



ADMINISTRATIVE & FINANCE COMMITTEE

WEDNESDAY, MAY 15, 2013 – 8:00 A.M.

OMNITRANS METRO FACILITY

1700 WEST 5TH STREET

SAN BERNARDINO, CA 92411

The meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Recording Secretary at least three (3) business days prior to the Committee Meeting. The Recording Secretary's telephone number is 909-379-7110 (voice) or 909-384-9351 (TTY), located at 1700 West Fifth Street, San Bernardino, California. If you have comments about items on the agenda or other general concerns and are not able to attend the meeting, please mail them to Omnitrans at 1700 West Fifth Street, San Bernardino, California, Attention Board Secretary. Comments may also be submitted by email to BoardSecretary@omnitrans.org.

A. CALL TO ORDER

B. ANNOUNCEMENTS/PRESENTATIONS

1. Next Committee Meeting: June 10, 2013, at 11:00 a.m.
Omnitrans Metro Facility Board Room

C. POSSIBLE CONFLICTS OF INTEREST ISSUES

Disclosure – Note agenda items contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board member abstentions shall be stated under this item for recordation in the appropriate item.

D. AGENDA ITEMS

- | | |
|---|----|
| 1. Approve Administrative & Finance Committee Minutes – April 8, 2013 | 4 |
| 2. Receive & Forward to Board of Directors, Construction Progress Report No. 16 through April 22, 2013 – sbX E Street Corridor BRT Project | 8 |
| 3. Receive & File Forward Fuel Purchase Program Update for May 2013 | 29 |
| 4. Recommend to Board of Directors, Authorize CEO/General Manager to Execute San Bernardino Transit Center Funding Agreement with SANBAG | 32 |
| 5. Recommend to Board of Directors, Award Contract IPMO13-145, Managed Router Solutions – sbX E Street Corridor BRT Project | 38 |
| 6. Recommend to Board of Directors, Authorize Purchase of Fourteen Paratransit Vehicles from North County Transit District | 42 |
| 7. Recommend to Board of Directors, Authorize CEO/General Manager to Amend Fiscal Year 2014 Budget and Fiscal Year 2008-2014 Short Range Transit Plan to Include \$7M of Local Transportation Funds for sbX E Street Corridor BRT Project | 49 |



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8. Recommend to Board of Directors, Authorize CEO/General Manager to Notify San Bernardino Associated Governments (SANBAG) of Pending Grant Issues That May Require Advance of Fiscal Year 2014 Local Transportation Funds from SANBAG and/or Service Adjustments

51

E. ADJOURNMENT

ITEM # C1

DATE: May 15, 2013

TO: Committee Chair Alan Wapner and
Members of the Administrative and Finance Committee

THROUGH: Milo Victoria, CEO/General Manager

FROM: Jennifer Sims, Director of Procurement

**SUBJECT: DISCLOSURE(S) REGARDING RECOMMENDATIONS FOR
ACTION BY THE ADMINISTRATIVE & FINANCE COMMITTEE**

FORM MOTION

Staff hereby provides a listing of principals and subcontractors associated with action items on the agenda for the Administrative and Finance Committee Meeting scheduled May 15, 2013.

Item No.	Contract	Principals & Agents	Subcontractors
D5	Award Contract IPMO13-145 Managed Router Solutions sbX E Street Corridor BRT Project	<i>Verizon Business Services</i> <i>Anthony Recine, Vice</i> <i>President</i>	N/A

MV/JS

ITEM # D1

**ADMINISTRATIVE & FINANCE COMMITTEE
MINUTES
April 8, 2013**

The Administrative & Finance Committee meeting was called to order by Acting Chair Dick Riddell at 11:00 a.m. on April 8, 2013.

Committee Members Attending

Mayor Paul Eaton, City of Montclair
Councilmember Frank Gonzales, City of Colton
Vice Mayor Ed Graham, City of Chino Hills
Supervisor Gary Ovitt, County of San Bernardino
Councilmember Dick Riddell, City of Yucaipa
Mayor Pro Tem John Roberts, City of Fontana
Mayor Walt Stanckiewicz, City of Grand Terrace

Committee Members Absent

Mayor Pro Tem Paul Foster, City of Redlands
Councilmember Alan Wapner, City of Ontario

Omnitrans Staff & Others Attending

Milo Victoria, CEO/General Manager
Jack Dooley, Director of Maintenance
Rohan Kuruppu, Director of Planning & Development Services
Robert Miller, Chief Financial Officer
Wendy Williams, Director of Marketing
Sam Gibbs, Director of Internal Audit Services
Don Walker, Director of Finance
Ray Lopez, Director of Safety & Security
Marjorie Ewing, Director of Human Resources
Jennifer Sims, Director of Procurement
Milind Joshi, sbX Project Manager
Maurice Mansion, Treasury Manager
Mayor Pat Morris, City of San Bernardino
Joy Chadwick, San Bernardino County
Casey Dailey, SANBAG
Beth Kranda, VTrans
Gerald Nunez, ATU Local #1704 Vice President
Carol Angier, Administrative Secretary

C. Possible Conflict of Interest Issues

None

D. Agenda Items

1. Approve Administrative & Finance Committee Minutes of March 4, 2013

M/S (Graham/Eaton) to approve the minutes of the March 4, 2013 Committee meeting. Motion was unanimous by members present.

2. Receive and Forward to the Board of Directors, Construction Progress Report No. 15 for the sbX E Street Corridor BRT Project through March 20, 2013

Project Manager Joshi said the project budget is \$191.7 million, with \$95.89 million in expenditures. The sbX project is anticipated to be done at an estimated cost of \$186.9 million. Construction on the south side of Hospitality Lane has had utility issues and may have similar issues on the east side of E Street between 5th and 2nd Streets. The Vehicle Maintenance Facility (VMF) has started with sand blasting, temporary striping, concrete pavement demolition, and trenching for underground electrical. The sbX project will be completed in December/January, and the VMF will be completed January/February 2014. Revenue from the sbX service will start in April 2014. To date, the project is under budget and on time.

This was a receive and file agenda item.

3. Receive & File Forward Fuel Purchase Program Update for April 2013

Chief Financial Officer Miller said he informed the Committee a few months ago about the status of the CNG market. As anticipated, the market is firming up, and our fuel hedge is becoming more profitable. The hedge will offset the CNG fuel that is not hedged. CNG fuel prices are anticipated to increase in the future at prices above the hedge.

This was a receive and file agenda item.

4. Receive & Forward to Board of Directors, Response to SAP Enterprise Resource Planning (ERP) Enhancement Project

Director of Internal Audit Services Gibbs said this is a continuation of a Board Member's request to measure the progress of the projects and report back to them. The SAP ERP Enhancement Project is now completed under budget and on time. Most important, all of the results Omnitrans wanted from this project were realized.

M/S (Eaton/Graham) to receive and forward to the Board of Directors for receive and file the update tracking for the deliverables and milestones associated with the SAP Landscape Review Report from SAP America, Inc. Motion was unanimous by members present.

5. Recommend Approval to Board of Directors, Reclassify Application Specialist Position

Director of Human Resources Ewing said the job classification for Application Specialist has not been updated since 2005, but the duties have increased significantly, with a greater responsibility for complex decisions. Staff recommends reclassifying this position from level VI to level V. Member Stanckiewicz suggested making the education a Bachelor's Degree in a technical field rather than a general one.

M/S (Ovitt/Graham) to recommend approval to the Board of Directors the proposed adjustments to the Operations Application Specialist Job Description, effective May 1, 2013, and reclassify the current Operations Application Specialist position, Level VI, to a Level V, to accommodate increased activity levels resulting from new responsibilities. Motion was unanimous by members present.

6. Recommend Approval to Board of Directors, Authorize Utilization of Pending Alternative Fuel Tax Credit as Local Match for Capital Projects

Director of Finance Walker said that when the Board approved the FY2012 budget, it included \$4.6 million in State Transit Assistance (STA) funds. Afterwards, Omnitrans was notified by SANBAG that STA funds would no longer be allocated in advance. This resulted in an operating deficit and a scale down of capital projects for that fiscal year. In addition, Proposition 1B funds were required for a local match for federal funding, but when this funding will be available is uncertain. The State extended the tax credit, and staff recommends utilizing that credit as a local match for capital projects to ensure capital projects will be done in a timely manner.

M/S (Eaton/Stanckiewicz) to recommend approval to the Board of Directors to authorize the CEO/General Manager to utilize pending alternative fuel tax credits as local match for fiscal year 2013 and 2014 capital projects. Motion was unanimous by members present.

7. Receive and Forward to Board of Directors Change in Omnitrans Fiscal Year 2013 Financial and Compliance Audit Services Provider

Director of Finance Walker informed the Committee that SANBAG hired an audit services (Vavrinek, Trine, Day & Company) that will conduct the 2013 financial audits for all transit agencies under their authority, including Omnitrans. Based on this, Omnitrans will not exercise the option year with our current auditing service, Mayer Hoffman McCann.

M/S (Stanckiewicz/Graham) to receive and forward to the Board of Directors for receipt and file the change in the providers of Omnitrans' FY2013 Financial and Compliance Audit Services from Mayer Hoffman McCann P.C. of Irvine, California, to Vavrinek, Trine, Day & Company, LLP of Rancho Cucamonga, California. Motion was unanimous by members present.

8. Recommend Approval to Board of Directors Fiscal Year 2013-2014 Annual Budget

Treasury Manager Mansion said the budget for FY2014 is \$71.5 million which is up from the FY2013 budget of \$69.3 million. This increase is due to the first eight months of the sbX project. Staff will have to be hired and trained prior to the implementation of the project. All other costs have been frozen from last fiscal year. Service will remain the same, except for the impact of Route 2 due to the sbX project. A total of 23 staff will be hired for the sbX project, which includes drivers, Field Supervisors, and maintenance staff. The budget for FY2014 is balanced and has been reviewed by SANBAG.

M/S (Gonzales/Roberts) to recommend to the Board of Directors approval of Omnitrans Fiscal Year 2013-14 Annual Budget. Motion was unanimous by members present.

Administrative & Finance Committee Minutes
April 8, 2013

The Administrative & Finance Committee meeting adjourned at 12:08 a.m. The next Administrative & Finance Committee Meeting is scheduled for May 13, 2013, with location posted on the Omnitrans website and at Omnitrans' San Bernardino Metro Facility.

Carol Angier, Recording Secretary

ITEM # D2

DATE: May 15, 2013

TO: Committee Chair Alan Wapner and
Members of the Administrative & Finance Committee

THROUGH: Milo Victoria, CEO/General Manager

FROM: Milind Joshi, sbX Program Manager

SUBJECT: **CONSTRUCTION PROGRESS REPORT NO. 16 THROUGH APRIL
22, 2013 - sbX E STREET CORRIDOR BRT PROJECT**

FORM MOTION

Receive and recommend to the Board of Directors for receipt and file Construction Progress Report No. 16 for the sbX E Street Corridor BRT Project through April 22, 2013.

BACKGROUND

This is Construction Progress Report No. 16 for the sbX E Street Corridor Project.

CONCLUSION

Receive and recommend to the Board of Directors for receipt and file Construction Progress Report No.16 for the sbX E Street Corridor BRT Project through April 22, 2013.

MV:MJ

Attachment



sbX E Street Corridor Bus Rapid Transit (BRT) Project

Construction Progress Report No. 16

As of April 22, 2013

Submitted By:

JACOBS

Contractor:	Griffith/Comet
Contractor Contract No.:	IPMO11-5
Project Manager:	Roger Hatton, P.E.
Resident Engineer	Karim Varshochi, P.E. (Corridor) Anni Larkins, P.E. (VMF)
Omnitrans Construction Manager:	Bart Hayashi, P.E.

TABLE OF CONTENTS

- I. Project Status Summary
 - A. Project Description – sbX Corridor
 - B. Summary Status Update – sbX Corridor
 - C. February Work – sbX Corridor
 - D. Concerns - sbX Corridor
 - E. Project Description - Vehicle Maintenance Facility (VMF)
 - F. Summary Status Update – Vehicle Maintenance Facility (VMF)
 - G. February Work – Vehicle Maintenance Facility (VMF)
 - H. Concerns - Vehicle Maintenance Facility (VMF)
- II. Project Schedule
 - A. Summary of Project Schedule - sbX Corridor
 - B. Summary of Project Schedule – Vehicle Maintenance Facility (VMF)
- III. RFIs, Submittals, and Non-Conformance Reports
 - A. sbX Corridor
 - B. Vehicle Maintenance Facility (VMF)
- IV. Safety
- V. Project Budget and Cost
- VI. Change Orders and Claims
 - A. VMF Change Orders
 - B. sbX Corridor Change Orders
- VII. Project Photographs
 - A. sbX Corridor Photos
 - B. Vehicle Maintenance Facility (VMF) Photos

I. PROJECT STATUS SUMMARY

A. Project Description – sbX Corridor

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

The Refined LPA includes:

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

B. Summary Status Update – sbX Corridor

In April, the contractor continued work at the University station location, installing and grouting platform pavers, grading site for landscape, installing irrigation system, and started planting trees.

Contractor continued working on site work and landscape at the Little Mountain and the Shandin Hills stations.

Contractor completed underground conduits, concrete for station platform, bus pad, and roadway paving for the Highland south bound station. Erection of station steel started.

On the west side of E Street between 6th and 2nd Street, work was being completed on street widening, water relocations, tree relocations, curb, gutter, and street pavement.

Roadway widening has been completed along with grading, curb, gutter, sidewalk, and landscape activities (irrigation, tree planting, tree relocation, and sod) are being completed on Hospitality Lane on the south side between E Street and Waterman.

Some isolated utility relocations remain with mitigation measures being taken to provide for removal from traffic control along the south side of the roadway.

Roadway widening is ongoing on Hospitality Lane on the south side between Waterman and Tippecanoe. Contractor has completed grading, curb, gutter and is continuing work on sidewalk construction and utility relocation.

Contractor started construction of the Tippecanoe station. Foundations, underground conduits, reinforcing steel, and platform concrete have been completed. Work was also started on the forms for the entrance ramp to the station from Tippecanoe.

Contractor has completed some phases of the Loma Linda Stations;

1. Anderson Redlands south bound - platform, low walls, and canopy steel erection.
2. Anderson Prospect north and south bound stations - platform, low walls and canopy steel, bus pad.
3. Benton Barton completed platform - low walls, canopy steel and bus pad.

C. May Work – sbX Corridor

Emphasis is being placed on completing all site improvements at the side running stations north of Marshall to Kendall Palm Station in May. Landscaping activities such as planting trees and placing topsoil will also take place.

Erection of the structural steel will be completed for the Highland station (west); and work on the low wall will begin on the Highland station (west).

Station pavers will be installed at the Little Mountain station.

Landscaping and roadway improvements will take place on Hospitality Lane from Diners Court to Waterman. Work will also continue at the center platform at Tippecanoe.

Installation of the video detection and E.V.P. systems will continue.

D. Concerns – sbX Corridor

The construction team is continuing to experience delays due to utility conflicts on Hospitality Lane and E Street.

Unknown conditions and design issues continue to slow the progress of work as well.

E. Project Description – Vehicle Maintenance Facility (VMF)

The Omnitrans' Vehicle Maintenance Facility is a 4.4 acre facility which maintains and services the Omnitrans' bus fleet which is comprised of over 160 buses. Modifications to Omnitrans' facility include the demolition of a bus washing station, removal of abandoned underground fuel tanks and new construction of a bus washing system, a new Genset building, 3-lane CNG fueling station, and re-configuring bus parking area. Modifications to the maintenance building will also be made in order to accommodate Omnitrans' 60-foot articulated bus fleet.

F. Summary Status Update – Vehicle Maintenance Facility (VMF)

In April work began on the temporary fuel island, temporary electrical wiring, temporary striping, and trenching for the underground electrical conduit.

Work also started on the demolition of the maintenance building.

G. May Work – Vehicle Maintenance Facility (VMF)

In May the contractor will complete the fuel island canopy, the temporary cctv, and GBF system.

Demolition of the interior of bays 5 through 9 will also begin.

H. Concerns – Vehicle Maintenance Facility (VMF)

Project is continuing to experience schedule delays due to design issues, as well as, numerous construction code issues with the existing facilities.

II. PROJECT SCHEDULE**A. Summary of Project Schedule – sbX Corridor**

The construction completion date remains as December 2013 in order for Revenue Operations to begin by April 2014 per the Project Construction Grant Agreement (PCGA).

The February/March update which will include all comments is due to be submitted on May 1, 2013.

B. Summary of Project Schedule – Vehicle Maintenance Facility (VMF)

The CM team is currently awaiting final corrections to the baseline schedule due to be submitted on May 2, 2013. Discussions are currently taking place regarding delays of the critical path items from December 2012 through March 1, 2013.

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

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

Total RFIs – 806
Total Open – 44

Total Submittals – 644
Total Open – 29

Total NCRs - 17
Total Open - 3

Weekly RFI meetings are held every Tuesday morning.
Weekly NCR meetings are held every Thursday morning.

B. Vehicle Maintenance Facility (VMF)

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

Total RFIs – 87
Total Open – 11

Total Submittals – 190
Total Open – 29

Total NCRs – 0
Total Open – 0

IV. SAFETY

SbX Corridor - As of April 22, 2013 there are 180,746 “no-lost time” hours.

VMF - As of April 22, 2013 there are 1682 “no-lost time” hours.

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

BUDGET AS OF FEBRUARY 2013

Approved Budget	\$191,706,000
Cost to Date	\$95,893,564
Estimate to Complete	\$90,999,368
Estimate at Completion	\$186,892,932

SBX CORRIDOR PROJECT COSTS - AS OF MARCH 2013

	CURRENT AUTHORIZED	CURRENT INVOICES PAID	REMAINING CONTRACT BALANCE
Jacobs	\$5,716,965	\$4,850,056	\$866,909
Parsons	\$18,097,876	\$16,389,749	\$1,708,127
Griffith/Comet	\$75,957,969	\$35,351,386	\$40,606,583
TOTAL	\$99,772,810	\$56,591,191	\$43,181,619

SBX CORRIDOR CONTRACT TIME

Activity	Days	Date
Notice to Proceed		11/21/11
Calendar Days per Original Contract	730	
Original Completion Date		12/21/13
Calendar Days Completed as of 22 April 2013	509	
CCO Time Extension to Date	0	
Required Completion Date as of 22 April 2013	221	12/21/13
Forecasted Completion Date as of 22 April 2013		TBD*
Percent Time Elapsed	69.7%	

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

sbX CORRIDOR CONTRACTOR COST – MARCH PAYMENT REQUEST

	Project Cost
Original Contract Amount	\$65,007,603
Total Authorization to Date as of March 2013	\$75,889,951
CCOs Approved as of April 22, 2013	\$11,030,666
Amount Earned as of month ending March 2013	\$38,514,016
Retention Held as of month ending March 2013	\$3,851,402
Percent Complete (% paid) as of month ending March 2013	58.8%

DBE

DBE Contract Amount as of month ending March 2013	\$6,943,931
DBE Paid to Date as of month ending March 2013	\$2,196,973
DBE Contract Goal	10.0%
DBE Percentage of Total Earned to Date as of month ending March 2013	2.89%

VMF CONTRACT TIME

Activity	Days	Date
Notice to Proceed		12/10/2012
Calendar Days per Original Contract	425	
Original Completion Date		02/08/2014
Calendar Days Completed as of 22 April 2013	133	
CCO Time Extension to Date	0	
Required Completion Date as of 22 April 2013	292	02/08/2014
Forecasted Completion Date as of 22 April 2013		TBD*
Percent Time Elapsed	31%	

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

VMF CONTRACTOR COST – FEBRUARY PAYMENT REQUEST

	Project Cost
Original Contract Amount	\$10,672,049
Total Authorization to Date as of March 2013	\$10,672,049
CCOs Approved as of March 20, 2013	\$0
Amount Earned as of month ending March 2013	\$474,051
Retention Held as of month ending March 2013	\$33,316
Percent Complete (% paid) as of month ending T 3/2013	4.44%

VI. CHANGE ORDERS**VMF CONTRACT CHANGE ORDERS**
As of April 22, 2013

CCO#	Approved Change Orders	COR#	Type	Amount Approved
1	Increase size of agency's field office to be provided by Contractor	1	No Cost CO	\$0.00
TOTAL				\$0.00

VMF POTENTIAL CHANGE ORDERS/CHANGE ORDER REQUESTS
As of April 22, 2013

COR #	Potential Change Order Description	*Cost
1	Increase size of agency's field office to be provided by Contractor	\$0
2	Revisions to Contract Drawings dated 1/14/13 (G-003, SC-102, E-101, EC-105, ED-101)	\$0
2A	Fiber Optic Connection to Temporary Fuel Island	\$50,000.00
3	Revisions to the Layout and Location of the Temporary Fuel Island, Trash Compactor and Parking Lot Lighting	\$0
3A	Framing revisions, Fire-Treatment and Anti-Slip Coating at Temporary Fuel Island Platform	\$35,000.00
3B	Re-Survey for Revised Bus Parking Lot Lighting and Striping Layout and Revised Trash Compactor Location	\$2,500.00
3C	Install Fire-Treated Plywood Layer and Anti-Slip Coating at Temporary Fuel Island	\$0
4	Monthly Field Office Utility Costs (Water & Electricity Only)	\$0
5	Kristar Filter Media for the Storm Water Drainage System	\$0
6	Furnish and Install SWPP BMPs at Existing Drainage Inlets	\$5,000.00
7	Optional 5 HP Compactors	\$0
8	Contractor's Weekly Overhead Expenses	\$0
9	Methane Detection System (Carlin contract documents)	\$0

COR #	Potential Change Order Description	*Cost
10	Further Clarification of Order of Precedence of Documents	\$0
11	Relocating Lift Equipment in the Battery Storage Room	\$10,000.00
12	Davis-Bacon Wage Determination	\$0
13	Further Clarification on General Provision DDD Partnering and EEE Dispute Resolution Board	\$0
14	Blank References in Technical Specifications	\$0
15	Water Meter on 6th Street Downsize from 4" to 3"	\$15,000.00
16	Selective Demolition and Salvaging of Capital Equipment	\$25,000.00
17	Gas Line Potholing and Tracing on Vehicle Maintenance Facility Property	\$10,000.00
18	Change Orientation of Bus Lift System in Bay No. 6A (Existing Bay 5)	\$0
19	Revised Dimensions in Bus Bay No. 8 on Drawing AA-101	\$0
20	Gas Isolation Valves	\$0
21	Install Permanent Spare Conduit Run for CCTV Cameras from Guard Station to Power Source on Southwest Corner of 6th and Medical Center Drive	\$15,000.00
22	EPA Tier 3 Spill Prevention Control and Countermeasures (SPCC) Plan	\$0
23	Shift Alignment of Parking Lot Light Pole Foundations to the East Due to Existing Telecommunications Duct Bank	\$2,500.00
24	Unknown Concrete Foundation in Utility Trench for Waste Compactor	\$6,000.00
25	Point of Connection at Existing Sewer Line	\$0
Total		\$127,500

*** Currently pricing is estimated based on Rough Order of Magnitude pending designer plans or final submittal of pricing by USS Calbuilders.**

*** Items without pricing are currently being estimated.**

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

SBX CONTRACT CHANGE ORDERS
As of April 22, 2013

CCO#	Approved Change Orders	Amount Approved
Amend 1	Amendment 1 to Bid Item 318 - Unknown Conditions Allowance increase	\$650,000.00
1	Relocation of Water Meters 1" and Smaller to the Main Supply Line	\$2,594,555.00
2	Additional Contractor Insurance Requirements	\$214,364.64
3	Electrical Service Modifications for Street Lights	\$433,500.00
4	Modifications to Project Signs	\$3,519.69
5	Requirement for Additional Emergency Vehicle Pre-emption (EVP) & Civil Modifications	\$455,553.60
6	Partnering Supplies	\$7,936.87
7	Additional Traffic Signal Requirements	\$59,477.00
8	Plan Revisions	\$0.00
9	Increase to Artist Budget	\$3,187.24
10	Out of Sequence Concrete Pours	\$381,042.00
11	Revised Pavement Section - E Street 10th to 2nd Street	\$721,519.44
12	Cross Gutter at E Street and Victoria	\$48,665.19
13	Fire Sprinkler System Restart	\$130,000.00
14	Walkway at Coco's Restaurant - North Side Hospitality Station 633+00	\$24,775.37
15	SCE & Verizon Service Connection Revisions	\$929,399.36
16	E Street / North Mall Way Bay Taper	\$27,413.51
16A	E Street / North Mall Way Bay Taper	\$11,867
17	Union Street Removal Limits and Culvert Modifications	\$24,900.53
18	Kendall at Palm Local Bus Stations - Part 1 – Civil	\$52,162.27
19	0"-18" Retaining Curb	\$68,537.46
20	Modify Driveway Approaches to Meet Grade	\$96,444.00
21	Kendall/Palm Grade Revisions to Meet ADA	\$28,060.67
22	Expedite Driveway and Match Pavers Hospitality STA 698+20	\$20,688.77
23	Route 2 Bus Stop Revision at 9th & E	\$32,929.97
24	Revised Conduit due to SCE Vault at N. Mall Way	\$18,816.21
25	Remove and Relocate Conflicting Traffic Signal Foundation 8th & E	\$6,434.48
26	Removal of Additional Concrete	\$38,505.36
27	Revised Concrete Footing for Kendall / Little Mtn. N. Station	\$7,676.97
28	4000 PSI Concrete in Lieu of 2500 PSI - Bid item 163	\$39,552.50
29	Graded Channel at North End of Kendall / Palm	\$51,042.18
30	Modifications to Drainage Plan at South End of Kendall / Palm Park n Ride	\$55,133.04
31	Concrete V-Ditch with Splash Walls along West Side of Kendall / Palm Station Platform	\$27,123.69
32	Allowance to Meet Time Sensitive Field Changes	\$400,000.00
Amend 1 CO 32	Allowance to Meet Time Sensitive Field Changes	\$507,800.00
33	Increase Size of Catch Basin at E & N. Mall Way	\$3,941.87

CCO#	Approved Change Orders	Amount Approved
34	New Cabinet at E & Orange Show; Additional Conduit at CSUSB	\$83,494.82
35	Revision to bid item 319 – Optional traffic signal at Hospitality and private driveway	-\$123,601.53
36	Addition of New Conduit & Deletion of Red Light Camera System at the NE Corner of Hospitality Lane and Waterman Ave.	\$0.00
37	Modification to Handrail Height to Meet ADA Requirements	\$0.00
38	Relocate Irrigation Controller at NW Corner of Hospitality and Tippecanoe	\$1,919.40
39	Isolated AC Removal and/or Replacement	\$44,330.58
40	Temporary Lighting, Removal and Replacement of City Banners, and Installation of Street Name Signs	\$29,027.15
41	Slope, Irrigation, and Misc. Revisions to North Side of Hospitality from Carnegie West to Carnegie East (STA 662+00 to STA 682+00)	\$48,034.39
42	Brick Pavers at Driveway STA 694+50	\$7,751.78
43	Walkway at Outback Restaurant along Hospitality STA 666+00	\$45,407.15
44	Relocate Conflicting Water Facilities Not Shown to be Relocated on Original Contract Drawings at various locations	\$223,095.00
44A	Relocate Detector Check Valves to Conform to the New Curb Alignment	\$475,000.00
45	Demolition and Reconstruction of Parkway Culverts along Northside	\$108,762.60
46	Modified Utility Plans Showing Vaults to be Replaced and water Meter As-Builts	\$1,199,917.67
46A	Extend Lateral Pipe and Install Precast Concrete Vault and Cover with Relocated Check Valve.	\$270,000.00
47	Perform Asphalt Paving along Southbound Kendall Drive Station 102+00 to 111+00 Ahead of Schedule but Out of Sequence	\$31,788.12
48	Restaking of revised curb returns at south Hospitality Lane, station 639N+694L	\$462.00
49	Independent Welding Cost	\$75,000.00
50	Provide and install materials not shown on original contract documents	\$45,288.00
51	Storm Drain System and Geothermal Pipeline Redesign	\$85,179.62
52	Irrigation revisions at CSUSB station due to CSUSB irrigation requests	\$54,964.64
53	New Service Cabinet at Hospitality and Tippecanoe	\$2,912.18
54	Pylon Signs	\$65,107.58
55	Sewer Line Replacement at 10 th and E Street	\$77,341.22
57	Remove Shrubs Along Corridor	\$2,957.36
TOTAL:		\$11,030,665.61

SBX POTENTIAL CHANGE ORDER REQUESTS

Costs as of April 22, 2013

COR #	Potential Change Order Description	Amount*
2	Drainage revisions at E Street & Marshall	\$203,000
9	Caltrans Kendall & Palm Encroachment Permit	\$50,000
21	Revised Plans for Intersection of University and Kendall, Prospect Station, and Benton Station	\$12,000
30	Bus #2 Stop Revisions - Move bus stops outward to avoid impacts to thru traffic	\$120,000

COR #	Potential Change Order Description	Amount*
36	Flow Line Modifications to Kendall at Little Mountain, Kendall at Shandin, E Street at Highland, E Street at Baseline and CSUSB Stations	\$48,000
37A	Out of Sequence Concrete Pours	\$0
41	Change sbX Traffic Signal Heads from PV to LRT	\$5,000
43B	Increase In Project Bid Quantities Package 1	\$4,000,000
47	Replace Driveway Approach at Parcel B251 - SW Corner E Street & Chandler Place STA 632	\$20,000
57	Extended Steel Plate Rentals	\$29,414
63	Irrigation revisions due to meter size revisions at sbX stations	\$40,000
78	Hospitality and Carnegie West Incurred costs as a result of Caltrans Permitting Issues. Water meter retaining walls from Carnegie East to Carnegie West within 2:1 slope.	\$20,000
79	Remove Center Median along Hospitality from Carnegie West to Tippecanoe to Expedite Construction	\$280,000
83	Solar Panel	(\$407,035)
99	Landscape and Irrigation Revisions - North Side of Hospitality from Carnegie West to Carnegie East	\$220,000
102	Landscape and Irrigation Modifications Hospitality STA 695+00 to 704+00	\$15,000
105	World Oil Gas Station Revisions	\$50,000
106	Revised Pedestrian Access North Side of Hospitality STA 620+00 and 621+00.	\$40,000
108A	Station Flowline Revisions to Rialto	\$50,000
108C	Station Flowline Revisions to Court	\$50,000
108D	Station Flowline Revisions to Carnegie	\$50,000
108F	Station Flowline Revisions to Hunts Lane	\$50,000
110B	Landscape and Irrigation Modifications On South Side of Hospitality from Costco to E Street	\$150,000
111	Revisions to Loma Linda Park-N-Ride Civil Scope	\$29,981
113	Revisions to Loma Linda Park-N-Ride Landscape and Irrigation	\$40,000
118	Additional Traffic Signal controller on E St and Rialto	\$10,000
120	Water valves in conflict with the curb and gutter line on Hospitality from Hunts Lane to Waterman Ave. on the south side.	\$52,450
121	Low rail at back of station adjacent to the V-ditch at Kendall Palm Station	\$15,000
123	Buy America	\$10,000
126	Delete restoration of turf on E and North Mall way	(\$10,014)
129	Benton and Barton - Required Conduit Not on Plans	\$10,000
131	Station CNS Fiber Optic to Replace T1	(7,611)
132	Gage Canal changes – Street Improvements on the South side of Hospitality Lane	\$0
133	Modifications to the South Side of Hospitality	\$0
134	Existing Push Buttons Does Not Meet ADA Requirements	\$0
135	Irrigation Controller at Kendall / Palm Park-n-Ride	\$81,859.14
136	Relocation of Material on Crusher Site Storage	\$0
138	Bus Pad Grade at West Side Highland STA 418+72 to 416+00	\$0
139	TSP WLAN	\$0
140	Place Cold Mix at Kendall Drive and Little Mountain for Smooth Transition	\$0

COR #	Potential Change Order Description	Amount*
141	Deletion of Hospitality Lane Improvements from STA 651+00 to STA 657+30 Through the CALTRANS Intersection	\$0
142	Reinforced Concrete Retaining Wall Type 4 to Protect Slope at VA Hospital	\$0
143	City of Loma Linda Modifications at Various Locations	\$0
144	Increase in Allowance for Unknown Conditions	\$0
145	Handicap Ramp Redesign at 4th & E Street	\$0
146	Demolish One (1) Pine Tree and One (1) Pilaster at the West Anderson/Prospect Station	\$0
147	Increased Square Footage of Artist Glass Panels	\$10,000
TOTAL		\$5,337,044

* Currently pricing is estimated based on Rough Order of Magnitude pending designer plans or final submittal of pricing by JV.

* Items without pricing are currently being estimated.

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

SBX PENDING CHANGE ORDER REQUESTS

Costs as of April 22, 2013

COR #	Pending Change Orders	Amount*
15	Modified Electrical Plans for Stations at Baseline	\$227,133
26	Redesign of Median Fountain Area at Court Station	\$15,000
27	Kendall at Palm Traffic Signal Revision	(\$36,908)
28	Kendall at Palm Local Bus Stations - Part 2 - Electrical, landscape, signing & striping	\$40,000
29	Gage Canal Changes	\$120,000
52	Gas Station at NW Corner of E Street & Orange Show Road (Auto Center Drive)	\$71,728
58A	Tree Relocations and Substitutions along E Street and North Side of Hospitality	\$9,056
58B	Tree Relocations and Substitutions along E Street and North Side of Hospitality	\$38,944
68	Demolition of Home on Southeast Corner of Hospitality and Tippecanoe	\$103,241
70	Additional Survey Monuments	\$122,659
75	Sewer Line Replacement at 10th and E Street	\$77,341.22
76	Slope to Support Sidewalk on West Side of E Street at Hospitality Lane (STA 672+69 to 676+00)	\$108,324
90	Add Pedestrian Push Buttons along Corridor at Missing Locations	\$20,627
92	Remove Shrubs along Corridor	\$2,957
93	Repair Sewer Line along E Street from 11th to 4th Street - Sewer Point Repairs	\$623,164
96	New Service Cabinet at Hospitality and Tippecanoe.	\$2,912
101	Increase to Artists' Budget	\$39,892
103	Pylon Sign Design Changes	\$65,107

COR #	Pending Change Orders	Amount*
107	Tree Plan Modifications along Hospitality Lane	\$56,844
108B	Station Flowline Revisions to North Mall	\$0
108E	Station Flowline Revisions to Tippecanoe	\$0
110A	Landscape and Irrigation Modifications On South Side of Hospitality from Costco to E Street (Civil Work Only)	\$112,948
115	Banner Pole Foundations	\$10,147
125	Prevention Measures for Further Theft	\$8,500
127	Conflict with Edison and Verison; Storm Drain Redesign on Hospitality and Tippecanoe	\$27,000
130	TS pole relocated at Hospitality and Waterman	\$20,140
TOTAL		\$1,809,415

VII. Project Photographs

SBX CORRIDOR PROGRESS PHOTOS



1. Construct Electrical for Equipment Module.



2. Tippecanoe Platform Electrical.



3. Bore Crossing in Loma Linda.



4. Set Pull Boxes

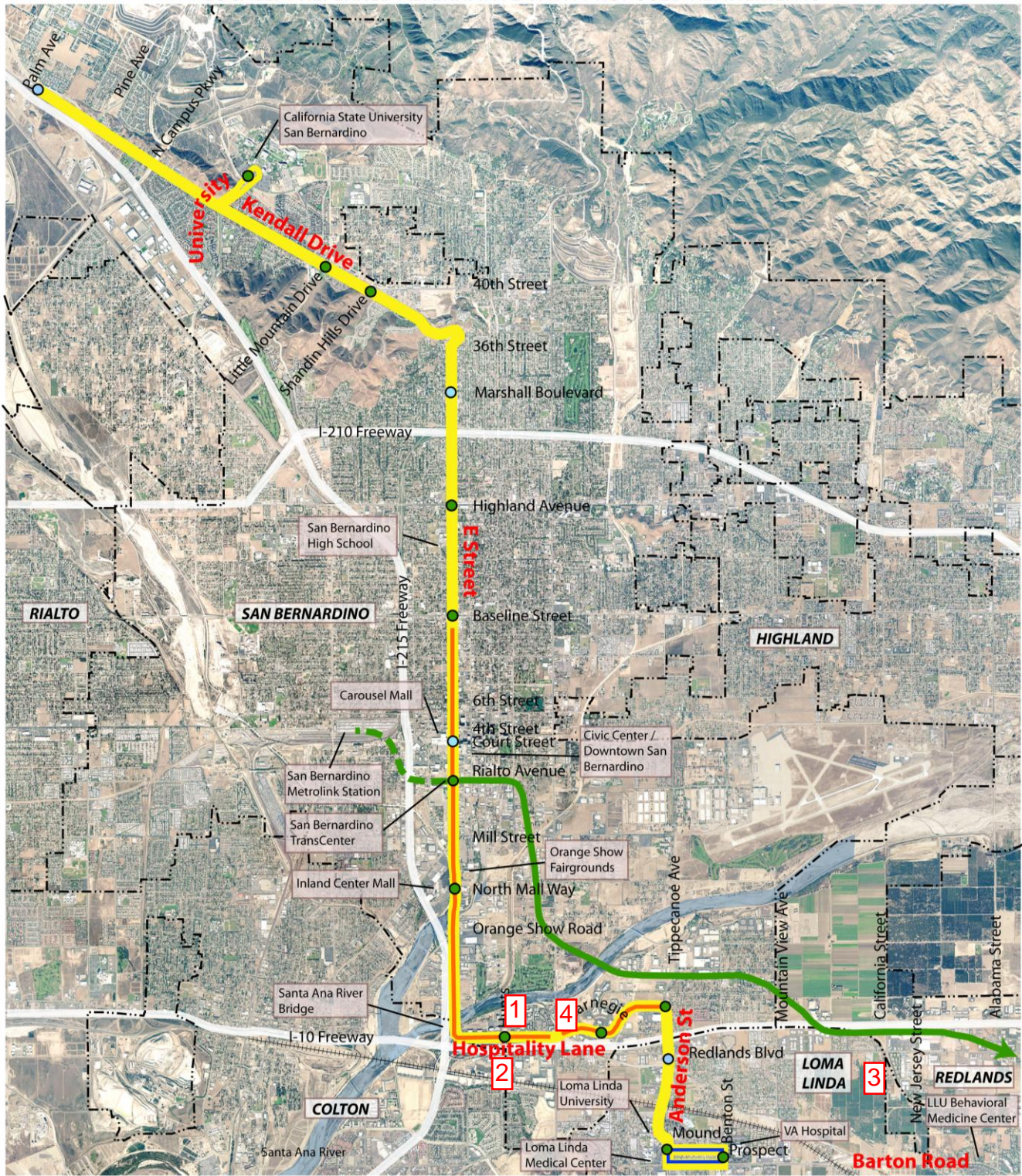
VMF PROGRESS PHOTOS

1. Carport canopy structure being erected for temporary fuel islands.



2. Frame work for the temporary fuel island platform.

LOCALLY PREFERRED ALTERNATIVE WITH PROPOSED REFINEMENTS



REV 07-15-09

- Proposed sbX Alignment (Refined LPA)
- Preliminary Locations of Exclusive Center Lanes
- Potential sbX Stations
- Potential sbX Stations with Park-and-Ride

- City Boundaries
- Proposed Redlands Rail/Metrolink Extension
- Turnaround

IPMO/sbX Project Cost Report
Period Ended 3/31/13

Description	Current Budget	Expenditures		Remaining	Estimate to	Estimate at	Budget Forecast
		\$	%	Budget	Complete	Completion	Variance
BRT Construction	84,637,000	35,419,386	41.8%	49,217,614	52,866,331	88,285,717	(3,648,717)
Vehicle Maintenance Facility (VMF) Construction	8,131,000	474,051		7,656,949	12,665,498	13,139,549	(5,008,549)
Vehicles - Design & Manufacturing	16,628,000	12,162,912	73.1%	4,465,088	3,667,633	15,830,545	797,455
ROW Acquisition Services	10,357,000	9,501,764	91.7%	855,236	2,236,636	11,738,400	(1,381,400)
3rd Party Utilities Design & Relocation	1,003,000	785,446	78.3%	217,554	320,671	1,106,117	(103,117)
BRT Design	17,849,400	16,389,749	91.8%	1,459,651	1,708,127	18,097,876	(248,476)
VMF Design	1,007,600	789,395	78.3%	218,205	564,434	1,353,829	(346,229)
Other Professional, Technical & Management Services	34,020,000	20,370,861	59.9%	13,649,139	16,970,038	37,340,899	(3,320,899)
SUB-TOTAL	173,633,000	95,893,564		77,739,436	90,999,368	186,892,932	(13,259,932)
Unallocated Contingency	18,073,000	-		18,073,000		4,813,068	13,259,932
TOTAL	191,706,000	95,893,564	50.0%	95,812,436	90,999,368	191,706,000	-

**IPMO/sbX Project
Through 3/31/13**

Standard Cost Category (SCC)	Description	Approved Current Budget	Expenditures \$ %	Remaining Budget	Estimate to Complete	Estimate at Completion	Budget Forecast Variance
10	GUIDEWAY & TRACK ELEMENTS	19,725,000	7,268,681 36.9%	\$ 12,456,319	\$ 7,737,044	\$ 15,005,725	\$ 4,719,275
10.02	Guideway: At-grade semi-exclusive (allows cross-traffic)	\$ 18,353,000	6,082,765 33.1%	\$ 12,270,235	\$ 6,663,715	\$ 12,746,480	\$ 5,606,520
10.03	Guideway: At-grade in mixed traffic	\$ 1,372,000	1,185,916 86.4%	\$ 186,084	\$ 1,073,329	\$ 2,259,245	\$ (887,245)
20	STATIONS, STOPS, TERMINALS, INTERMODAL	14,917,000	4,371,450 29.3%	\$ 10,545,550	\$ 9,887,853	\$ 14,259,303	\$ 657,697
20.01	At-grade station, stop, shelter, mall, terminal, platform	14,917,000	4,371,450 29.3%	\$ 10,545,550	\$ 9,887,853	\$ 14,259,303	\$ -
30	SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS	\$ 8,131,000	474,051 5.8%	\$ 7,656,949	\$ 12,665,498	\$ 13,139,549	\$ (5,008,549)
30.02	Light Maintenance Facility	\$ 4,265,000	368,338 8.6%	\$ 3,896,662	\$ 9,841,092	\$ 10,209,430	\$ (5,944,430)
30.05	Yard and Yard Track	\$ 3,866,000	105,713 0.0%	\$ 3,760,287	\$ 2,824,406	\$ 2,930,119	\$ 935,881
40	SITEWORK & SPECIAL CONDITIONS	34,271,000	15,822,751 46.2%	\$ 18,448,249	\$ 11,679,630	\$ 27,502,381	\$ 6,768,619
40.01	Demolition, Clearing, Earthwork	\$ 4,741,000	281,559 5.9%	\$ 4,459,441	\$ 174,000	\$ 455,559	\$ 4,285,441
40.02	Site Utilities, Utility Relocation	\$ 4,993,000	5,619,814 112.6%	\$ (626,814)	\$ 4,319,666	\$ 9,939,480	\$ (4,946,480)
40.05	Site structures including retaining walls, sound walls	\$ 90,000		\$ 90,000	\$ 72,224	\$ 72,224	\$ 17,776
40.06	Pedestrian / bike access and accommodation, landscaping	\$ 6,925,000	1,230,463 17.8%	\$ 5,694,537	\$ 2,629,558	\$ 3,860,021	\$ 3,064,979
40.07	Automobile, bus, van accessways including roads, parking lots	\$ 3,601,000	2,870,830 79.7%	\$ 730,170	\$ 1,376,519	\$ 4,247,349	\$ (646,349)
40.08	Temporary Facilities and other indirect costs during construction	\$ 13,921,000	5,820,085 41.8%	\$ 8,100,915	\$ 3,107,663	\$ 8,927,748	\$ 4,993,252
50	SYSTEMS	\$ 16,727,000	8,741,950 52.3%	\$ 7,985,050	\$ 11,622,727	\$ 20,364,677	\$ (3,637,677)
50.02	Traffic signals and crossing protection	\$ 10,810,000	4,319,147 40.0%	\$ 6,490,853	\$ 2,151,530	\$ 6,470,677	\$ 4,339,323
50.05	Communications	\$ 4,210,000	2,065,616 49.1%	\$ 2,144,384	\$ 6,228,384	\$ 8,294,000	\$ (4,084,000)
50.06	Fare collection system and equipment	\$ 1,707,000	2,357,187 138.1%	\$ (650,187)	\$ 3,242,813	\$ 5,600,000	\$ (3,893,000)
	Pending Change Orders				\$ 3,724,620	\$ 3,724,620	\$ (3,724,620)
	Risk				\$ 8,535,128	\$ 8,535,128	\$ (8,535,128)
	Construction Subtotal (10-50)	93,771,000	36,678,883 39.1%	\$ 57,092,117	\$ 65,852,500	\$ 102,531,383	\$ (8,760,383)
60	ROW, LAND, EXISTING IMPROVEMENTS	\$ 6,532,000	\$ 5,095,159 78.0%	\$ 1,436,841	\$ 2,004,106	\$ 7,099,265	\$ (567,265)
60.01	Purchase or lease of real estate	\$ 6,327,000	5,086,065 80.4%	\$ 1,240,935	\$ 1,808,200	\$ 6,894,265	\$ (567,265)
60.02	Relocation of existing households and businesses	\$ 205,000	9,094 4.4%	\$ 195,906	\$ 195,906	\$ 205,000	\$ -
70	VEHICLES	\$ 16,628,000	\$ 12,162,912 73.1%	\$ 4,465,088	\$ 3,667,633	\$ 15,830,545	\$ 797,455
70.04	Bus	\$ 15,448,000	12,162,912 78.7%	\$ 3,285,088	\$ 2,760,585	\$ 14,923,497	\$ 524,503
70.06	Non-revenue vehicles	\$ 250,000	- 0.0%	\$ 250,000	\$ -	\$ -	\$ 250,000
70.07	Spare parts	\$ 930,000	- 0.0%	\$ 930,000	\$ 907,048	\$ 907,048	\$ 22,952
80	PROFESSIONAL SERVICES	56,702,000	41,956,610 74.0%	\$ 14,745,390	\$ 19,475,128	\$ 61,431,738	\$ (4,729,738)
80.01	Preliminary Engineering	\$ 12,921,000	12,876,525 99.7%	\$ 44,475	\$ 17,502	\$ 12,894,027	\$ 26,973
80.02	Final Design	\$ 7,261,000	6,074,486 83.7%	\$ 1,186,514	\$ 1,972,327	\$ 8,046,813	\$ (785,813)
80.03	Project Management for Design and Construction	\$ 15,997,000	7,787,624 48.7%	\$ 8,209,376	\$ 6,935,076	\$ 14,722,700	\$ 1,274,300
80.04	Construction Administration & Management	\$ 6,632,000	4,850,056 73.1%	\$ 1,781,944	\$ 7,002,592	\$ 11,852,648	\$ (5,220,648)
80.05	Professional Liability and other Non-Construction Insurance	\$ 1,112,000	- 0.0%	\$ 1,112,000	\$ 500,000	\$ 500,000	\$ 612,000
80.06	Legal; Permits; Review Fees by other agencies, cities, etc.	\$ 10,596,000	10,367,919 97.8%	\$ 228,081	\$ 1,862,631	\$ 12,230,550	\$ (1,634,550)
80.07	Surveys, Testing, Investigation, Inspection	\$ 1,463,000	- 0.0%	\$ 1,463,000	\$ 464,000	\$ 464,000	\$ 999,000
80.08	Start up	\$ 720,000	- 0.0%	\$ 720,000	\$ 721,000	\$ 721,000	\$ (1,000)
	Subtotal (10-80)	\$ 173,633,000	\$ 95,893,564 55.2%	\$ 77,739,436	\$ 90,999,367	\$ 186,892,931	\$ (13,259,931)
90	UNALLOCATED CONTINGENCY	18,073,000	- 0.0%	\$ 18,073,000	\$ -	\$ 4,813,069	\$ 13,259,931
	Subtotal (10-90)	191,706,000	95,893,564 50.0%	\$ 95,812,436	\$ 90,999,367	\$ 191,706,000	\$ -
100	FINANCE CHARGES	-	-	\$ -	\$ -	\$ -	\$ -
	TOTAL PROJECT COST (10-100)	191,706,000	95,893,564 50.0%	\$ 95,812,436	\$ 90,999,367	\$ 191,706,000	\$ -

ITEM # D3

DATE: May 15, 2013

TO: Committee Chair Alan Wapner and
Members of the Administrative & Finance Committee

THROUGH: Milo Victoria, CEO/General Manager

FROM: Robert Miller, Chief Financial Officer

**SUBJECT: OMNITRANS CHIEF FINANCIAL OFFICER'S REPORT ON
FORWARD FUEL PURCHASES FOR MAY 2013**

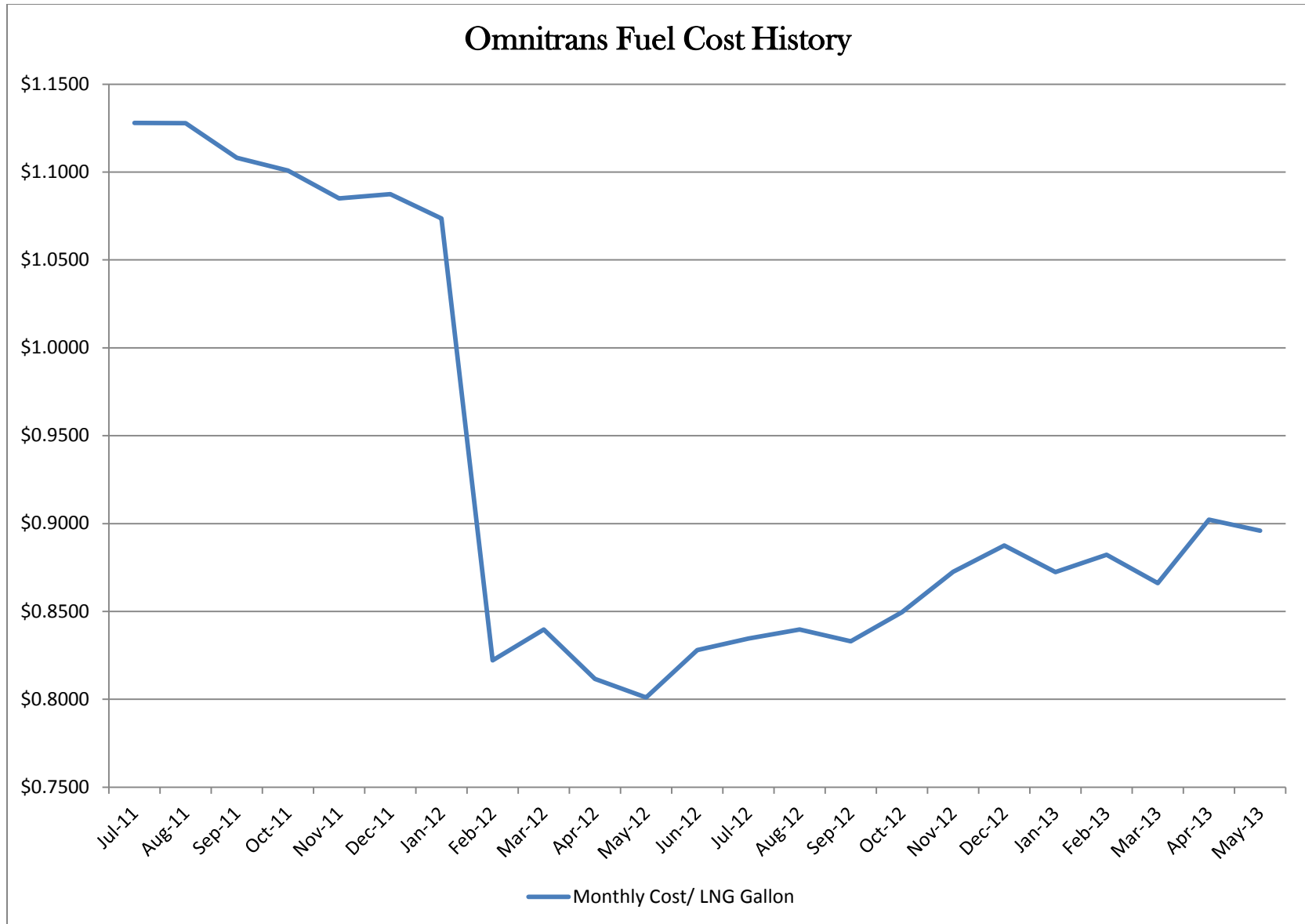
FORM MOTION

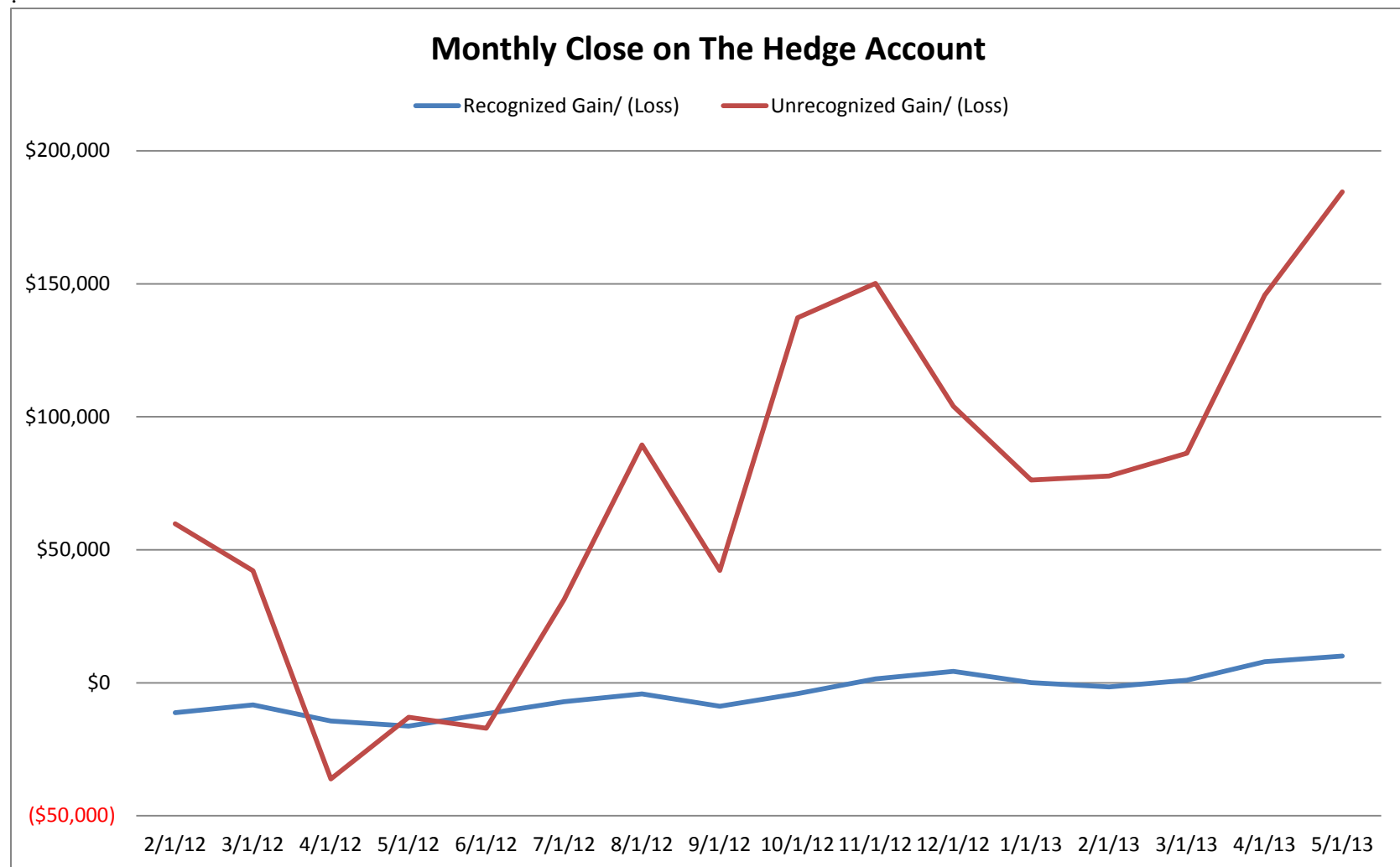
Receive and file Omnitrans Chief Financial Officer's report on forward fuel purchases for May 2013. This program was implemented on May 6, 2009, to increase the predictability of Omnitrans costs and reduce operational uncertainty in the event of dramatic fuel price increases in the open market.

SUMMARY AND BACKGROUND

This report is submitted in order to comply with the requirements of the Omnitrans Forward Fuel Purchase Policy and Procedure. The report highlights activities taken under the Board action of November 2011 authorizing staff to hedge up to 150,000 gallons per month of CNG on the NYMEX exchange through Morgan Stanley. The report includes a summary of the hedge that has been established, an estimate of the monthly variance to be recognized in the Agency's financials, and may include articles on significant matters that have impacted the market for CNG. The current hedge fixes the price of approximately 45% of the Agency's natural gas through June of 2014. Staff will make a recommendation on whether or not to extend the hedge within the next 12 months.

Spot market prices for natural gas have seen price appreciation over the forward curve. The May 2013 contract closed above the hedge price. The Agency will record the largest profit to date on our futures position for this month and that gain will offset a portion of the unit cost increase that will be reflected in the price of LNG acquired under our supply agreement with Clean Energy Fuels. The spot price that will be used for Omnitrans' April fuel purchases will reflect a price of \$.8960 per gallon including CNG at the So Cal Index price, liquefaction, delivery, and sales tax. (Note: We do not hedge the index differential. The gain on the hedge is based on the Henry Hub index. Clean Energy prices our deliveries off the SoCal index. In May, for the first time on the current hedge, SoCal settled below Henry Hub.) This price is after recognition of the monthly gain on the hedge position in the amount of \$10,038. Omnitrans will recognize an unfavorable budget variance in the CNG account of approximately <\$5,430> in the month of May 2013. To date, Omnitrans has recognized a total loss of <\$62,970> on settled hedge positions; February 2012 through May 2013. The Agency has an unrecognized gain of \$179,088 on positions that remain open; June 2013 through June 2014. The forward market is anticipating increased CNG fuel prices in the future; prices at levels above the Omnitrans hedge.





ITEM # D4

DATE: May 15, 2013

TO: Committee Chair Alan D. Wapner and
Members of the Administrative and Finance Committee

THROUGH: Milo Victoria, CEO/General Manager

FROM: Anna Rahtz, Planning Project Manager
Maurice Mansion, Treasury Manager

**SUBJECT: SAN BERNARDINO TRANSIT CENTER – FUNDING AGREEMENT
WITH SANBAG**

FORM MOTION

Recommend to the Board of Directors to authorize the CEO/General Manager to execute a Funding Agreement to pass through an amount not to exceed \$18,915,666 to San Bernardino Associated Governments (SANBAG) for the design and construction of Phase I of the San Bernardino Transit Center (SBTC).

BACKGROUND

Following is a timeline of actions on the San Bernardino Transit Center Project.

- 2006 – Omnitrans selected the site at the southwest corner of E Street and Rialto Avenue as the ideal location for transfers between 13 local bus routes and connections to the E Street sbX bus rapid transit project, Downtown San Bernardino Passenger Rail, and Redlands Passenger Rail Project.
- 2008 – Omnitrans purchased approximately 5 acres of land at the southwest corner of E Street and Rialto Avenue.
- 2009 – Omnitrans contracted architecture and planning firm Cooper Carry to develop alternatives and a conceptual master plan. The project development team (PDT) included SANBAG, the City of San Bernardino, San Bernardino Economic Development Agency, and other stakeholders; and the process involved consensus building with hundreds of stakeholders and public.
- 2010 – At approximately 80 percent completion of the conceptual plan process, SANBAG requested that the design process be put on hold until

completion of the Redlands Rail Project study. The Redlands Rail Project study would determine the right of way requirements for the rail project, which would affect the boundaries of the transit center. It was completed late 2010.

- 2010 – The San Bernardino Transit Center project was divided into phases:
 - Phase I – consists of site work and busway (initially estimated at \$13.7 million in 2010), as well as construction of transit buildings (dependent upon available funding), to be completed by November 2013 to facilitate transfers with the sbX bus rapid transit line on E Street.
 - Phase II – construction of mixed use buildings as a joint development with public and private investment. Revenues from private development would contribute toward operating costs for transit facility.
 - Phase III – shared parking structure south of railroad tracks with a pedestrian bridge over railroad tracks.
 - Phase IV – solar canopies over entire site would reduce electricity costs for entire site.
 - Cost of entire vision including public and private investment - \$153 million.
- October 5, 2011 – Omnitrans Board of Directors approved the San Bernardino Transit Center Planning, Design, Construction, Operating, and Maintenance Agreement with the San Bernardino Associated Governments (SANBAG), the City of San Bernardino, and the San Bernardino Economic Development Corporation (EDC). Under this agreement, Omnitrans passed through \$6.9 million of federal and local funds to SANBAG; and SANBAG took the lead on design and construction of Phase I of the San Bernardino Transit Center (busway and transit building) in order to efficiently integrate it with the Downtown San Bernardino Passenger Rail Project. Transit center completion was anticipated by November 2013 in order to facilitate transfers with the sbX bus rapid transit line.
- March 2012 – The San Bernardino Associated Governments (SANBAG) contracted HDR, Inc. for the design of the transit center.
- 2012 – The Project Development Team was re-formed, made up of staff from SANBAG, Omnitrans, City of San Bernardino, and HDR. The following key decisions were made following discussions between City engineering staff and SANBAG and HDR engineering team:
 - A decision was made to acquire additional property to the west of the original project boundary, for two reasons: 1) the busway was changed from a “U” shape to a cul-de-sac configuration to eliminate one driveway due to traffic concerns; this resulted in a shorter busway and necessitated lengthening the site to fit in the required 22 bays; and 2) to alleviate a safety concern with the offset of the intersection at Rialto Avenue and “F” Street at the transit center entrance.

- SANBAG is constructing a parking lot south of the railroad tracks as a part of the Downtown San Bernardino Passenger Rail Project. It was decided that this lot would also be used to fulfill parking requirements for the San Bernardino Transit Center building.
- February 2012 – the dissolution of California Redevelopment Authority resulted in the San Bernardino Economic Development Corporation’s inability to fulfill its commitments to provide property and \$2 million for construction of the joint parking lot south of the railroad tracks, as well as reimbursement of permit and plan check fees. This added cost to the project. A decision was made to pay for a portion of the costs of the parking lot from the Transit Center (bus facility) budget based on the number of parking spaces needed to fulfill zoning requirements for the transit building
- July 2012 – The transit building was reduced from 14,000sf to 6,000sf due to the funding shortfall discovered at 15% design.
- October 18, 2012 – A plan for moving forward with a 6,000sf building in Phase I (with an additional 6,000sf building in a future phase) was approved by the SANBAG Board of Directors. In the staff report, it was informally agreed that Omnitrans would contribute two new FTA discretionary grants totaling \$8.3 million, and SANBAG would contribute \$1.8 million in order to provide the needed local match to complete the project.
- From October 2012 to March 2013 – the projected cost of right-of-way acquisition increased, and the construction cost for the project increased as the cost estimate was refined. The right-of-way acquisition negotiations are still ongoing; and the costs are still uncertain.
- April 3, 2013 – Omnitrans and SANBAG staff met with the executive directors of both agencies to resolve a funding shortfall for the project. A range of alternative solutions were discussed, including reducing the scope of the project, and reducing Omnitrans’ direct and indirect costs for the project.
- April 11, 2013 – Omnitrans’ Treasury Manager sent a memo to SANBAG staff explaining that Omnitrans charges direct costs to capital projects for project management staff who work directly on the projects. For the Transit Center, Omnitrans will charge \$138,650 in FY 2013 and FY 2014 for project management, as well as \$20,000 for legal costs; there is no capital reserve available for these costs. Omnitrans will also retain 3.27% of the entire project cost for indirect costs incurred by the project, in accordance with Omnitrans’ Cost Allocation Plan approved by the FTA effective FY 2008. These costs would otherwise impact Omnitrans’ operating budget.

FUNDING SOURCES

The table below shows all funding that Omnitrans has available for the San Bernardino Transit Center project. As previously stated, Omnitrans will retain \$138,650 for project management, \$20,000 for legal costs, and \$695,374 (3.27% of total project cost) for indirect costs incurred by the project – for a total of \$854,024 direct and indirect, as shown in table below. The remaining amount, not to exceed **\$18,915,666**, will be passed through to SANBAG to use for SANBAG's project management, design, right-of-way acquisition, and construction of the project.

Funding Source	Fiscal Year	Amount	Description
Omnitrans Funds Committed in 2011 Agreement			
FTA 5307 and 5309	2001-2008	\$5,554,609	In October 2011 agreement
LTF and STA	2003-2009	\$1,388,652	In October 2011 agreement
Subtotal		\$6,943,261	
Other Omnitrans Available Funds			
FTA 5309	2011-2012	\$8,300,000	Earmarked for SBTC. SANBAG is providing 20% local match for these funds through toll credits (not cash).
LTF and STA	2003-2009	\$276,093	
FTA, LTF, STA	2001-2009	\$844,000	
FTA 5339	2013	\$3,406,336	new Bus and Bus Facilities funds - Omnitrans allocation
Subtotal		\$12,826,429	
Omnitrans' Direct and Indirect Expenses		(\$854,024)	
Available to Pass Through to SANBAG		\$11,972,405	
Total Omnitrans Contribution to SANBAG in New Funding Agreement		\$18,915,666	
SANBAG's Contributions			
FHWA		\$992,000	FHWA Transportation Enhancements
LTF		\$320,000	
Prop 1B		\$500,000	Security funding
Total SANBAG Funding		\$1,812,000	
Total Available Funding		\$20,727,666	
Total Project Cost		\$21,106,624	Based on SANBAG staff report 4/18/2013 (excluding Omnitrans' direct and indirect costs)
Current Funding Surplus/(Shortfall)		(\$378,958)	

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

The table above shows all funds that are available for the San Bernardino Transit Center project. Because the right-of-way acquisition costs are still uncertain, any future funding shortfalls will have to be resolved by reducing the scope of the project.

The project budget/cost estimate developed by HDR includes \$288,170 for furnishings and fixtures to outfit the interior of the transit center building. These items may be procured by Omnitrans directly or by the construction contractor.

As the right-of-way acquisition negotiations are still underway, the project cost estimate is still being refined. A new funding agreement for the pass-through of funding from Omnitrans to SANBAG will be drafted by SANBAG staff, and will be presented to the Omnitrans Board of Directors at the July 3, 2013 meeting.

CONCLUSION

Recommend to the Board of Directors to authorize the CEO/General Manager to execute a Funding Agreement to pass through an amount not to exceed \$18,915,666 to San Bernardino Associated Governments (SANBAG) for design and construction of Phase I of the San Bernardino Transit Center (SBTC).

MV:AR

Exhibit A – Scope and Budget for San Bernardino Transit Center (Phase I)

Cost Item	90% Design Cost Estimate (March 2012)
Construction costs (including contingency and escalation)	\$13,951,833
Building (6,802 square feet) <ul style="list-style-type: none"> • Customer service desk • Public restrooms • Security offices and surveillance center • Operator break room • Operations supervisor office • Staff restrooms 	\$5,936,210
Busway/site work <ul style="list-style-type: none"> • 22 bus bays • 11 shelters with real-time information screens • Benches, trash receptacles, bike parking • Lighting • Security cameras and emergency phones • Landscaping • Pedestrian pathways • Wayfinding signage • Intersection work and new traffic signal at “F” Street and Rialto • Kiss-and-ride area on Rialto Avenue • Parking spaces in joint lot south of railroad tracks 	\$8,015,623
Right-of-Way/Land Acquisition	\$2,050,200
Design – HDR, Inc.	\$3,473,701
Design Services During Construction – HDR, Inc.	\$500,000
Construction Management – Parsons Brinckerhoff	\$715,890
SANBAG Project Management	\$200,000
SANBAG legal cost for right-of-way acquisition	\$215,000
Total Project Cost Managed by SANBAG	\$21,106,624
Omnitrans Project Management	\$138,650
Omnitrans’ legal costs	\$20,000
Subtotal Project Cost	\$21,265,274
Omnitrans’ Indirect Cost (3.27% of total project cost)	\$695,374
Total Omnitrans Direct and Indirect Costs (Project Management Costs + Legal + Indirect)	\$854,024
Total Project Cost¹ (SANBAG + Omnitrans)	\$21,960,648

¹ Total project cost is from SANBAG’s April 18, 2013 staff report to the SANBAG Commuter Rail & Transit Committee. The SANBAG staff report shows a cost of \$21,156,624, reflecting \$50,000 for direct and indirect costs for Omnitrans. This staff report uses \$21,106,624 because Omnitrans’ direct and indirect costs are on separate line items. With the \$854,024 of direct and indirect costs for Omnitrans, the total project cost is \$21,960,648.

ITEM # D5

DATE: May 15, 2013

TO: Committee Chair Alan Wapner and
Members of the Administrative and Finance Committee

THROUGH: Milo Victoria, CEO/General Manager

FROM: Jennifer M. Sims, Director of Procurement

SUBJECT: **AUTHORIZE AWARD, CONTRACT IPMO13-145, MANAGED
ROUTER SOLUTIONS - sbX E STREET CORRIDOR BRT PROJECT**

FORM MOTION

Receive and forward to the Board of Directors for approval to authorize the CEO/General Manager to execute Contract IPMO13-145 agreement with Verizon Business Services for Managed Router Services, and Transparent Local Area Network (LAN) Services; related to the sbX E Street Corridor BRT Project, in the amount of \$1,545,544.60 for FY 2013/2014 through FY 2017/2018, which includes \$176,136.40 in sales tax and surcharge.

In addition, a 10% (2,554.50) contingency and a 3.27% (\$918.85) Cost Allocation Plan for installation work for a total cost in services and installation of \$1,549,017.95.

BACKGROUND

The sbX E Street Corridor Project has twenty-three stations. These twenty-three stations have automated machines that allow customers to purchase tickets electronically. Out of these twenty-three stations, sixteen stations will have routers to feed the wireless information to each other and back to Omnitrans. Each automated machine has the capability to record information such as purchased tickets, time of purchase, and the amount of revenue collected. After the information is collected, the data can be fed back to Omnitrans' via the network. Additionally, at the twenty three stations, there are NexTrip digitalized information boards, having the capability to electronically relay information from Omnitrans' headquarters onto the individual boards to keep bus riders aware of bus schedules, delays and updates.

To fully integrate the automated machine and the NexTrip digitalized information board from the stations to Omnitrans, and from Omnitrans to each station, a router is required to be placed at each station with internet and networking capability. This capability includes internet protocol (IP) based voice, data and video services, broadband fixed wireless access services, fiber optic

services, and other wireless and landline telecommunication services. The information relayed from station to station and the management of information is known as managed router solutions.

The current agreement with Griffith/Comet Joint Venture specifies the purchase of equipment, including the routers for each station location. The installation will be provided by Verizon Business Solutions. These routers, connectors and transceivers are compatible for networking services with various telecommunications and networking companies for the Managed Router Solutions and LAN services. The agreement specifications specified that the routers and communications systems would run on fiber optic cable.

For the services required, Omnitrans would benefit from services that are maintained on a 24-hour basis, with no service level interruptions and the ability to service the equipment quickly. At this time, Verizon Network Business Solutions is the most advantageous Company able to provide network for the Managed Router Solutions to the Agency under a Sole Source Agreement. Verizon Network Business Solutions maintains all their systems on a 24 hour basis. In addition, if there are any service interruptions, a wireless backup line is available to deter any interruptions to the system, technicians are available on a 24 hour support system, their system and headquarter proximity to the project itself is within the Corridor Project limits allowing them to be at the project site within minutes of any concerns.

A Service Agreement between Omnitrans and Verizon Business Services is for a 60-month period with a monthly re-occurring charge of \$19,570.71, an annual Cisco Maintenance cost for parts in the amount of \$33,924.12, and a one-time set-up fee of \$25,545.00 for installation. Total cost for services on an annual (12 month period) basis amounts to \$268,772.64, not including the set-up fee. Including set-up fees, a sixty month term, surcharges, taxes and contingencies, and cost allocation plan, the overall cost amounts to \$1,549,017.95.

For Fiscal Year 2013/2014 the set-up fee including contingency and CAP amounts to \$29,018.35, these costs would be absorbed through the Capital Funding of the sbX project. The set-up fee is a one-time charge and not applicable to future years.

Operational cost for FY 2013/2014 monthly services amounts to \$229,631.22, charges would commence September 2013, for an overall 10 month billing period. Thereafter, costs amount to \$268,772.64 yearly to capture the 12 months and the Cisco Maintenance. The yearly and maintenance operational costs will be funded through the Information Technology Service Department on a fiscal year basis. Below is a breakdown of the cost:

DESCRIPTION	MONTHLY COSTS	ANNUAL COSTS	MAINT. COSTS	INSTALL. COSTS
Router Management Services	\$ 2,304.00	\$ 27,648.00	annual	one-time cost
4G Line	\$ 640.00	\$ 7,680.00		
Phone Line (Local Exchange Services)	\$ 1,964.35	\$ 23,572.20		
PIP HQ (Port/Access)	\$ 549.00	\$ 6,588.00		
Fiber Services (Access Line EVPL)	\$14,113.36	\$169,360.32		
Cisco Router/Parts			\$33,924.12	
Install Parts at Stations				\$25,545.00
Totals	\$19,570.71	\$234,848.52	\$33,924.12	*\$25,545.00
15% surcharges and taxes		\$ 35,227.28		
10% installation contingency				*\$2,554.50
3.27 Cost Allocation Plan				*918.85

*sbX absorbed costs

Annual and maintenance costs are strictly operational costs.

FUNDING SOURCE

The annual operating costs are funded through:

Department 1320 Information Technology
Expenditure Code - 505040

Funding for the Capital Expenses of this procurement is as follows:

FUNDING	GRANT #	FISCAL YEAR	PROJECT NAME	AMOUNT
FTA	CA-90-Y333	2005	sbX-H0500001F	\$23,215
STA	12-11-OMN-B	2012	SbX-H0500001S	\$ 5,804

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

This procurement meets the requirements of Omnitrans' current Procurement Policy and Procedures Manuals.

CONCLUSION

Approval to authorize the CEO/General Manager to award contract IPMO13-145 will enable Omnitrans to continue to provide necessary services to ensure high quality construction within the scope, budget and schedule approved by the FTA under the PCGA.

MV:JS

Attachment

ITEM # D6

DATE: May 15, 2013

TO: Committee Chair Alan Wapner and
Members of the Administrative & Finance Committee

THROUGH: Milo Victoria, CEO/General Manager

FROM: Donald Walker, Director of Finance

**SUBJECT: AUTHORIZE PURCHASE OF FOURTEEN (14) PARATRANSIT
VEHICLES FROM NORTH COUNTY TRANSIT DISTRICT (NCTD)**

FORM MOTION

Recommendation to the Board of Directors to authorize the CEO/General Manager to accept the transfer of the Federal Transit Administration (FTA) interest in fourteen (14) FTA funded 2009 Ford E450 paratransit vehicles from North County Transit District in an amount not-to-exceed \$38,253.

BACKGROUND

North County Transit District awarded a contract to American Logistics Corporation (ALC) to provide American with Disabilities Act (ADA) paratransit service after their contract with First Transit expired on June 30, 2011. ALC service delivery model utilizes several contractors to provide the vehicles on an as-needed basis. As a result of this change in service delivery model, 34 NCTD cut-away and sedan vehicles were no longer needed to provide paratransit service and became idle assets.

After the transition, NCTD had 22 federally funded cut-away vehicles that had not reached their full service life. Eight (8) of the cut-away vehicles were recently leased to ALC, and the 14 remaining vehicles are still idle. NCTD no longer requires the remaining 14 vehicles and received approval from its Board of Directors to transfer this rolling stock to Omnitrans (Minute Action, Vehicle Details and Photos are attached).

Once these vehicles are transferred to Omnitrans, it is estimated that an additional cost of \$74,200 (\$5,300 x 14 vehicles) will be required to ready these vehicles for operational service. These additional costs include destination signs, painting, and radio installation. Maintenance staff will work with Procurement staff to procure these items in accordance with established Procurement Policies and Procedures and will return to the Board to seek this additional spend authority should each individual item exceed the CEO/General Manager's authority limit of

\$25,000. The total cost of purchasing and preparing the vehicles for operational service is estimated at \$112,453.

FUNDING SOURCE

The funding source for this purchase is as follows:

FUND	YEAR	GRANT NUMBER	DESCRIPTION	PROJ #	DOLLAR AMOUNT
Capital/Fuel Tax Credit	2013	N/A	Paratransit Vehicles Replacement	N/A	\$ 38,253
				TOTAL	\$ 38,253

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

CONCLUSION

Approval of this recommendation supports Omnitrans' goal of achieving a fleet of paratransit vehicles that are in a state of "good repair" as recommended by the FTA that can provide comfortable, safe, and reliable transportation service to our customers with disabilities.

MV:dw

Attachments



SPECIAL MEETING/CLOSED SESSION AGENDA

- **CALL TO ORDER**
- **ROLL CALL OF BOARD MEMBERS**

A. CLOSED SESSION (30 minutes)

The Board meeting will convene at 2:00.

Closed Session will reconvene at the end of the meeting if needed.

- i. Closed Session Pursuant to Government Code Section 54956.9 (d)(4) – Conference with Legal Counsel – Initiation of Litigation – 2 Potential Cases
 - ii. Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation, Title: Executive Director
- **CLOSED SESSION REPORT**

B. WORKSHOP (60 minutes)

- W1. SPRINTER Update (S) *(Deborah Castillo, Manager of Marketing and Communications and Tom Tulley, Chief of Safety)*
- W2. NCTD Capital Improvement Program and Accounting Practices (S)
(Ryan Bailey, Chief Financial Officer)
- W3. Update on Organizational Transformation (S) *(Matthew O. Tucker, Executive Director)*
- W4. NCTD Contracts Administration – Compliance Review (S)
(Robert Threatt, Compliance Officer)

REGULAR MEETING BEGINNING AT 3:30 PM

- **CALL TO ORDER**
- **ROLL CALL OF BOARD MEMBERS**
- **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- **CHANGES TO THE AGENDA**
- **PUBLIC COMMUNICATIONS**

There is a time limit of 15 minutes for this section of Public Communications and each speaker is limited to three minutes for their presentation.

All persons wishing to address the Board during the meeting must complete a "Request to Speak" form. These forms are provided in a box at the table in the hallway, and must be completed and given to the Clerk of the Board before that agenda item is called.

**RECOMMENDED
ACTION**

C. MINUTES FOR REGULAR MEETING FOR APRIL 4, 2013
(Pages 8 – 11)

Approve

All matters listed under CONSENT are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on the motion, unless members of the Board, the Executive Director, or the public, request specific items to be discussed and/or removed from the Consent Calendar for separate action. A request from the public to discuss an item must be filed with the Clerk of the Board on the "Request to Speak" form before that agenda item is called.

ITEMS PULLED FROM CONSENT WILL BE MOVED TO THE END OF THE AGENDA

**RECOMMENDED
ACTION**

D. CONSENT ITEMS (Tabs 1 – 5) (Estimated Duration: 2 minutes)

Items reviewed and recommended for approval by the Executive Committee (Exec), Marketing, Service Planning and Business Development Committee (MSPBD), Performance, Administration and Finance Committee (A&F), Staff (S), Board (B) or Board Workshop (W)

- | | |
|---|---------|
| 1. Ratification of Supplemental Agreement 8 to Contract 9068-OS with First Transit (S) (<i>David Murphy, Chief Operations Officer</i>) | Approve |
| 2. Ratification of Purchase Order 13057 for SPRINTER Vehicle Friction Rings (Rotors) (S) (<i>David Murphy, Chief Operations Officer</i>) | Approve |
| 3. Adopt Resolution for Transfer of Rolling Stock from NCTD to Omnitrans (S) (Attachments 3A and 3B) (<i>Ryan Bailey, Chief Financial Officer</i>) | Approve |
| 4. Funding Contribution to Prosperity on Purpose (S) (<i>Bridget Hennessey, Chief of Staff/Intergovernmental Affairs Officer</i>) | Approve |
| 5. Monthly Reports: 5A-Security (Attachment 5Ai); 5B-Safety (Attachment 5Bi); 5C-Operating Performance (Attachment 5Ci); 5D-Intergovernmental Affairs Reports; and 5E-Ridership and Performance Update (Attachment 5Ei) (S) (<i>Ryan Bailey, Chief Financial Officer</i>) | Receive |

North County Transit District
ADA Paratransit/LIFT Vehicles
Price of Vehicles Transferred on June 1, 2013

06/01/13

ITEM	ID NUMBER /TYPE	QTY	MODEL	ESTIMATED AGE	DESCRIPTION / SERIAL # / VIN	CONDITION	ESTIMATED VALUE
1	241	1	Ford E450	3.7	1FDFE45S09DA41050		\$15,000
2	242	1	Ford E450	3.7	1FDFE45S29DA41051		\$15,000
3	243	1	Ford E450	3.6	1FDFE45S49DA41052		\$15,000
4	244	1	Ford E450	3.6	1FDFE45S69DA41053		\$15,000
5	245	1	Ford E450	3.6	1FDFE45S89DA41054		\$15,000
6	246	1	Ford E450	3.6	1FDFE45S9DA41055		\$15,000
7	247	1	Ford E450	3.6	1FDFE45S19DA41056		\$15,000
8	248	1	Ford E450	3.6	1FDFE45S39DA41057		\$15,000
9	249	1	Ford E450	3.6	1FDFE45S59DA41058		\$15,000
10	250	1	Ford E450	3.6	1FDFE45S79DA41059		\$15,000
11	251	1	Ford E450	3.6	1FDFE45S69DA92309		\$15,000
12	252	1	Ford E450	3.6	1FDFE45S29DA92310		\$15,000
13	253	1	Ford E450	3.5	1FDFE45S49DA92311		\$15,000
14	254	1	Ford E450	3.6	1FDFE45S69DA92312		\$15,000
Estimated value							\$210,000

7

ACQ. DATE	ORIG. COST	NBV	FUNDING	FTA	STATE	LOCAL	PURCHASE PRICE
10/01/09	\$ 67,970	\$ 32,349	5311/STAF/ TDA 4.5/CA-90-Y705	\$ 60,111	\$ 7,667	\$ 192	\$ 91
10/01/09	\$ 67,970	\$ 32,349	5311/STAF/ TDA 4.5/CA-90-Y705	\$ 60,111	\$ 7,667	\$ 192	\$ 91
10/14/09	\$ 68,258	\$ 32,833	5311/STAF/ TDA 4.5/CA-90-Y705/CA-90-0175	\$ 60,570	\$ 7,667	\$ 22	\$ 10
10/14/09	\$ 68,295	\$ 32,851	5311/STAF/ TDA 4.5/CA-90-0175	\$ 60,628	\$ 7,667	\$ -	\$ -
11/11/09	\$ 68,295	\$ 33,599	5311/STAF/ TDA 4.5/CA-90-0175	\$ 60,628	\$ 7,667	\$ -	\$ -
11/01/09	\$ 68,295	\$ 33,332	5311/STAF/ TDA 4.5/CA-90-0175	\$ 60,628	\$ 7,667	\$ -	\$ -
11/01/09	\$ 68,295	\$ 33,332	5311/STAF/ TDA 4.5/CA-90-0175	\$ 60,628	\$ 7,667	\$ -	\$ -
11/03/09	\$ 68,181	\$ 33,330	5311/STAF/ TDA 4.5/CA-90-0175/CA-90-0913	\$ 60,453	\$ 7,728	\$ -	\$ -
11/03/09	\$ 67,901	\$ 33,193	5311/STAF/ TDA 4.5/CA-90-0913	\$ 60,022	\$ 7,879	\$ -	\$ -
11/01/09	\$ 67,901	\$ 33,140	5311/STAF/ TDA 4.5/CA-90-0913	\$ 60,022	\$ 7,879	\$ -	\$ -
11/03/09	\$ 67,901	\$ 33,193	5311/STAF/ TDA 4.5/CA-90-0913	\$ 60,022	\$ 7,879	\$ -	\$ -
11/12/09	\$ 67,901	\$ 33,432	5311/STAF/ TDA 4.5/CA-90-0913	\$ 38,357	\$ 5,072	\$ 24,472	\$ 12,049
11/20/09	\$ 67,901	\$ 33,645	5311/STAF/ TDA 4.5/CA-90-Y487/CA-90-0913	\$ 40,150	\$ 212	\$ 27,539	\$ 13,645
11/11/09	\$ 67,901	\$ 33,406	5311/STAF/ TDA 4.5/CA-90-Y487/CA-90-0913	\$ 42,438	\$ 328	\$ 25,135	\$ 12,366
TOTALS				\$784,770.03	\$ 90,641.91	\$ 77,551.04	\$38,253.48





ITEM # D7

DATE: May 15, 2013

TO: Committee Chair Alan Wapner and
Members of the Administrative and Finance Committee

THROUGH: Milo Victoria, CEO/General Manager

FROM: Maurice Mansion, Treasury Manager

SUBJECT: **AMEND FISCAL YEAR 2014 BUDGET AND FISCAL YEAR 2008 –
2014 SHORT RANGE TRANSIT PLAN TO INCLUDE \$7,000,000 OF
LOCAL TRANSPORTATION FUNDS (LTF) FOR THE sbX E STREET
CORRIDOR BRT PROJECT**

FORM MOTION

Recommend to Board of Directors, to authorize CEO/General Manager to amend Fiscal Year 2014 Budget and 2008-2014 Short Range Transit Plan to include \$7,000,000 of LTF to be used for the sbX E Street Corridor BRT Project.

BACKGROUND

In Fiscal Year 2010, Omnitrans returned \$16,000,000 of LTF to SANBAG with the understanding that \$7,000,000 would be held in reserve for the sbX E Street Corridor Project in the event Omnitrans needed to draw on the funds.

Omnitrans originally budgeted \$191.7 million for the sbX project. Included in this budget, was the use of \$14,336,700 of Public Transportation Modernization Improvement Service Enhancement program funds (Prop 1B). Omnitrans has received \$7,424,514 of Prop 1B funds to date. The current financial situation in the State of California has delayed the issuance of bonds and the availability of Prop 1B funds and Omnitrans does not anticipate any of the additional funding being available in time to complete the sbX project; therefore need to utilize the LTF funding held in reserve by SANBAG. The \$7,000,000 originally was set aside for any cost increase and not cash flow purposes. At this time, staff does not anticipate the project to exceed its budget and can utilize the Prop 1B funds for cash flow purposes. Thus, Omnitrans is asking to utilize the \$7,000,000 in LTF funds to replace the Prop 1B funds. Staff has notified SANBAG of this request and is working with SANBAG to provide these to Omnitrans.

CONCLUSION

Allowing Omnitrans to utilize LTF funding allows Omnitrans to continue with the sbX E Street Corridor Project without any delay.

MV:MM

ITEM # D8

DATE: May 15, 2013

TO: Committee Chair Alan Wapner and
Members of the Administrative and Finance Committee

THROUGH: Milo Victoria, CEO/General Manager

FROM: Maurice Mansion, Treasury Manager

**SUBJECT: PENDING GRANT ISSUES THAT MAY REQUIRE ADVANCE OF
FISCAL YEAR 2014 LOCAL TRANSPORTATION FUNDS FROM THE
SAN BERNARDINO ASSOCIATED GOVERNMENTS(SANBAG)
AND/OR SERVICE ADJUSTMENTS**

FORM MOTION

Recommend to Board of Directors, to authorize the CEO/General Manager to notify San Bernardino Associated Governments (SANBAG) of pending grant issues that may require an advance of Local Transportation Funds (LTF) approved in the FY2014 Transportation Development Act claim to be submitted to SANBAG to cover the balance of Fiscal Year 2013 costs

BACKGROUND

On April 16, 2013, Omnitrans received notification from the United States Department of Labor that the Amalgamated Transit Union (ATU) Local 1704 had objected to the referral of Federal Transportation Grant CA-90-Z009. Grant CA-90-Z009 is the federal funding that Omnitrans uses to fund Fiscal Year 2013 Operating and Capital items.

The objection placed by Amalgamated Transit Union Local 1704 is part of a wider objection that the ATU has with the newly enacted Public Employees' Pension Reform Act of 2013, AB 340 (Furutani), Stats, 2012, Chapter 296 ("PEPRA"). Their objection is that the reform is a negotiated item and transit should be exempted from the reform under the protection of the 13c agreement. A short definition of 13c is: the fundamental purpose and scope to establish fair and equitable employee protective arrangements on a national and uniform basis for application throughout the mass transportation industry to those employees and employees represented by the labor organization who have been designated to receive federal operating assistance. All rights, privileges, and benefits (including pension rights and benefits) of employees are covered by this 13c agreement. The Union objects to the reform applying to them as it is a violation of their 13c protection and it was not negotiated. They will not sign off on the application and have requested a hold be put on our federal applications and cash flow. This action is not only affecting Omnitrans, but other transit agencies within California that have ATU representation.

Omnitrans is currently unclear as to the length of this action and when it will be able to proceed with the filing of this grant.

The second objection placed by the Amalgamated Transit Union Local 1704 alleges that Omnitrans has not calculated the reportable compensation for hours worked by Amalgamated Transit Union (ATU) bus drivers, in accordance with the California Public Employees' Retirement Law and the Fair Labor Standards Act. Specifically, the letter references premium pay required to be paid to members and reported to CalPERS pursuant to the Fair Labor Standards Act (FLSA) for "normal" work hours beyond the threshold established by FLSA regulations. We have requested legal counsel to review the allegation against the FLSA Government Codes and the California Public Employees' Retirement Law (PERL). Omnitrans, Riverside Transit Agency and Central Contra Costa were served with the same allegations.

While the grant is in this status, Omnitrans is unable to drawdown or receive any federal funds identified in Grant #CA-90-Z009 that are needed for operations in the current fiscal year. Omnitrans has incurred and will continue to incur expenditures identified in this grant.

The action taken by the ATU has impacted the following grants:

CA-90-Z009 – Capital Assistance – FY 2013	\$ 15,255,726
CA-04-0229 – San Bernardino Transit Center	\$ 8,300,000
CA-95-X229 – Purchase of 40 Foot CNG Coaches	\$ 5,098,500

Omnitrans has had discussions with the FTA and other transit agencies and is unsure at this time when this issue will be resolved. In the meantime, Omnitrans is reviewing actions that may need to be taken to ensure that we are able to continue to operate. The options currently being reviewed are an advance of LTF funding from SANBAG that allows Omnitrans to continue to operate, along with potential service adjustments and the impacts thereof in case this issue is not resolved in a timely manner. Staff will bring forward a recommendation once we have more information as to the total impact of this on our operations.

Omnitrans Fiscal Year 2014 has \$36,349,721 in Local Transportation Funding. SANBAG traditionally advances Omnitrans the first quarter in advance and monthly thereafter. Based on extraordinary circumstances, Omnitrans may seek to have some of these funds advanced ahead of the normal draw down schedule. If this action is necessary, Omnitrans will work with SANBAG on the details of this transaction.

CONCLUSION

Authorizing the CEO/General Manager to notify SANBAG that Omnitrans may need an advance on the LTF claim for Fiscal Year 2014 allows Omnitrans to meet its cash flow and funding obligations in case the grant issue is not resolved.

MV:MM