



BOARD OF DIRECTORS MEETING
WEDNESDAY, OCTOBER 4, 2017 – 8:00 A.M.
OMNITRANS METRO FACILITY
1700 WEST 5TH STREET
SAN BERNARDINO, CA 92411

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

A. CALL TO ORDER

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

B. ANNOUNCEMENTS/PRESENTATIONS

1. Next Board Meeting: Wednesday, November 1, 2017 – 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.

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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 #E10, Action on Consent Calendar.

1. Approve Board Minutes – September 6, 2017
2. Receive and File Executive Committee Minutes – July 7, 2017
3. Authorize Release – Invitation for Bids – IFB-MNT18-16, Bus Seat Inserts – *Eugenia Pinheiro*
4. Authorize Release – Invitation for Bids – IFB-MNT18-47, Passenger Vehicles - *Eugenia Pinheiro*
5. Authorize Release – Invitation for Bids – IFB-MNT18-34, Vehicle Tires (Non-Revenue) and Related Services - *Eugenia Pinheiro*

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E. CONSENT CALENDAR CONTINUED

- | | |
|--|----|
| 6. Authorize Release – Invitation for Bids – IFB-MKP18-33, Bus Stop Trash Receptacles -
<i>Eugenia Pinheiro</i> | 21 |
| 7. Authorize Award – Contract FIN18-01, Banking Services – <i>Eugenia Pinheiro</i> | 23 |
| 8. Authorize Award – Contract MKP18-37, Shelter Advertising Panel Glass – <i>Eugenia Pinheiro</i> | 25 |
| 9. Approve Second Amendment to Agreement/Escrow Instruction – <i>Don Walker</i> | 27 |
| 10. 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.

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|--|----|
| 1. CEO/General Manager’s Report – <i>P. Scott Graham</i> | 32 |
| 2. Authorize Sole Source Amendment 1 - Contract ITS17-80, Genfare Support Services Agreement - <i>Eugenia Pinheiro</i> | 33 |
| 3. Authorize Award – Contract MNT18-07, Replacement Bus Windows – <i>Eugenia Pinheiro</i> | 36 |

G. PUBLIC HEARING

There is no Public Hearing Scheduled

H. BOARD BUSINESS

Closed Session

There is no Closed Session Scheduled

I. REMARKS AND ANNOUNCEMENTS

J. ADJOURNMENT

ITEM # D1
DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

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

Staff hereby provides a listing of principals and subcontractors associated with action items on the agenda for the Board of Director's Meeting scheduled October 4, 2017.

Item	Contract	Principals & Agents	Subcontractors
E7	Authorize Award – Contract FIN18-01, Banking Services	<i>MUFG Union Bank, N.A. Los Angeles, CA Eileen Perez Vice President & Relationship Manager</i>	N/A
E8	Authorize Award – Contract MKP18-37, Shelter Advertising Panel Glass	<i>Discount Glass & Mirror, Inc. San Diego, CA Anthony Bortz President</i>	N/A
F2	Authorize Sole Source Amendment 1 – Contract ITS17-80, Genfare Support Services Agreement	<i>Genfare, a division of SPX Corporation Elk Grove, IL Tara Farnsworth Director of Marketing & Customer Service</i>	N/A
F3	Authorize Award – Contract MNT18-07, Replacement Bus Windows	<i>The Aftermarket Parts Company, LLC Delaware, OH Kerri Moloney Director, Customer Service</i>	N/A

PSG:EF



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 SEPTEMBER 6, 2017**

A. CALL TO ORDER

Vice Chair Gilbreath called the regular meeting of the Omnitrans Board of Directors to order at 8:03 a.m., Wednesday, September 6, 2017, at the Omnitrans Facility located at 1700 West 5th Street, San Bernardino, California.

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

BOARD MEMBERS PRESENT

Council Member Ron Dailey, City of Loma Linda – Chairman
Council Member Pat Gilbreath, City of City of Redlands – Vice Chair
Council Member David Avila, City of Yucaipa
Council Member Art Bennett, City of Chino Hills
Mayor Carey Davis, City of San Bernardino
Mayor Richard DeLaRosa, City of Colton
Council Member John Dutrey, City of Montclair - Alternate
Mayor Penny Lilburn, City of Highland
Council Member John Roberts, City of Fontana
Supervisor James Ramos, County of San Bernardino
Mayor Deborah Robertson, City of Rialto
Council Member Sam Spagnolo, City of Rancho Cucamonga
Mayor Debbie Stone, City of Upland
Mayor Eunice Ulloa, City of Chino
Mayor Pro Tem Alan Wapner, City of Ontario

BOARD MEMBERS NOT PRESENT

Supervisor Josie Gonzales, County of San Bernardino
Supervisor Curt Hagman, County of San Bernardino
Council Member Sylvia Robles, City of Grand Terrace
Supervisor Janice Rutherford, County of San Bernardino

OMNITRANS' ADMINISTRATIVE STAFF PRESENT

P. Scott Graham, CEO/General Manager
Trischelle Baysden, Director of Rail
Marge Ewing, Director of Human Resources, Safety & Regulatory Compliance
Samuel Gibbs, Director of Internal Audit
Jacob Harms, Director of Information Technology
Eugenia Pinheiro, Interim Director of Procurement
Doug Stanley, Director of Special Transit Services
Don Walker, Director of Finance
Wendy Williams, Director of Marketing-Planning
Jeremiah Bryant, Service Planning Manager
Melissa Castillo, Customer Service Manager
Mark Crosby, Security & Emergency Preparedness Coordinator
Maurice Mansion, Treasury Manager
Ray Maldonado, Employee Relations Manager
Kathy McClure, Sr. Contract Administrator
John Steffon, Transportation Manager
Oscar Tostado, Maintenance Manager
Krystal Turner, 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, October 4, 2017, 8:00 a.m.
Omnitrans Metro Facility Board Room

Vice Chair Gilbreath and CEO/General Manager, P. Scott Graham, along with Doug Stanley, Director, Special Transit Services, presented the Employee of the Quarter Award to Elizabeth White, Travel Trainer, Special Transportation Services.

Chairman Dailey arrived at 8:08 a.m.

C. COMMUNICATIONS FROM THE PUBLIC

Patricia Sachs had a glass frame to present to Chairman Dailey; however the glass cracked so she will present it to him at a future meeting. She stated that she liked the new Bus Book specifically because the notes section is on the same page as the route information. She also encouraged the Members who have not downloaded the Mobile Fares Application, to do so.

Ms. Sachs commented that on September 16, 2017, a large marketing event will be held in New York City and suggested that Omnitrans staff attend and bring back ideas for San Bernardino County. She complimented a Coach Operator who handed out issues of the Connection Magazine to customers boarding the bus to ensure that they are well informed.

Lastly, Ms. Sachs encouraged OmniGo Service in Loma Linda where there are several large businesses and also suggested that Route #2 go to the Drayson Center.

Supervisor Ramos arrived at 8:15 a.m.

D. POSSIBLE CONFLICT OF INTEREST ISSUES

There were no Conflict of Interest Issues.

E. CONSENT CALENDAR

1. Approve Board Minutes – July 12, 2017
2. Receive and File Executive Committee Minutes – June 2, 2017
3. Receive and File Administrative & Finance Committee Minutes – May 11, 2017
4. Receive and File Agency Management Report – Fiscal Year 2017 Fourth Quarter
5. Receive and File Affirmative Action Status Report – As of August 16, 2017
6. Receive and File Key Performance Indicators – Fiscal Year 2017 Fourth Quarter Report
7. Receive and File Management Strategic Plan Initiatives – Fiscal Year 2017 Fourth Quarter
8. Receive and File Annual Internal Audit Workplan and Schedule FY2018
9. Authorize the CEO/General Manager to Request a Letter of No Prejudice from the Federal Transit Administration for the Redlands Passenger Rail Project
10. Adopt New Policy 1020, Electronic Communications
11. Adopt Resolution No. 302-17, Amending Omnitrans Conflict of Interest Code
12. Authorize Release – Request for Proposal – RFP-ST18-26, Purchased Transportation Services
13. Authorize Award – Purchase Order – ITS18-14, Desktop Computers
14. Authorize Rescind/Award – Contract MPK17-73, Bus Stop Signs
15. Authorize Rescind/Award – Invitation for Bids – IFB-MNT17-57, Uniform and Textile Services
16. Ratify Change Order 3 – IFB-IPMO16-98, sbX E Street Corridor Public Address (PA) System
17. Authorize the CEO/General Manager to Execute the Redlands Passenger Rail Project Sub-Recipient Funding Agreement between San Bernardino County Transportation Authority and Omnitrans
18. Authorize the CEO/General Manager to Execute Funding Agreement between Community Senior Services and Omnitrans
19. Authorize the CEO/General Manager to Execute Funding Agreement between OPARC and Omnitrans
20. Authorize the CEO/General Manager to Execute Funding Agreement between YMCA and Omnitrans

Chairman Dailey requested that Item #E10 be pulled for discussion.

M/S (Roberts/DeLaRosa) that approved Consent Calendar with the exception of Item #E10. Members Dutrey and Robertson abstained on Item #E1. Motion was approved by remaining Members present.

Legal Counsel, Haviva Shane provided a brief background on this item as detailed in the staff report.

M/S (DeLaRosa/Ramos) that adopted New Policy 1020, Electronic Communications Policy.

F. DISCUSSION ITEMS

1. CEO/General Manager's Report

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

- LNG/CNG Pipeline Gas Conversion Project,
- Mobile Ticketing,
- Upcoming visit from the Federal Transit Administration and;
- Omnitrans Bylaws

Regarding the Federal Transit Administration (FTA) visit, Mr. Graham stated that FTA staff members are planning to meet with Omnitrans and San Bernardino County Transportation Authority personnel on September 20th, to discuss Redlands Passenger Rail Project and participate in visual tour of the existing rail path, project orientation and a tour of the alignment. He stated that a physical tour of the rail line could also be organized for Board Members interested.

Chair Dailey and a few Members expressed interest in participating on a tour.

Mr. Graham introduced the Director of Rail, Trischelle Baysden, who comes to Omnitrans from MetroLink.

Chair Dailey referred to the Omnitrans Bylaws and stated that the Bylaws were discussed at length at the last Executive Committee Meeting held on September 1, 2017, and mentioned that the Bylaws will clearly define the roles and responsibilities of the Members and will also provide information on standing committees. Lastly, he mentioned the possible formation of a Rail Ad hoc Committee for the Redlands Passenger Rail Project (RPRP) implementation.

Supervisor Ramos expressed interest in participating as a member should an Ad hoc Committee be formed for the RPRP.

2. Authorize Award – Sole Source Contract ITS18-39, Ticket Vending Machines Upgrade

M/S (Robertson/Gilbreath) that authorized the CEO/General Manager to award a sole source Contract to Genfare, a division of SPX Corporation, of Elk Grove Village, IL for the provision of Ticket Vending Machines (TVMs) Upgrade in the amount of \$254,668.44, plus a ten percent contingency of \$25,466.84, and a Cost Allocation Plan (CAP) of \$7,527.72, for a total not-to-exceed amount of \$287,663. Motion was unanimous by Members present.

3. Authorize Award – Purchase Order ITS18-09, Microsoft Software Assurance

M/S (Gilbreath/Avila) that authorized the CEO/General Manager to award Purchase Order ITS18-09 to CDW Government, LLC of Vernon Hills, IL, for the provision of Microsoft Software Assurance for three (3) years beginning October 1, 2017 and ending no later than September 30, 2020, in the amount of \$220,136.97, plus a ten percent contingency of \$22,013.70, for a total not-to-exceed amount of \$242,150.67. Motion was unanimous by Members present.

4. Authorize Award – Contract MNT18-13, Electronic Control Modules

M/S (Roberts/Avila) that authorized the CEO/General Manager to award Contract MNT18-13 to Cummins Pacific, LLC of Irvine, CA for the provision of Electronic Control Modules (ECM) for a three (3) year base period beginning July 2017 and ending July 2020, and the authority to exercise two (2) single option years tied to the Consumer Price Index (CPI) extending the contracts to no later than July 2022, in an amount not to exceed \$512,000, plus a ten percent contingency of \$51,200, for a total not-to-exceed amount of \$563,200, should all options be exercised. Motion was unanimous by Members present.

5. Authorize Award – Contract MNT18-17 (A-B), Spark Plug Kits

M/S (Robertson/Dutrey) that authorized the CEO/General Manager to award Contract MNT18-17A to Cummins Pacific, LLC of Irvine, CA and Contract MNT18-17B to B&C Truck Electric of Temecula, CA for the provision of Spark Plug Kits for a three (3) year base period beginning September 2017, and the authority to exercise two (2) single option years tied to the Consumer Price Index (CPI) extending the contracts to no later than September 2022, in the amount of \$262,692, plus a ten percent contingency of \$26,269, for a total aggregate amount not-to-exceed \$288,691, should all option years be exercised. Motion was unanimous by Members present.

6. Approve Assignment and Authorize Award – Contract MNT17-67, Sixty-Foot Compressed Natural Gas (CNG) Low Floor Articulated Bus

M/S (Gilbreath/Ramos) that approved assignment from San Diego Metropolitan Transit System (SDMTS) and authorize the CEO/General Manager to award Contract MNT17-67 to New Flyer of America, Inc. of Winnipeg, Manitoba, Canada, for one (1) sixty-foot CNG low floor articulated (artic) bus in the amount of \$1,012,412.36, plus a ten percent contingency of \$101,241.24, and a 3.27% Cost Allocation Plan (CAP) of \$36,416.47, for a total amount not to exceed \$1,150,070.07. Motion was unanimous by Members present.

G. PUBLIC HEARING

There was no Public Hearing scheduled.

H. BOARD BUSINESS

There was no Closed Session scheduled.

I. REMARKS AND ANNOUNCEMENTS

Vice Chair Gilbreath announced that she will not be attending the next Board Meeting due to upcoming surgery she has scheduled for September 19, 2017.

Member Davis announced that this morning at 7:00 a.m., the City of San Bernardino had a Grand Opening of a Rio Market, which is their second store in the City of San Bernardino.

J. ADJOURNMENT

The Board adjourned at 8:51 a.m. The next regular meeting is scheduled Wednesday, October 4, 2017, at 8:00 a.m., with location posted on the Omnitrans website and at Omnitrans' San Bernardino Metro Facility.

Prepared by:

Araceli Barajas, Executive Staff Assistant

ITEM # _____ E2

**EXECUTIVE COMMITTEE MEETING
MINUTES
JULY 7, 2017**

A. CALL TO ORDER

The Executive Committee Meeting was called to order by Vice-Chair Pat Gilbreath at 9:06 a.m., Friday, July 7, 2017 at the Omnitrans Administrative Offices.

COMMITTEE MEMBERS ATTENDING

Council Member Pat Gilbreath, City of Redlands – Board Vice-Chair
Council Member Ed Graham, City of Chino Hills – via Teleconference
Mayor Penny Lilburn, City of Highland
Council Member Sam Spagnolo, City of Rancho Cucamonga

COMMITTEE MEMBERS NOT PRESENT

Council Member Ron Dailey, City of Loma Linda – Board Chair
Council Member John Roberts, City of Fontana

OTHERS ATTENDING

Council Member Alan Wapner, City of Ontario – via Teleconference
Haviva Shane, General Counsel

OMNITRANS STAFF ATTENDING

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

B. ANNOUNCEMENTS/PRESENTATIONS

Next Committee Meeting: Friday, August 4, 2017, 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 – June 2, 2017

M/S (Spagnolo/Lilburn) that approved the Executive Committee Minutes of June 2, 2017. Vice-Chair Gilbreath abstained. Roll call vote was taken and the motion was approved by remaining Members present.

2. Review and Recommend to the Administrative & Finance Committee, Electronic Communications Policy

General Counsel Haviva Shane presented this item. She provided some background by stating that at the last Executive Committee Meeting held on June 2, 2017, the Committee reviewed the draft Electronic Communications Policy, which was developed as a result of the *California Supreme Court vs. City of San Jose* case. The Committee directed Ms. Shane to revise the language specifically regarding how the policy applies to public officials. Ms. Shane stated that the revisions were incorporated and included in today's agenda for the Committee's review.

Additionally, Ms. Shane explained that an Omnitrans email account was created for the Board Members to utilize where they could Carbon Copy (CC) any Omnitrans business related emails to this account, rather than store them on their personal devices. Ms. Shane explained that this would make the information readily available should there be a Public Records Request. This would also avoid their personal devices to be subject to disclosure under the California Public Records Act (CPRA).

There were some questions from the Committee regarding how the email would be used and Ms. Shane provided clarification.

The Committee engaged in a discussion regarding whether the policy should be adopted as a policy or a procedure.

Ms. Shane noted that the updated language in the policy includes some sections related to staff where it is mandatory for certain action to be taken; whereas the only mandatory provision applicable to public officials is if a CPRA request is received, the Board Member is required to search their records and sign a declaration stating that no records were found.

The Committee agreed that the policy be changed to a procedure and that it be presented by Ms. Shane at the next Board meeting as part of the CEO/General Manager's Report.

3. Omnitrans Internship Program

CEO/General Manager P. Scott Graham presented this item. He provided some background by stating that the Agency had a successful Internship Program last year which was paid for by federal grants. Mr. Graham stated that idea is to continue the

program, however, this internship would be offered to college students from the cities represented on the Board. The criteria for the position including education level, pay, timeframe, duties etc. will be provided by Omnitrans. The cities can then promote the position within their City network. Mr. Graham concluded by stating that this Program is a great opportunity to introduce Omnitrans to the community, while at the same time provide college students with real world work experience.

The Committee expressed their support for the Internship Program and recommended that this item be presented to the Administrative & Finance Committee.

4. Formation of a Rail Committee for Redlands Passenger Rail Project Implementation

CEO/General Manager P. Scott Graham provided some background by stating that this item was requested by Member Wapner at a previous Executive Committee Meeting, and is being presented today to determine the need or interest in forming a Rail Committee. Mr. Graham expressed some concern regarding the Committee potentially interfering with the progression of the rail project. He noted that several committees are currently in place that can address rail safety and policy issues as well.

Member Wapner explained that the intent is to provide more specific direction related to rail policies rather than interfere with the operations.

The Committee engaged in a discussion and agreed that the Rail Committee, if formed, should be the same as any other Omnitrans Committee.

M/S (Spagnolo/Gilbreath) that the Executive Committee support the formation of a Rail Committee and the recommendation be forwarded to the Board Chair to establish the Committee and appoint the Members.

Member Graham raised the question of a potential Conflict of Interest for Members serving on more than one rail board. The Committee did not see a conflict.

The motion was approved by Members present.

F. BOARD BUSINESS

There was no Closed Session.

G. REMARKS AND ANNOUNCEMENTS

General Counsel Haviva Shane reiterated her concern regarding the Electronic Communications Policy being changed to a procedure, specifically as it relates to staff. She stated that she would consult with the employment attorney at her firm and would bring this item back for further discussion to the Board if needed. She stated that perhaps the Policy could be a policy for staff and a procedure for the Board.

Following the Executive Committee Meeting, the Employment Attorney advised Ms. Shane that since the provisions related to staff are mandatory, and include penalties for non-compliance, this policy & procedure should be adopted by the Board.

H. ADJOURNMENT

The Committee adjourned at 9:43 a.m. The next Executive Committee Meeting is scheduled Friday, August 4, 2017, at 9:00 a.m., with location posted on the Omnitrans website and at the Omnitrans San Bernardino Metro Facility.

Prepared by:

Araceli Barajas, Executive Staff Assistant

ITEM # E3

DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

**SUBJECT: AUTHORIZE RELEASE - IFB-MNT18-16
BUS SEAT INSERTS**

FORM MOTION

Authorize the CEO/General Manager to release Invitation for Bids IFB-MNT18-16 for the provision of Bus Seat Inserts.

BACKGROUND

Omnitrans owns, operates, and maintains 188 New Flyer buses as part of its revenue fleet. Bus seat insert replacement is necessary to replace damaged seat inserts due to extreme wear and tear.

In accordance with the Procurement Policy 2000, Section 2.3.5.1.3 and FTA Circular 4220.1F, Board authorization and use of a formal procurement procedure is required to release Invitation for Bids for procurements exceeding \$150,000. The Independent Cost Estimate for this project is \$400,000.

FUNDING SOURCES

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

FUNDING	GRANT	YEAR	PROJECT NAME	INTERNAL ORDER	AMOUNT
Prop 1B	Prop 1B	2014	Bus Seat Inserts	A1420405B	\$400,000.00

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

Short Range Transit Plan/Strategic Initiative Supported – SRTP to deliver safe, reliable, clean, frequent, convenient, comfortable and equitable service.

CONCLUSION

By proceeding with this solicitation, Omnitrans will achieve cost savings and benefit from economies of scale.

PSG:EFP:CVM

ITEM # E4

DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

**SUBJECT: AUTHORIZE RELEASE – IFB-MNT18-47
PASSENGER VEHICLES**

FORM MOTION

Authorize the CEO/General Manager to release Invitation for Bids IFB-MNT18-47 for the provision of eighteen (18) passenger vehicles with the option for maintenance services.

BACKGROUND

This solicitation seeks bids for 14 crossover utility vehicles and four (4) all electric sedans.

Omnitrans currently maintains (15) supervisor vans at its East and West Valley locations in order to facilitate the efficient transport of Omnitrans' field supervisors. Omnitrans' fleet of supervisor vans are utilized to maintain time checks for bus routes, supervise coach operators throughout the bus system, respond to accidents and incidents and handle various safety-related issues. The existing supervisor vans have reached the end of their useful life and will be replaced with 14 crossover utility vehicles and one (1) all electric sedan.

The Special Transportation Services (STS) requires two (2) all electric sedans for use by Travel Trainers and other Department personnel for outreach and training efforts. One (1) electric sedan will replace a damaged non-revenue relief vehicle. The solicitation shall include the option to purchase a 100,000 mile per vehicle maintenance plan.

In accordance with the Procurement Policy 2000, Section 2.3.5.1.3 and FTA Circular 4220.1F, Board authorization and use of a formal procurement procedure is required to release Invitation for Bids for procurements for good/services exceeding \$150,000. The Independent Cost Estimate for this project is \$690,272.17, if the option for maintenance services is exercised.

FUNDING SOURCES

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

FUNDING	GRANT	YEAR	PROJECT NAME	INTERNAL ORDER	AMOUNT
FTA	CA-90-Z280-00	2015	Non-Revenue Vehicles	D1521111F	\$521.86
FTA	CA-2017-148-00	2016	Non-Revenue Vehicles	D1621111F	\$471,335.40
FTA	CA-2017-032-00	2017	Non-Revenue Vehicles	D1721111F	\$21,251.70
Prop 1B	Prop 1B	2016	Non-Revenue Vehicles	D1621111B	\$123,277
Measure I	CTSA Measure I	2017	Non-Revenue Vehicles	D1821111M	\$73,886.21
Total					\$690,272.17

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

CONCLUSION

By proceeding with this solicitation, Omnitrans will have the ability to replace its fleet of supervisor vans, add STS vehicles and replace a damaged electric vehicle.

PSG:EFP:KNT

ITEM # _____ E5

DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

**SUBJECT: AUTHORIZE RELEASE – IFB-MNT18-34
VEHICLE TIRES (NON-REVENUE) AND RELATED SERVICES**

FORM MOTION

Authorize the CEO/General Manager to release Invitation for Bids IFB-MNT18-34 for the provision of Vehicle Tires (Non-Revenue) and Related Services for a three (3) year base period and two (2) single year options.

BACKGROUND

Omnitrans has an ongoing requirement to purchase various types and sizes of tires, which are used on Omnitrans' fleet of non-revenue vehicles. Services such as dismounting, mounting, balancing, disposal and repairs are also required. Purchasing tires and related services under contract provides the Agency a cost savings through economies of scale and will reduce down time for vehicles.

In accordance with the Procurement Policy 2000, Section 2.3.5.1.3 and FTA Circular 4220.1F, Board authorization and use of a formal procurement procedure is required to release Invitation for Bids for procurements for good/services exceeding \$150,000. The Independent Cost Estimate for this project is \$252,664, if all options are exercised.

FUNDING SOURCES

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

Department Number	1200
Expenditure Code	504020

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

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

CONCLUSION

By proceeding with this solicitation, Omnitrans will ensure the uninterrupted supply of tires and related services for Omnitrans' non-revenue vehicles.

PSG:EFP:KNT

ITEM # E6

DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

**SUBJECT: AUTHORIZE RELEASE – IFB-MKP18-33
BUS STOP TRASH RECEPTACLES**

FORM MOTION

Authorize the CEO/General Manager to release Invitation for Bids IFB-MKP18-33 for the provision of Bus Stop Trash Receptacles for a two (2) year base period and two (2) single option years.

BACKGROUND

Omnitrans maintains approximately 366 bus shelters and 489 stand-alone bus benches throughout the service area. Many of the trash receptacles are over 16 years old and are in need of replacement due to vandalism, component failure and fading paint.

In accordance with the Procurement Policy 2000, Section 2.3.5.1.3 and FTA Circular 4220.1F, Board authorization and use of a formal procurement procedure is required to release Invitation for Bids for procurements exceeding \$150,000 The Independent Cost Estimate for this project is \$385,523.

FUNDING SOURCES

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

FUNDING	GRANT	YEAR	PROJECT NAME	INTERNAL ORDER	AMOUNT
FTA 5307	CA-90-6850	2011	Bus Stop Trash Receptacles	H1132001F	\$28,032.81
FTA 5307	CA-90-Z009-00	2013	Bus Stop Trash Receptacles	H1330903F	\$70,834.79
FTA 5307	CA-op-Z112-00	2014	Bus Stop Trash Receptacles	H1430903F	\$208,647.93
Prop 1B	Prop 1B	2013	Bus Stop Trash Receptacles	H1330923B	\$9,238.57
Prop 1B	Prop 1B	2013	Bus Stop Trash Receptacles	H1330924B	\$6,809.03
Prop 1B	Prop 1B	2014	Bus Stop Trash Receptacles	H1430400B	\$29,555.34

FUNDING	GRANT	YEAR	PROJECT NAME	INTERNAL ORDER	AMOUNT
STA	10-09-OMN-B	2010	Bus Stop Trash Receptacles	C101B001S	\$2,007.99
STA	11-03-OMN-B	2011	Bus Stop Trash Receptacles	H1132001S	\$10,559.33
STA	14-04-OMN-B	2014	Bus Stop Trash Receptacles	H1430903S	\$19,837.21
Total					\$385,523.00

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

Short Range Transit Plan/Strategic Initiative Supported – SRTP to deliver safe, reliable, clean, frequent, convenient, comfortable and equitable service.

CONCLUSION

By proceeding with this solicitation, Omnitrans will improve and maintain the appearance of the bus stops throughout the service area.

PSG:EFP:CVM

ITEM # E7

DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

**SUBJECT: AUTHORIZE AWARD - CONTRACT FIN18-01
BANKING SERVICES**

FORM MOTION

Authorize the CEO/General Manager to award Contract FIN18-01 to MUFG Union Bank, N.A. (Union Bank) of Los Angeles, CA, for the provision of Banking Services for a period of five (5) years beginning October 9, 2017 and ending no later than September 30, 2022, in an amount not to exceed \$88,500.

BACKGROUND

Omnitrans utilizes the services of qualified financial institutions to provide banking services including online services, lines of credit, tax deposit services, deposits, stop payments, debit and credit card processing, and other general banking services.

On April 5, 2017, Omnitrans' Board of Directors authorized the release of Request for Proposals RFP-FIN18-01 to provide banking services. Notices were published in two local newspapers of general circulation and the solicitation was posted on Omnitrans' online bidding system. Two proposals were received by the May 16, 2017 deadline and both were deemed responsive and responsible, and evaluated in accordance with the selection criteria included in the RFP.

The firms are ranked below from highest to lowest score:

Selection Criteria	Points Possible	Union Bank	Wells Fargo
Qualifications of Firm	35	32.67	33.83
Quality of Work Plan	25	22.29	20.63
Experience	20	18.67	17.67
Technical Total	80	73.63	72.13
Cost / Price	20	20.00	14.66
Grand Total	100	93.63	86.79

Union Bank, the incumbent for banking services, ranked highest technically and offered the lowest pricing. Both banks proposed rates based on Omnitrans' monthly average account balances. An analysis was conducted to identify and compare definable costs. Wells Fargo's charges are 32% higher than the fees charged by Union Bank. Also, Union Bank offered the best Earnings Credit Rate (ECR) of 0.45%, as compared the 0.1275% offered by Wells Fargo.

Staff entered into negotiations with Union Bank and they were invited to submit a Best and Final Offer (BAFO). The negotiations resulted in terms and conditions that are mutually beneficial to both parties. Union Bank offered a loyalty allowance of \$5,000 to offset fees charged for the first six months of the contract. Also, the ECR is a government managed rate which is reviewed quarterly and subject to change based on market conditions and can increase or decrease. Union Bank agrees to honor the flat floor rate of 0.45% on the contract and, if the ECR rate changes, Union Bank will only apply changes if there is an increase and will not decrease the ECR during the term of the contract.

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

FUNDING SOURCES

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

Departments	1800
Expenditure Codes	509250

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

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

CONCLUSION

By proceeding with this award, Omnitrans will continue to have banking services in place to support its banking requirements.

PSG:EFP:CVM

ITEM # _____ E8

DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

**SUBJECT: AUTHORIZE AWARD – CONTRACT MKP18-37
SHELTER ADVERTISING PANEL GLASS**

FORM MOTION

Authorize the CEO/General Manager to award Contract MNT18-37 to Discount Glass and Mirror, Inc. of San Diego, CA, for the provision of Shelter Advertising Panel Glass for a three (3) year base period beginning November 19, 2017, and the authority to exercise two (2) single option years tied to the Consumer Price Index (CPI) extending the contract to no later than November 18, 2022, in the amount of \$71,048, plus a ten percent contingency of \$7,105, for a total amount not-to-exceed \$78,153, should all option years be exercised.

BACKGROUND

Omnitrans maintains 366 bus shelters throughout the service area. Of those shelters, approximately 350 contain advertisement panels covered by a sheet of tempered glass. The advertisements generate revenue to offset the maintenance costs of the shelters, including the replacement of glass panels damaged by vandalism. On average, Omnitrans replaces 200 glass panels annually.

On August 17, 2017, Omnitrans' staff released Request for Quotes RFQ-MKP18-37, which was posted on Omnitrans' online bidding system. Three (3) bids were received by the September 14, 2017 deadline and all bids were found to be responsive.

Listed below are the bid prices:

COMPANY NAME	TOTAL BASE PERIOD AMOUNT*
Discount Glass & Mirror, Inc. of San Diego, CA	\$42,120
Laird Plastics, Inc. of Edison, NJ	\$60,478
San Bernardino Glass & Mirror Co., Inc.	\$94,602

*Sales tax and delivery included

Option year pricing will be adjusted up or down annually in accordance with the CPI. Award is recommended to the lowest, responsive and responsible bidder. Discount Glass & Mirror, Inc. is the incumbent and continues to offer pricing lower than market. Their performance on the current contract meets all requirements.

Price is deemed fair and reasonable based on competition.

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

FUNDING SOURCES

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

Department	1400
Expenditure Code	505230

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

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

CONCLUSION

By proceeding with this award, Omnitrans will be able to replace damaged glass panels, as needed.

PSG:EFP:KNT

ITEM # _____ E9

DATE: October 4, 2017

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: APPROVE SECOND AMENDMENT TO AGREEMENT/ESCROW INSTRUCTION

FORM MOTION

Approve the Second Amendment to the Agreement/Escrow Instructions for sale of the 28.73 acre property located in Rancho Cucamonga, California.

This item was reviewed and recommended by Omnitrans Legal Counsel.

BACKGROUND

On April 6, 2016 the Board of Directors approved the sale of the 28.73 acre property located at 12400 Arrow Route, Rancho Cucamonga, California, and authorized the Chief Executive Officer/General Manager to execute the Purchase and Sale Agreement and Escrow Instructions with Industrial Property Trust, the highest bidder.

The Purchase and Sale Agreement and Escrow Instructions contained language recommended by both Legal Counsel and San Bernardino Real Estate Services. The language included the following:

- 1) Deposit A: \$2,000,000 – becomes non-refundable after the expiration of the Entitlement Period (applicable to the purchase price).
- 2) Deposit B: \$250,100 – becomes non-refundable immediately upon acceptance of the bid (includes \$100 independent consideration).
- 3) 12 month Entitlement Period with an option to extend an addition 6 months upon payment of \$350,000 (non-refundable and applicable to the purchase price). This extension is subject to mutual agreement.

Industrial Property Trust has deposited \$2,600,100 into Escrow as required, but has requested an additional 30 days to the Entitlement Period. They are currently in plan check with the City of

Rancho Cucamonga to process their construction documents however there are concerns the processing time may take longer than anticipated.

The Second Amendment to Agreement/Escrow Instructions extends the Entitlement Period to November 6, 2017, and gives the CEO/GM the authority to extend the Close of Escrow for one (1) additional thirty (30) day period upon the request of the Buyer. The Close of Escrow is due for December 6, 2017, thirty (30) days after the end of the Entitlement Period. Should the Buyer request additional time, the Close of Escrow is due by January 6, 2018.

RECOMMENDATION

Recommend approval of the Second Amendment to Agreement/Escrow Instructions for sale of the 28.73 acre property located in Rancho Cucamonga, California to facilitate the sale, and allocate the proceeds to other approved capital projects.

PSG:DW



Fidelity National Title Company

3237 E Guasti Road, Suite 105, Ontario, CA 91761

Phone: (909) 569-0226 • Fax: (800) 507-0841

SECOND AMENDMENT TO AGREEMENT/ESCROW INSTRUCTION

To: Fidelity National Title Company
Date: September 18, 2017
Escrow No.: 23079590012JDL
Property Address: 12400 Arrow Route, 28.73 +/- Acres Vacant Land, Rancho Cucamonga, CA

The Purchase and Sale Agreement and Escrow Instructions for Auction Sales (as previously amended, the "Agreement") entered into as of April 6, 2016 by and between Omnitrans, a joint powers authority ("Omnitrans/Seller") and IPT Arrow Route DC LP, a Delaware limited partnership ("Buyer") is hereby amended as set forth below. Capitalized terms used in this Second Amendment and not otherwise defined herein shall have the meanings as set forth in the Agreement.

1. Entitlement Period Section 5(c): Buyer and Seller hereby agree that the "Entitlement Period" is hereby extended to expire on November 6, 2017, for all purposes of the Agreement. As consideration for such extension, Buyer shall pay Seller the sum of \$1.00 as "Additional Extension Consideration" outside of escrow.
2. Close of Escrow Section 6: Upon request of Buyer, the Omnitrans CEO shall have the authority, in his sole discretion, to extend the Close of Escrow for one (1) additional thirty (30) day period, subject to such additional consideration as determined adequate by the Omnitrans CEO in his sole discretion. Any such extension shall require an amendment to the Agreement, which the Omnitrans CEO shall have authority to execute without further action by the Board of Directors.
3. Counterparts. This Second Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which when taken together will constitute one and the same instrument. The signature page of any counterpart may be detached therefrom without impairing the legal effect of the signature(s) thereon provided such signature page is attached to any other counterpart identical thereto except having additional signature pages executed by other parties to this Second Amendment attached thereto. All parties signing this Second Amendment acknowledge receipt of a copy of same.
4. No Further Modification. Except as set forth in this Second Amendment, all of the terms and provisions of the Original Agreement shall remain unmodified and in full force and effect. In the event of conflict between the terms and conditions of the Original Agreement and the terms and conditions of this Second Amendment, the terms and conditions of this Second Amendment shall prevail and control.
5. Electronic Signatures. Buyer and Seller each (i) have agreed to permit the use of telecopy or other electronic signatures in order to expedite the execution of this Second Amendment, (ii) intends to be bound by its respective telecopy or other electronic signature, (iii) is aware that the other will rely on such telecopied or other electronically transmitted signature, and (iv) acknowledges such reliance and waives any defenses to the enforcement of this Second Amendment based on the fact that a signature was sent by telecopy or electronic transmission only.
6. Entire Agreement. The Original Agreement as modified by the Second Amendment embodies the entire understanding between Seller and Buyer with respect to its subject matter and can be changed only by an instrument in writing signed by Seller and Buyer. All capitalized terms not otherwise specifically defined in this Second Amendment shall have meanings ascribed to such terms in the Original Agreement.

All other terms and conditions remain the same.

**SIGNATURE PAGE TO SECOND AMENDMENT TO AGREEMENT/ESCROW
INSTRUCTION**

BUYER:

**IPT Arrow Route DC LP,
a Delaware Limited Partnership**

**By: IPT Arrow Route DC GP LLC,
a Delaware limited liability company
its general partner**

**By: BTC Holdco I LLC,
a Delaware limited liability company
its sole member**

**By: Build-to-Core Industrial Partnership I LP,
a Delaware limited partnership
its manager**

**By: IPT BTC I GP LLC,
a Delaware limited liability company
its general partner**

**By: IPT Real Estate Holdco LLC,
a Delaware limited liability company,
its sole member**

**By: Industrial Property Operating Partnership
LP, a Delaware limited partnership,
its sole member**

**By: Industrial Property Trust Inc.,
a Maryland corporation, its
general partner**

**By: _____
Name: _____
Its: _____**

**SIGNATURE PAGE TO SECOND AMENDMENT TO AGREEMENT/ESCROW
INSTRUCTION**

SELLER:

Omnitrans, a joint powers authority

By: _____

Name: _____

Its: _____

By: _____

Name: _____

Its: _____

ITEM # F1

DATE: October 4, 2017

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

Due to the announcement of the recent Hepatitis A outbreak in San Diego, Omnitrans has taken action and is now offering the Hepatitis A and Hepatitis B vaccines for high risk employees in areas of Operations, Maintenance and Stops & Stations. All Directors, Managers, Supervisors, and high risk employees are in the process of completing training. Posters, pamphlets and slides regarding Hepatitis A have been created and distributed for both divisions.

All three (3) CNG compressors have been commissioned and are up and running at the East Valley Facility. Compressor Maintenance Training will commence next week for designated Omnitrans personnel. The contractor (General Physics) will continue to conduct all major/warranty maintenance repairs. This project was completed on budget.

In September, Mobile Fare payment was used for over 25,000 passenger boardings; which is approximately 3% of total boardings. Sales and use continue to rise each week.

The October issue of Inland Empire Monthly Magazine named Omnitrans one of the top 100 public and private employers in the County. The selection was based on size but the article did mention the 72% satisfaction rate of our 680 employees.

Omnitrans recently received twenty-three (23) Type II CNG replacement vehicles for our Access Service. This brings the total to forty-nine (49) of the one hundred and six (106) vehicles that have been converted from unleaded fuel to CNG. The conversion effort was an initiative included in Strategic Initiative 1 (Improve Operational Efficiencies) of our Annual Management Plan in order to reduce carbon emissions and decrease fuel costs.

ITEM # _____ F2 _____

DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

**SUBJECT: AUTHORIZE SOLE SOURCE AMENDMENT 1 - CONTRACT ITS17-
GENFARE SUPPORT SERVICES AGREEMENT**

FORM MOTION

Authorize the CEO/General Manager to execute Amendment 1 to Contract ITS17-80 for Agreement for Genfare Support Services with Genfare, a division of SPX Corporation, of Elk Grove Village, IL, to increase the contract amount by \$626,870 for parts and repairs for a new not-to-exceed amount of \$806,978.

BACKGROUND

On May 3, 2017, Omnitrans' Board of Directors approved award of Contract ITS17-80 to Genfare, a division of SPX Corporation to provide support and maintenance of the Fare Collection System Software for one base year and two single option years for a total amount of \$180,108, plus a ten percent contingency of \$18,011, for a total not-to-exceed amount of \$198,119, should all options be exercised. This contract was awarded for the licensing and software support of the fareboxes and ticket vending machines (TVM).

Genfare notified Omnitrans that Contract ITS17-80 may be utilized for the purchase of spare parts and repairs for the fareboxes and TVMs at the current 5% discounted rate. Staff recommends allowing Omnitrans' current Contract MNT14-123, Genfare Equipment Parts and Repair, to expire and increase Contract ITS17-80 by \$626,870 to cover estimated costs for parts and repair through July 17, 2020.

In accordance with FTA Circular 4220.1F, Section VI-17, procurement by noncompetitive proposals may be used when the manufacturer is the sole provider of the items compatible with existing equipment/systems and when the equipment/systems are not interchangeable with similar parts and equipment from other manufacturers. Genfare is the Original Equipment Manufacturer (OEM) of the fareboxes and TVMs, the original developer of its' operating hardware and software, and the sole provider of the system parts and maintenance.

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

FUNDING SOURCE

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

Department	1200
Expenditure Code	504010

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

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

CONCLUSION

By proceeding with this award, Omnitrans will have the ability to maintain the operation of its fareboxes and TVMs.

PSG:EFP:CMV

AMENDMENT 1
CONTRACT ITS17-80
BETWEEN
OMNITRANS
AND
GENFARE, A DIVISION OF SPX CORPORATION

Agreement for Genfare Support Services

This Contract Amendment 1, effective _____, is entered into by and between Omnitrans (hereinafter called "Omnitrans") and Genfare, a division of SPX Corporation (hereinafter called "Contractor").

RECITALS

WHEREAS:

- I. Omnitrans and Contractor entered into Contract ITS17-80 July 18, 2017; and
- II. Omnitrans and Contractor hereby agree to amend the Contract, under Amendment 1 to increase the contract amount by \$626,870, for a new contract total not to exceed amount of \$806,978.

NOW THEREFORE, OMNITRANS and CONTRACTOR hereby amend their Contract as follows:

- III. Contract Schedule A, Software Support Services, Subsection "Services Over and Above Warranty Agreement", Item 1, page 10, add total amount column as follows:

Item	Description	Unit Price	Total Amount
1	System Discount	5%*	\$626,870

*5% discount off of OEM spare parts, repairs, software upgrades, System Support paid services and training.

- IV. Unless changed herein, the remainder of Contract ITS17-80 remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment 1 to be executed on the date shown below, and effective on the date first hereinabove written.

OMNITRANS

GENFARE, A DIVISION OF SPX CORPORATION

P. Scott Graham
CEO/General Manager

Tara Farnsworth
Director of Marketing and Customer Care

IDP_____

ITEM # F3

DATE: October 4, 2017

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

THROUGH: P. Scott Graham, CEO/General Manager

FROM: Eugenia F. Pinheiro, Interim Director of Procurement

**SUBJECT: AUTHORIZE AWARD – CONTRACT MNT18-07
REPLACEMENT BUS WINDOWS**

FORM MOTION

Authorize the CEO/General Manager to award Contract MNT18-07 to The Aftermarket Parts Company, LLC of Delaware, OH, for the provision of Replacement Bus Windows for three (3) base years beginning October 2017 and ending October 2020, and the authority to exercise two (2) single option years tied to the Consumer Price Index (CPI) extending the contracts to no later than October 2022 in an amount not to exceed \$960,000, plus a ten percent contingency of \$96,000, for a total not-to-exceed amount of \$1,056,000, should all options be exercised.

BACKGROUND

Omnitrans owns, operates, and maintains 188 New Flyer buses as part of its revenue fleet. Omnitrans will replace windows that have been damaged or vandalized on its fleet of buses on an as-needed basis.

On June 7, 2017, Omnitrans' Board of Directors authorized the release of Invitation for Bids IFB-MNT18-07. Notices were published in two (2) local newspapers of general circulation, two (2) minority papers, and posted on Omnitrans' online bidding system. Two bids were received by the August 17, 2017 deadline and one was deemed responsive.

In accordance with FTA Circular 4220.1F, and Omnitrans Procurement Policy 2010, Section 2.2.4, awarding a contract in response to a single bid is allowed when it can be determined that the lack of competition was not due to unfavorable terms and conditions or unduly restrictive scopes of work or technical specifications. Staff contacted firms that were notified of the solicitation but chose not to submit bids. As a result of the survey, staff determined that the limited number of responses was unrelated to any term or specification and deemed the process valid.

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

FUNDING SOURCES

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

Department	1200
Expenditure Code	504010

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

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

CONCLUSION

By proceeding with this award, Omnitrans will have the ability to maintain Omnitrans' fleet of buses.

PSG:EFM:CVM