant wholesalers	0.2%	2	48	0.0%
517210	Wireless telecommunications carriers (except satellite)	0.7%	0	87	0.0%
532112	Passenger car leasing	3.4%	0	-	0.0%
541330	Engineering services	8.6%	3	214	0.1%
541511	Custom computer programming services	14.9%	0	132	0.0%
541512	Computer systems design services	0.8%	0	128	0.0%
541611	Administrative management and general management consulting services	1.2%	2	182	0.0%
541613	Marketing consulting services	0.1%	1	104	0.0%
561110	Office administrative services	0.1%	1	161	0.0%
561439	Other business service centers (including copy shops)	0.4%	0	28	0.0%
561710	Exterminating and pest control services	0.1%	0	77	0.0%
561730	Landscaping services	0.4%	1	266	0.0%
561790	Other services to buildings and dwellings	1.0%	0	78	0.0%
562910	Remediation services	1.2%	0	22	0.0%
811310	Commercial and industrial machinery and equipment (except automotive and electronic) repair and maintenance	3.9%	0	129	0.0%
<b>TOTAL</b>					<b>0.5%</b>

## B. Step 2: Adjusting the Base Figure

Upon establishing the Base Figure, Omnitrans reviewed and assessed other known evidence potentially impacting the relative availability of DBEs within the market area, in accordance with prescribed narrow tailoring provisions as set forth under 49 CFR Part 26.45: Step 2, DBE Goal Adjustment Guidelines.

Evidence considered in making adjustments to the Base Figure included Past DBE Goal Attainments and Other Evidence, as follows:

### 1) Past DBE Goal Attainments

Historical DBE participation attainments provide demonstrable evidence of DBE availability and capacity to perform on Omnitrans projects. The projects anticipated to be awarded during the triennial period are substantially similar to those awarded in the recent past. Omnitrans proceeded to calculate past DBE participation attainments for the three (3) federal fiscal years, for which DBE attainment data is available. The table below reflects the demonstrated capacity of DBEs (measured by actual historical DBE participation attainments) on FTA-assisted contracts awarded by Omnitrans within the last three (3) federal fiscal years.

**Table 4**

FEDERAL FISCAL YEAR (FFY)	FTA DBE GOAL ATTAINMENT %
2014/2015	2.2%
2015/2016	1.2%
2016/2017	1.0%
<b>Median DBE Attainment Within the Last Three (3) Years</b>	<b>1.2%</b>

The median established for the past three years is lower than the Base Figure derived from Step 1; therefore, an adjustment to the Base Figure based on Omnitrans past DBE goal attainments has been made. The adjustment is calculated in accordance with FTA guidance by averaging the Base Figure with the median DBE Past Attainment, as shown below.

Base Figure (A)	0.5%
Median DBE Attainment (B)	1.2%
<b>Adjusted Base Figure [(A+B)/2]</b>	<b>1.0%</b>

### 2) Disparity Study

Omnitrans has reviewed the 2016 Caltrans Disparity Study and has determined that the type of work forms is significantly different from Omnitrans projects;

therefore, Omnitrans will not be making adjustments to the base figure based on the Caltrans Disparity Study.

Omnitrans uses a strictly race-neutral DBE program since the Western States decision. If Omnitrans fails to reach its goal for one more complete federal fiscal year, Omnitrans will re-evaluate its DBE program to determine whether contract goals are necessary to achieve the overall goal. If after re-evaluation Omnitrans believes a race-conscious program is necessary, as required by Western States, Omnitrans will gather evidence to determine if discrimination in the transportation contracting industry is present. Omnitrans will make a determination at that time what type of evidence gathering is appropriate, based on DOT regulations and case law.

### **3) Other Available Evidence**

Omnitrans is not in possession of other information that would have an impact on the DBE goal assessment.

## **V. PROPOSED OVERALL DBE GOAL**

**The Final Proposed Overall DBE Goal for FFY 2019-2021 for Omnitrans FTA-assisted contracts is 1.0%.** The DBE Goal based on the federal share is a Race Neutral goal and Omnitrans will implement race neutral measures to achieve this goal, as generally described in the following section. As a part of the prescribed goal-setting methodology, Omnitrans must project the percentage of its Proposed Overall DBE Goal that can be met utilizing race-neutral and race-conscious measures.

### **Race-Conscious & Race-Neutral Projection**

The United States Department of Transportation (USDOT) regulations require that race-neutral methods be used to the maximum extent feasible to reach the DBE overall goal. Under the determination of the 9th circuit court in the Western States case, entities need to show the presence or absence of discrimination or its effects to use race-conscious methods.

Due to the emphasis on race-neutral methods, Omnitrans will continue to use the race-neutral measures listed below. Omnitrans will carefully monitor participation during the course of the goal period. At the conclusion of each year during the goal period, Omnitrans will re-evaluate the effectiveness of the race-neutral measures and determine if it is necessary to institute a race conscious portion and contract specific goals.

Omnitrans intends to continue to use race-neutral methods to meet the overall DBE goal of 1.0% for FFY 2019-2021 in accordance with Title 49 CFR Part 26.51.

<b>RACE-CONSCIOUS &amp; RACE-NEUTRAL PROJECTIONS</b>	
<b>DBE Adjusted Base Figure</b>	<b>1.0%</b>
<b>Race-Conscious Component</b>	<b>0.0%</b>
<b>Race-Neutral Component[1]</b>	<b>1.0%</b>

## **VI. RACE-NEUTRAL IMPLEMENTATION MEASURES**

Omnitrans is currently implementing a number of race- and gender-neutral remedies to outreach and promote the participation of DBEs and small businesses in the Omnitrans FTA-assisted contracting program. Omnitrans plans to continue or implement the following race-neutral measures for FFY 2019-2021 and will continue to explore other options for consideration based on Omnitrans success in meeting its overall DBE goals based on these efforts:

- Omnitrans will encourage DBE and other small business contracting community to register and receive solicitation notices through its new on-line procurement website:  
<https://www.planetbids.com/portal/portal.cfm?CompanyID=18046>
- Omnitrans will host and participate in workshops for the DBE and small business contracting community. Omnitrans will attend and participate in vendor fairs hosted by unrepresented groups and other public agencies.
- Omnitrans will unbundle solicitations, provide pre-bid/pre-proposal conferences to afford networking opportunities for primes and subcontractors. Omnitrans will promote and encourage teaming opportunities between prospective prime contractors and the DBE and small business contracting community. Arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation.
- Structure solicitations to remove barriers such as the inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing).
- Omnitrans will solicit DBEs and other small businesses participation by carrying out information programs through use of advertisement and other communication methods on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate).
- As a supportive service to help develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses, Omnitrans will actively promote the small business conferences, programs, and support services offered by other agencies that have established DBE and other small

business programs. Omnitrans will also begin conducting “How to do Business with Omnitrans” and DBE workshops.

- Omnitrans will advise its contracting community of the online directory of certified DBEs, found at the California Unified Certification Program website: [www.dot.ca.gov/hq/bep/find\\_certified.htm](http://www.dot.ca.gov/hq/bep/find_certified.htm).
- Omnitrans will also advise the contracting community of the available small businesses certified by the California Department of General Services (DGS) and found at the following <http://www.dgs.ca.gov/pd/Programs/eprocure.aspx>.
- Omnitrans will advise the DBE and small business community to participate in Caltrans’ related bidding/proposal opportunities at <http://www.dot.ca.gov/hq/esc/oe/>. Omnitrans will also encourage DBEs and small businesses to seek the assistance and training through the U.S. Small Business Administration at [www.sba.gov](http://www.sba.gov).

### **Fostering Small Business Participation<sup>2</sup>**

Omnitrans has implemented several strategies to foster small business participation in its contracting process. These include the following:

- Conducting “How to do Business with Omnitrans” and DBE workshops.
- On larger prime contracts requiring the prime contractor to consider subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.
- Identifying alternative acquisition strategies and structuring procurements to facilitate the ability of consortia or joint ventures consisting of small businesses, including DBEs, to compete for and perform prime contracts.
- Ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.
- Provide outreach to current Omnitrans contractors or past Omnitrans contractors who may qualify for DBE-certification by encouraging them to seek and obtain DBE-certification.

## **VII. PUBLIC PARTICIPATION AND FACILITATION**

Omnitrans issued a Public Notice on the Omnitrans website (Attachment 1), publishing the Draft Proposed FTA Overall DBE Goal-Setting Methodology for FFY 2019-2021. The notice informed the public that the proposed goal and rationale were available for inspection at the Omnitrans principal office during normal business hours and that Omnitrans would accept comments on the goal analysis until June 20, 2018.

In accordance with Public Participation Regulatory Requirements of Title 49 CFR Part 26, minority, women, local business associations, and community organizations within the Omnitrans market area were contacted and provided an opportunity to review the triennial goal analysis and provide input.

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<sup>2</sup> See Title 49 CFR Part 26 Section 26.39 “Fostering Small Business Participation.”

Omnitrans reached out to a total of 13 local minority, women, and community business organizations to provide them information on the Omnitrans DBE program and specifically the Draft Proposed FTA Overall DBE Goal-Setting Methodology for FFY 2019-2021. Each organization was contacted multiple times by telephone and email. All comments received, and a summary of all contact made in an attempt to receive input as a part of this process can be found in Attachment 2.

In addition to the organizations contacted above, Omnitrans also reached out to the following Chambers of Commerce for their feedback:

- Chamber of Commerce San Bernardino
- Chamber of Commerce Loma Linda
- Chamber of Commerce Yucaipa
- Chamber of Commerce Chino Valley
- Chamber of Commerce Chino Hills
- Chamber of Commerce Colton
- Chamber of Commerce Fontana
- Chamber of Commerce Grand Terrace
- Chamber of Commerce Highland
- Chamber of Commerce Montclair
- Chamber of Commerce Ontario
- Chamber of Commerce Redlands
- Chamber of Commerce Rialto
- Chamber of Commerce Rancho Cucamonga
- Chamber of Commerce Upland



## Attachment 1: Website notification

6/4/2018

Business & Employment | Become a Vendor | Omnitrans - San Bernardino County Public Transit



GETTING AROUND   MEETINGS/EVENTS   BUSINESS/EMPLOYMENT  
NEWS/RESOURCES   ABOUT



### Become a Vendor

Thank you for your interest in doing business with Omnitrans. We are committed to providing an equal opportunity for all business enterprises to participate in our purchasing and contracting activities. Omnitrans uses an online bidding system known as PLANETBIDS.

Both formal and informal solicitations may be processed through our online system. All responses are due at or before the time shown on each solicitation. Late responses cannot be accepted. It is the bidder's/proposer's responsibility to ensure that the most complete and current version of the solicitation, including addenda, has been downloaded. Please note: Contractors/Vendors are solely responsible for maintaining up to date and accurate information. Vendors may edit their profile at any time.

Please select the links below for more information.

[Contracting/Purchasing Opportunities](#)  
[Register as a bidder online](#)  
[Current list of category/commodity codes](#)  
[PO Terms and Conditions](#)  
[Regulatory Requirements](#)  
[How to do Business](#)

### Disadvantaged Business Enterprise (DBE) Program

Omnitrans administers a DBE program in accordance with 49 CFR Part 26: Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation (DOT) Programs, as a condition of financial assistance agreements with the DOT.

[Omnitrans DBE Goal for Fiscal Years 2018/19 – 2020/21](#)  
[2017 Omnitrans DBE Program](#)

Note: In order to access the online bidding system, you must install Adobe flash player 10.1 or higher. Click here to download and install the latest [Adobe Flash Player](#).

### CONTACT US

**Omnitrans Headquarters**  
1700 W. Fifth Street  
San Bernardino, CA 92411  
(909) 379-7100  
[Map & Directions](#)  
**Office Hours**  
8:00 am to 5:00 pm  
weekdays.  
Closed weekends &  
holidays.

**Lost and Found**  
(909) 379-7100

**San Bernardino Transit Center**  
599 W. Rialto Avenue  
San Bernardino, CA 92401  
[Map & Directions](#)  
**Customer Service Hours**  
7:00 am to 6:00 pm  
weekdays,  
9:00 am to 5:00 pm  
weekends.

**Omnitrans Job Line**  
[1 \(888\) 893-1604](#)

**Omnitrans Bus Information**  
[1 \(800\) 9-OMNIBUS](#) or  
[1 \(800\) 966-6428](#)  
**Hours of Operation**  
7:00 am to 6:00 pm  
weekdays,  
8:00 am to 5:00 pm  
weekends.

**OMNITRANS**  
**FEDERAL TRANSIT ADMINISTRATION DBE GOAL**  
**FEDERAL FISCAL YEARS 2018/19 – 2020/21**

In accordance with 49 CFR Part 26.45(g), Omnitrans, as a recipient of U.S. Department of Transportation (DOT) assistance, announces a proposed Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) project overall project goal of 1.0% for the project period. This race-neutral goal represents the percentage of work to be performed by certified DBE firms on Omnitrans FTA-assisted projects during each federal fiscal year of the project period.

The methodology used to determine the proposed goal will be available for public inspection for thirty (30) days from the date of this notice, Monday through Thursday from 8:00 a.m. to 4:00 p.m. at the following location:

Omnitrans  
1700 West Fifth Street  
San Bernardino, CA 92411  
Tel: (909) 379-7122

The U.S. DOT and Omnitrans will accept comments on this proposed goal for 30 days from the date of this notice.

Written comments to the Omnitrans DBE Liaison Officer, Eugenia Pinheiro, may be sent to the address above and/or emailed to [Eugenia.Pinheiro@omnitrans.org](mailto:Eugenia.Pinheiro@omnitrans.org). Written comments can also be sent directly to the FTA, Marisa Appleton, Civil Rights Officer, 200 W. Adams Street, Suite 320, Chicago, IL 60606. Written comments at both locations will be accepted until **June 20, 2018**.

## Attachment 2: Consultative Process Summary

Organization	Outreach Activity and Comments
American Indian Chamber of Commerce of California Tracy Stanhoff, President 714-898-6364 tracy@adproweb.com	6/5 Sent email with link to notice on Omnitrans website. 6/7 Spoke to Carla and provided contact information for follow-up. 6/12 Sent email with link to notice on Omnitrans website. 6/14 Spoke to Tracy and she informed us that she has not had a chance to review the document but once she does, she will provide us her comments. 6/19 Sent follow-up email to Tracy with link to notice on Omnitrans website.
American Business Women's Association - Inland Empire Connie Young, President 909-213-6053 c4eryoung@aol.com	6/5 Sent email with link to notice on Omnitrans website. 6/7 Left voicemail. 6/12 Sent email link to notice on Omnitrans website. 6/14 Left voicemail. 6/19 Sent follow-up email with link to notice on Omnitrans website.
Asian Business Association Inland Empire Deborah Kristianto, President 909-618-2616 president@abaie.org	6/5 Sent email with link to notice on Omnitrans website. 6/7 Left voicemail. 6/12 Sent email link to notice on Omnitrans website. 6/14 Spoke to Deborah and provided her background information. She will forward the goal methodology to the board for review and will contact us if they have any questions or comments. 6/19 Sent follow-up email with link to notice on Omnitrans website.
Black Chamber of Commerce Inland Empire Tammy Martin-Ryles, President 1-844-332-2243 info@bccinlandempire.com	6/5 Sent email with link to notice on Omnitrans website. 6/7 Left voicemail. 6/12 Sent email link to notice on Omnitrans website. 6/14 Left voicemail. 6/19 Sent follow-up email with link to notice on Omnitrans website.
Filipino-American Chamber of Commerce - Inland Empire (FACC-IE) Paul Claudio facc.inlandempire@gmail.com pac.lender@gmail.com 951-240-8911	6/5 Sent email with link to notice on Omnitrans website. 6/7 Left voicemail. 6/12 Sent email link to notice on Omnitrans website. 6/14 Spoke to Paul about the triennial goal methodology and provided background information on the purpose of the methodology. He has requested the document be provided to him for review. Sent email with link to access draft goal methodology on website. 6/19 Sent email with link to notice on Omnitrans website.
Greater Corona Hispanic Chamber of Commerce Nick Lopez, President 951-278-4755 info@gchcc.com George Beloz, Vice President gbeloz@sbcglobal.net	6/5 Sent email with link to notice on Omnitrans website. 6/7 Left voicemail. 6/12 Sent email link to notice on Omnitrans website. 6/14 Left voicemail. 6/18 Received response from George. He requested the document for review. Omnitrans provided him the draft goal methodology for his review. 6/19 Received response from Nick Lopez regarding the goal methodology. He stated that due to the amount of paper for a large project, small businesses are deterred from participating on the project. He is

Organization	Outreach Activity and Comments
	concerned that the amount of time and money committed to performing on public sector projects is difficult to maintain for small businesses. He suggests a technical assistance program to not only assist small businesses with the paper work but also provide business development classes. These opportunities will help small business establish standard practices when participating on these public works projects.
Greater Riverside Hispanic Chamber of Commerce Cindy Roth, President 951-683-7100 Ext. 219 croth@riverside-chamber.com	6/5 Sent email with link to notice on Omnitrans website. 6/7 Left voicemail. 6/12 Sent email link to notice on Omnitrans website. 6/14 Left voicemail. 6/19 Sent follow-up email with link to notice on Omnitrans website.
High Desert Hispanic Chamber of Commerce Eric J Camarena, President 760-241-6661 *website portal for email	6/5 Submitted message via online portal with link to notice on Omnitrans website. 6/7 Left voicemail. 6/12 Submitted message via online portal with link to notice on Omnitrans website. 6/14 Left voicemail. 6/19 Submitted message via online portal with link to notice on Omnitrans website.
Inland Empire African American Chamber Carl Dameron 909-534-9500 carl@dameroncommunications.com	Chamber website was re-routed to Dameron Communications website. 6/7 Spoke with Carl regarding goal methodology. He expressed concerns with the triennial goal being set at 1% and requested the draft goal methodology. Omnitrans sent the draft triennial goal methodology for his review. 6/12 Sent email link to notice on Omnitrans website. 6/14 Spoke with Carl regarding the goal. He inquired about the percentage regarding the 541611: Administrative management and general management consulting services. Omnitrans explained that the weighted ratio is due to the large number of all firms performing work in that NAICS code to small numbers of DBE certified firms within the market area. 6/19 Sent email with link to notice on Omnitrans website.
National Association of Women in Construction - San Bernardino/Riverside Denise Bomhoff 909-383-9535 adbamma@sbcglobal.net Marilyn VanTassel 909-721-8220 mvantasselg@att.net Renae Truex 909-798-2222 rtruex@smc-cpas.com	6/5 Sent email with link to notice on Omnitrans website. Received bounce back for adbamma@sbcglobal.net. 6/7 Spoke with Marilyn and she informed Omnitrans that San Bernardino/Riverside has been disbanded due to membership enrollment being so low.

Organization	Outreach Activity and Comments	
Ontario Hispanic Chamber of Commerce Martin Cueva, President 714-240-2559 martin@martincueva.com	6/5	Sent email with link to notice on Omnitrans website.
	6/7	Spoke to Martin about triennial goal methodology. He requested the document be provided to him for review. Omnitrans sent the draft triennial goal methodology for his review.
	6/12	Sent email link to notice on Omnitrans website.
	6/14	Spoke with Martin about the triennial goal methodology. He is still reviewing the document and will provide his comments once he has finished his review.
	6/19	Sent email with link to notice on Omnitrans website.
Southern California Black Chamber of Commerce Dee Goins, President 888-466-7408 Ext.23 dee@blackchamberofcommerce.org	6/7	Left voicemail.
	6/14	Spoke with Dee about the purpose of the triennial goal methodology. Omnitrans requested an email address from Dee in order for her to review the document.
	6/19	Sent email with link to notice on Omnitrans website.
Women in Transportation (WTS) - Inland Empire contactwtsie@gmail.com	6/5	Sent email with link to notice on Omnitrans website.
	6/12	Sent email with link to notice on Omnitrans website.
	6/19	Sent email with link to notice on Omnitrans website.

ITEM # E8
**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

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

**FROM:** Eugenia F. Pinheiro, Contracts Manager

**SUBJECT: AUTHORIZE RELEASE – RFP-ITS19-03  
 COPIER EQUIPMENT AND MAINTENANCE**

### **FORM MOTION**

Authorize the CEO/General Manager to release Request for Proposals RFP-ITS19-03 for the provision of Copier Equipment and Maintenance for a five-year performance period.

### **BACKGROUND**

Omnitrans currently leases network copiers under Contract ITS14-2 which expires December 31, 2018. Omnitrans requires fourteen (14) copiers and related maintenance services to support the Agency's administrative functions. A lease versus purchase analysis will be prepared upon receipt of the proposals. Staff will recommend award based on the most advantageous option for the Agency.

In accordance with FTA Circular 4220.1F, Chapter IV, 1.e, the recipient should review lease versus purchase alternatives for acquiring property and, if necessary, should complete an analysis to determine the more economical alternative. Procurement Policy 2000, Section 2.3.5 and the FTA Circular 4220.1F, requires Board authorization and use of a formal procurement procedure to release Request for Proposals for solicitations exceeding \$150,000. The Independent Cost Estimate for this project is \$300,720.

### **FUNDING SOURCE**

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

<b>FUNDING</b>	<b>GRANT #</b>	<b>YEAR</b>	<b>PROJECT NAME</b>	<b>INTERNAL ORDER</b>	<b>AMOUNT</b>
FTA	TBD	FY19	COPIERS	TBD	\$60,144
FTA	TBD	FY20	COPIERS	TBD	\$60,144
FTA	TBD	FY21	COPIERS	TBD	\$60,144
FTA	TBD	FY22	COPIERS	TBD	\$60,144
FTA	TBD	FY23	COPIERS	TBD	\$60,144
<b>Total</b>					<b>\$300,720</b>

\_\_\_\_\_ 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 ensure continuity of copier and maintenance services.

PSG:EFP:CVM



ITEM # E9

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

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

**FROM:** Eugenia F. Pinheiro, Contracts Manager

**SUBJECT: AUTHORIZE RELEASE – RFP-HRS19-04  
WORKERS’ COMPENSATION CLAIMS ADMINISTRATION SERVICES**

### **FORM MOTION**

Authorize the CEO/General Manager to release Request for Proposals RFP-HRS19-04 for the provision of Workers’ Compensation Claims Administration Services for a three (3) year base period and two (2) single option years.

### **BACKGROUND**

As a public entity, Omnitrans is self-insured and self-administers its Workers’ Compensation Program. Omnitrans contracts this service to a third party administrator (TPA) to perform investigations, evaluations, and manages workers’ compensation claims. Additionally, TPAs work with employees, medical providers and attorneys in the investigation, negotiation and settling of claims. The TPA applies cost containment strategies and aggressively pursues fraud and subrogation cases. The current contract HRS13-182 expires November 30, 2018.

In accordance with the Procurement Policy 2000, Section 2.3.5, Board authorization and use of a formal procurement procedure is required to release Request for Proposals for solicitations exceeding \$150,000. The Independent Cost Estimate for this project is \$990,360, if all option years are exercised.

### **FUNDING SOURCE**

The cost associated with this procurement is budgeted in the Human Resources Department’s Operating Budget as follows:

Departments            1600  
Expenditure Codes    503060

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

**CONCLUSION**

By proceeding with this solicitation, Omnitrans will continue to have the services of a TPA to manage workers' compensation claims.

PSG:EFP:CVM

ITEM # E10

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

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

**FROM:** Eugenia F. Pinheiro, Contracts Manager

**SUBJECT: AUTHORIZE AWARD – MNT18-74, JANITORIAL SERVICES**

**FORM MOTION**

Authorize the CEO/General Manager to award Contract MNT18-74 to Commercial Cleaning Systems (CCS), Inc. of Costa Mesa, CA, for the provision of Janitorial Services for a three (3) year base period beginning August 1, 2018 and ending July 31, 2021, and the authority to exercise two (2) single option years ending no later than July 31, 2023, in the amount of \$1,522,088, plus a ten percent contingency of \$152,209, for a total not-to-exceed amount of \$1,674,297, should all options be exercised.

*This item was reviewed by the Administrative and Finance Committee at its June 14, 2018 meeting.*

**BACKGROUND**

Omnitrans requires the services of a firm to provide all equipment, labor and materials to perform janitorial services at the following locations: East Valley (EV), West Valley (WV), San Bernardino Transit Center (SBTC), San Bernardino Downtown Metrolink Station (SBDM) and the Montclair Transportation Center (MTC). Required services include monthly and quarterly floor maintenance (strip, clean, wax and power buff vinyl and tile floor surfaces), quarterly carpet cleaning and vacuuming of upholstered furniture, and semiannual cleaning of interior and exterior windows.

On February 7, 2018, Omnitrans' Board of Directors authorized release of Request for Proposals (RFP) RFP-MNT18-74. Notices were published in two local newspapers of general circulation and posted on Omnitrans' online bidding system.

Five (5) proposals were received by the March 15, 2018 deadline, and all were deemed responsive and evaluated in accordance with the selection criteria included in the RFP. One firm did not advance after the technical evaluation. Scores related to pricing were then added to the technical scores. The four (4) highest-ranked firms were invited to submit Best and Final Offers (BAFOs).

Criteria	Possible Points	Commercial Cleaning Systems, Inc. of Ontario, CA	Jan Point of Santa Fe Springs, CA	Priority Building Services of Brea, CA	Orange County Building Maintenance of Signal Hill, CA	Quinmar Janitorial, Inc. of Highland, CA
Qualifications of Firm	30	24.00	21.75	22.88	20.25	18.38
Quality of Work	25	20.63	20.31	18.75	15.94	15.63
Staffing and Project Organization	25	20.31	16.56	18.44	16.25	14.69
<b>Technical Total</b>	<b>80</b>	<b>64.94</b>	<b>58.62</b>	<b>60.07</b>	<b>52.44</b>	<b>48.69</b>
<b>BAFO Pricing Score</b>	20	13.14	20.00	8.84	9.42	
<b>Final Score</b>	<b>100</b>	<b>78.08</b>	<b>78.62</b>	<b>68.91</b>	<b>61.86</b>	
<b>Final BAFO Pricing</b>		<b>\$1,522,088</b>	<b>\$1,083,769</b>	<b>\$2,299,356</b>	<b>\$2,055,624</b>	

CCS reduced their original proposed price by \$25,071.48. Due to the total price variance of \$438,319 between CCS and Jan Point, staff requested a breakdown of costs from the two highest ranked proposers. Jan Point's BAFO pricing did not include the required janitorial services for the EV location and could not hold their BAFO pricing. CCS ranked highest technically and provided the lowest pricing. Therefore, staff recommends contract award to CCS.

Criteria	Possible Points	Commercial Cleaning Systems, Inc. of Ontario, CA	Priority Building Services of Brea, CA	Orange County Building Maintenance of Signal Hill, CA
Technical Total	80	64.94	60.07	52.44
BAFO Pricing Score	20	20.00	13.24	14.81
<b>Final Score</b>	<b>100</b>	<b>84.94</b>	<b>73.31</b>	<b>67.25</b>
<b>Final BAFO Pricing</b>		<b>\$1,522,088</b>	<b>\$2,299,356</b>	<b>\$2,055,624</b>

The total annual cost per facility is identified below:

	EV	SBTC* (Bus)	SBDM (Metro)	WV	MTC	Total
Base Year 1	\$ 22,279.40	\$ 122,140.54	\$ 14,216.44	\$ 97,068.75	\$ 10,056.30	\$ 265,761.43
Base Year 2	\$ 24,065.43	\$ 131,932.27	\$ 15,356.09	\$ 104,850.54	\$ 10,862.48	\$ 287,066.81
Base Year 3	\$ 25,839.36	\$ 141,657.48	\$ 16,488.13	\$ 112,579.39	\$ 11,663.19	\$ 308,227.55
Option 1	\$ 27,602.28	\$ 151,321.50	\$ 16,488.13	\$ 112,579.39	\$ 11,663.19	\$ 319,654.49
Option 2	\$ 28,618.44	\$ 156,893.10	\$ 18,261.46	\$ 124,687.61	\$ 12,917.60	\$ 341,378.21
Total	\$128,404.91	\$ 703,944.89	\$ 80,810.25	\$ 551,765.68	\$ 57,162.76	\$1,522,088.49

\*Pricing includes 13.5 hours of daily porter services.

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	503160

\_\_\_\_\_ 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 FY2015-2020 goal to expand, maintain and improve existing vehicles, facilities and passenger amenities.

### **CONCLUSION**

By proceeding with this award, Omnitrans will continue to have onsite janitorial services.

PSG:EFK:KNT

ITEM #           F1          

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

**FROM:** P. Scott Graham, CEO/General Manager

**SUBJECT: CEO/GENERAL MANAGER'S REPORT**

8 June - The three-party agreement between Omnitrans, Metrolink and SBCTA was on the Metrolink Board of Directors agenda for consideration. The Metrolink Board gave the CEO the authority to continue to negotiate and execute the three party-agreement. As you know, we have been actively working on this agreement which defines the roles and responsibilities of each party as it relates to the Redlands Passenger Rail Service, "Arrow". We will keep you updated on the progress.

18 June – Omnitrans welcomed the new Director of Human Resources, Suzanne Pfeiffer. Suzanne had the opportunity to work closely with Marjorie Ewing for a two-week transition period before Marge's departure. Suzanne most recently served as Chief Human Resource Officer at C-Tran, which is the public transit agency in Vancouver, Washington.

20 June – As follow-up to a recent OSHA inspection at the West Valley facility, and as part of the appeals process, an informal hearing was held between Omnitrans staff and the OSHA District Manager. The informal hearing is an opportunity to provide additional documentation and discuss the citations issued. It was a very productive meeting, with robust discussion of the requirements and the various safety programs and practices Omnitrans has in place. We have filed the necessary paperwork and documentation to appeal the citations. We will keep you updated as we move through the appeals process.

I Street Property – Planning is underway to modify and upgrade the I Street facility to include a CNG fueling station. The CNG station is scheduled to be installed the first quarter of 2019. The design firm, STV, is still working on the preliminary site evaluation in coordination with the Gas Company. Omnitrans staff is working with consultant staff and the Gas Company to coordinate a site tour of the property. In addition, as part of this project there are adjacent parcels for sale that are under consideration for purchase. The appraisal from the property owners on the additional parcels is still pending.

Passenger Amenity Program – Marketing and Planning Department staff is working with our JPA member cities who participate in the Passenger Amenity Program to obtain each cities approval of the Passenger Amenity Program Agreement, which was approved by Omnitrans' Board of Directors in March. It has been approved by six (6) out of twelve (12) cities thus far. Related to

this Agreement, Omnitrans staff provided a presentation to the City of Rialto Economic Development Committee on 27 June.

As you may be aware, the United States Supreme Court issued its decision in *Janus v. State, County, and Municipal Employees*. This decision stipulates that that neither an agency fee nor any other payment to a union may be deducted from a nonmember's wages, nor may any other attempt be made to collect such a payment, unless the employee affirmatively consents to pay. We have drafted a letter to both of the unions (Teamsters and ATU) to request to meet and confer regarding how this will impact our current processes.

PSG



ITEM #           F2          

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

**FROM:** P. Scott Graham, CEO/General Manager

**SUBJECT: REVIEW OF LAMAR AGREEMENT RESTRICTION ON POLITICAL ADVERTISEMENTS**

**FORM MOTION**

Review the Lamar Agreement restriction on political advertisements and determine whether to maintain, revise or eliminate the restriction.

*This item was reviewed by the Executive Committee at its July 6, 2018 meeting.*

**BACKGROUND**

On November 1, 2017, the Board approved Contract MKP18-02 (the “Agreement”) with Lamar Transit, LLC (“Lamar”) for the provision of Advertising Sales and Services – Transit Vehicles, Shelters and Stations for a period of five (5) years beginning January 1, 2018, with five one-year option terms.

The Agreement includes restrictions on advertising. The list of restrictions was revised, including a new restriction prohibiting political advertising, to conform to industry best practices and to conform with the standard type of advertising restrictions imposed by public transportation entities in California that utilize public property for revenue generating purposes.

A recent request was made by a political candidate to advertise on the Omnitrans buses, and the request was denied based on item 16 in the list of restrictions (please see below). In light of this request, it has come to the attention of the CEO/General Manager that the restriction on political information was not included in the prior Lamar agreement, and the change was not identified in the materials presented to the Board. The candidate has questioned the denial, and has, directly and/or through his legal counsel, contacted Omnitrans staff, legal counsel and at least one Omnitrans Board member to raise concerns with the restriction on political advertising. It should be noted that Omnitrans previously allowed political advertising on its transit property, and in prior years, some candidates did advertise on Omnitrans transit property.

Since the restriction on political advertising is a matter of policy, a decision was made to bring the restrictions back to the Executive Committee and to the Board to ensure that the restriction on political advertising has been considered and expressly approved by the Board. If the Board

desires a change to the advertising restrictions contained in the Agreement, staff will initiate an amendment to the Agreement.

## **ANALYSIS**

Government property is subject to First Amendment laws regarding regulation of speech. Public sidewalks and public parks represent what are known as traditional public forums for speech. In these types of public forums, government regulation of speech is limited to the time, place and manner of speech.

Transit agency property is not considered a public forum for speech, unless the government opens the forum to speech. By allowing commercial advertising on transit property, with limitations as set forth in the regulations, Omnitrans creates what is known as a limited public forum for purposes of speech. This means that certain types of speech may be restricted (i.e. religious speech, political speech, etc.), but within the permitted areas of speech, the government must regulate in a reasonable and viewpoint neutral manner.

If the agency chooses to allow political advertisements, it cannot discriminate between speech it likes/supports and that which it does not. For example, if an agency were to allow anti-abortion advertisements, it would similarly have to allow pro-choice advertisements. If the agency allows candidates to advertise, it must allow all candidates, and cannot disallow a candidate that may be particularly controversial. In addition, having political or religious advertisements on Omnitrans transit property may create a perception of public agency support for a particular religious or political view or candidate. For these reasons, many (if not most California) public agencies do not allow non-commercial advertisements, such as political and religious advertisements, on their property.

Numerous other transportation agencies in the region do not allow political advertisements on their property.

### **From Agreement Scope of Work:**

#### **4. RESTRICTIONS ON ADVERTISING**

- A. Contractor shall not display or maintain any advertisement that includes one or more of the following categories:
  1. False, Misleading, or Deceptive Commercial Speech. The advertisement proposes a commercial transaction, and the advertisement or information contained in the advertisement is false, misleading, or deceptive.
  2. Libelous Speech, Copyright Infringement, etc. The advertisement, or any material contained in it, is libelous or an infringement of copyright, or is otherwise unlawful or illegal or likely to subject Omnitrans to litigation.
  3. Unlawful Goods or Services. The advertisement or material contained in it, promotes unlawful or illegal goods, services, or activities.

4. Endorsement. The advertisement or any material contained in it, implies or declares an endorsement by Omnitrans, its Directors, management, or employees of any service, product, or point of view without prior written authorization from Omnitrans.
5. Prurient Interest. The advertisement contains material that describes, depicts, or represents sexual activities, or aspects of the human anatomy in a way that the average adult, applying contemporary community standards, would find appeals to the prurient interest of minors or adults. For purposes of these guidelines, the term “minor” shall have the meaning contained in California Penal Code Section 313.
6. “Adult” – Oriented Goods or Services. The advertisement promotes or encourages or appears to promote or encourage, a transaction related to, or uses brand names, trademarks, slogans or other materials which are identifiable with, films rated “X” or “NC – 17,” adult book stores, adult video telephone services, adult internet sides, and escort services.
7. Obscenity or Nudity. The advertisement contains obscene materials or images of nudity. For purposes of these Guidelines, the term “obscene matter” shall have the meaning set forth in the California Penal Code Section 311.
8. Unlawful and Detrimental Conduct. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities, and promotes behavior or activities which are detrimental to the maintenance and safe operations of Omnitrans.
9. Demeaning or Disparaging. The advertisement contains images or information that demeans or disparages an individual or group of individuals on account of race, color, religion, national origin, ancestry, gender, age disability or sexual orientation.
10. Violence. The advertisement either (a) contains images or descriptions of graphic violence, including, but not limited to, the depiction of weapons or other implements or devices used in the advertisement in an act or acts of violence or harm on a person or animal; or (b) the advertisement, or any material contained in it, incites or encourages, or appears to incite or encourage violence or violent behavior.
11. Firearms. The advertisement either (a) contains an image of a firearm in the foreground of the main visual, or (b) contains image(s) of firearms that occupy 15% or more of the overall advertisement.
12. Profanity. The advertisement contains words recognized by the community as vulgar indecent or profane for display in a public setting that includes minors.
13. Alcohol/Tobacco. The advertisement promotes the use of alcohol and/or tobacco products.
14. Graffiti. The advertisement contains graphics or language that promotes, resembles, or otherwise encourages graffiti or vandalism.

15. Inappropriate Graphics. The advertisement contains graphics recognized by the community as inappropriate, including, but not limited to, the depiction of human or animal bodies or body parts, or fetuses, in states of mutilation, dismemberment, decomposition, or disfigurement.
16. Political Information. The advertisement contains political information or local or national controversial subject or subjects not in accordance with the statutes, ordinances, and court decisions pertaining to the Omnitrans service area.
17. Religious Information. The advertisement contains direct or indirect reference to religion, or to any religion, or to any deity or deities, or which includes the existence, nonexistence or other characteristics of any deity or deities, or to any religious creed, denomination, belief, tenet, cause or issue relating to (including opposing or questioning) any religion. This prohibition shall include the depiction of text, symbols, or images commonly associated with any religion or with any deity or deities, or any religious creed, denomination, belief, tenet, cause or issue relating to (including opposing or questioning) any religion.

## **CONCLUSION**

Review the Lamar Agreement restriction on political advertisements and determine whether to maintain, revise or eliminate the restriction.

PSG

ITEM # F3

**DATE:** July 11, 2018

**TO:** Board Chair Ron Dailey and Members of the Omnitrans Board of Directors

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

**FROM:** Eugenia F. Pinheiro, Contracts Manager

**SUBJECT: AUTHORIZE AWARD – CONTRACT MKP18-80  
BUS STOP IMPROVEMENT PROJECT**

### **FORM MOTION**

Authorize the CEO/General Manager to award Contract MKP18-80 to AEC Moreno Corporation of Colton, CA, for the provision of the Bus Stop Improvements Project in the amount of \$198,989, plus a ten percent contingency of \$19,899, and a 3.27% CAP in the amount of \$7,158, for a total not-to-exceed amount of \$226,046.

### **BACKGROUND**

Omnitrans requires a Contractor to provide bus stop accessibility improvements at fifteen (15) locations in compliance with the Americans with Disabilities Act (ADA). These improvements are located within the cities of Colton, Rialto, and unincorporated areas of the County of San Bernardino. This project includes the construction of sidewalks, curbs, and gutters.

On May 2, 2018, Omnitrans' Board of Directors authorized the release of Invitation for Bids IFB-MKP18-80. Notices were published in two (2) local newspapers of general circulation and two (2) minority newspaper publications, and posted on Omnitrans' online bidding system. Three (3) bids were received by the May 30, 2018 deadline and all were deemed responsive.

Listed below are the bid prices from lowest to highest:

COMPANY NAME	TOTAL
AEC Moreno Corporation of Colton, CA	\$ 198,989
DM Contracting, Inc. of Colton, CA	\$ 218,085
PTM General Engineering Services, Inc. of Riverside, CA	\$ 549,949

Award is recommended to the lowest, responsive and responsible bidder, AEC Moreno Corporation. Pricing is deemed fair and reasonable based on competition.

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:

<b>FUNDING</b>	<b>GRANT #</b>	<b>YEAR</b>	<b>PROJECT NAME</b>	<b>INTERNAL ORDER</b>	<b>AMOUNT</b>
FTA 5307 TE	CA-90-Z280-00	2015	Transit Enhancements	H1530301F	\$ 14
FTA 5307 TE	CA-2017-148-00	2016	Transit Enhancements	H1630911F	\$ 98,610
FTA 5307 TE	CA-2017-032-00	2017	Transit Enhancements	H1730911F	\$ 82,214
LTF	S-1212-041	2012	Transit Enhancements	H1230903L	\$ 750
Local Article 3	S-1407-14	2015	Transit Access Stop Improvements	H1530901L	\$ 190
Prop 1B	Prop 1B	2016	Transit Enhancements	H1630911B	\$ 35,168
Prop 1B	Prop 1B	2017	Transit Enhancements	H1730911B	\$ 9,100
<b>Total</b>					<b>\$ 226,046</b>

\_\_\_\_\_ Verification of Funding Sources and Availability of Funds  
(Verified and initialed by Finance)

Approval of this item supports the Fiscal Year 2015-2020 Short-Range Transit Plan goal to expand, maintain and improve existing vehicles, facilities and passenger amenities.

### **CONCLUSION**

By proceeding with this award, Omnitrans will provide safe access to bus stops.

PSG:EFP:KNT