



1255 Imperial Avenue, #1000  
San Diego, CA 92101-7490  
619.231.1466 FAX 619.234.3407

## Agenda

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

September 8, 2016

Executive Conference Room  
9:00 a.m.

#### ACTION RECOMMENDED

- A. ROLL CALL
- B. APPROVAL OF MINUTES - July 21, 2016 Approve
- C. COMMITTEE DISCUSSION ITEMS
1. Transit Optimization Plan (TOP) Agreement - Contract Award (Denis Desmond) Possible Action  
Action would forward a recommendation to the Board of Directors to authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1922.0-16 with Transportation Management & Design, Inc. (TMD), for the provision of TOP Services from October 2016 to June 30, 2017, and authorize the optional tasks, in the CEO's discretion.
2. MTS Bus Division Study (Denis Desmond) Possible Action  
Action would receive a report and provide direction.
- D. REVIEW OF DRAFT September 15, 2016 BOARD AGENDA
- E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA Possible Action  
Review of SANDAG Transportation Committee Agenda and discussion regarding any items pertaining to MTS, San Diego Transit Corporation, or San Diego Trolley, Inc. Relevant excerpts will be provided during the meeting.
- F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS
- G. PUBLIC COMMENTS
- H. NEXT MEETING DATE: October 6, 2016
- I. ADJOURNMENT



# DRAFT

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
EXECUTIVE COMMITTEE  
1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101

July 21, 2016

## MINUTES

### A. ROLL CALL

Chairman Mathis called the Executive Committee meeting to order at 9:00 a.m. A roll call sheet listing Executive Committee member attendance is attached.

### B. APPROVAL OF MINUTES

Mr. McClellan moved for approval of the minutes of the June 2, 2016, MTS Executive Committee meeting. Ms. Bragg seconded the motion, and the vote was 3 to 0 in favor with Mr. Gloria and Mr. Roberts absent.

### C. COMMITTEE DISCUSSION ITEMS

#### 1. Security Services Agreement – Contract Amendment (Manny Guaderrama)

Manny Guaderrama, MTS Chief of Police, provided a presentation regarding the contract amendment for the Security Services agreement. Mr. Guaderrama discussed the current contract details and original budget impact. He reviewed the California minimum wage initiative and the City of San Diego minimum wage increase. On June 7, 2016, City of San Diego voters approved the minimum wage increase, which took effect July 2016. Mr. Guaderrama explained the minimum wage impact related to the Security Services agreement. The total additional contract authority amount will be \$5,876,711 over the entire length of the agreement.

#### Action Taken

Mr. McClellan moved to forward a recommendation to the Board of Directors to authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1828.1-15 to amend the contract with Universal Protection Services (UPS) to authorize an additional contract authority of \$5,876,711 to cover mandated minimum wage increases over the contract term. Ms. Bragg seconded the motion, and the vote was 3 to 0 in favor with Mr. Gloria and Mr. Roberts absent.

#### 2. Virginia Avenue Transit Center (Denis Desmond)

Denis Desmond, Manager of Planning, provided a presentation on the Virginia Avenue Transit Center grand opening. Mr. Desmond reviewed the details of the Virginia Avenue project and noted that it opened on July 15, 2016. He presented a map of the area and stated that the San Ysidro trolley station is a half-mile away from Virginia Avenue. Mr. Desmond reviewed the options for MTS passengers arriving from Mexico and traveling to the trolley station. He presented a map of the Virginia Avenue Transit Center and explained the details of the area. Mr. Desmond reviewed the operational details since

the time of the grand opening of the transit center. He noted that there is increased bus service, and there are currently no complaints regarding MTS service, but there are complaints about the pedestrian facilities on the Mexican side of the border. Mr. Desmond stated that the South pedestrian crossway should be open in the next couple of years, which will make the San Ysidro Transit Center more accessible to the public.

Action Taken

No action taken. Informational item only.

3. San Diego County Regional Airport Authority Update (Rob Schupp)

Rob Schupp, Director of Marketing and Communications, provided an update on the San Diego County Regional Airport Authority's (SDCRAA) request to rebrand the Middletown trolley station. Mr. Schupp reviewed the past correspondence between MTS and SDCRAA regarding the SDCRAA's request to rebrand the Middletown trolley station to the Airport station. He presented a map of the Middletown trolley station and pointed out the walking distance from the station to the airport shuttle. He also presented a map of the airport shuttle operations. Mr. Schupp presented pictures of the Middletown trolley station and the walking path from the trolley station to the airport shuttle stop. He noted that there will be Palm Street improvements, as well as a park that will be built at the end of Palm Street. Mr. Schupp presented a map of MTS's route 992 operations to the airport. He reviewed the differences between utilizing the bus service from Santa Fe Depot station versus the Middletown trolley station. Mr. Schupp reviewed the Coastal Commission requirements, MTS's progress to promote airport service, and presented the new ticket vending machine (TVM) signage at the airport. He stated that the current Chair of the SDCRAA sent a letter on June 27, 2016 requesting MTS to revisit the idea of rebranding the Middletown trolley station to the Airport station. Mr. Schupp reviewed staff's recommendation. The Executive Committee agreed to and directed staff to: (1) continue to promote Route 992 as the primary public transportation alternative to/from the airport to market Middletown as an alternative; (2) continue to market Middletown as an alternative; and (3) discourage the renaming of Middletown Station to Airport Station or Middletown/Airport Station. The Executive Committee also recommended staff to present this item to the Board for further discussion and comments.

Action Taken

No action taken. Information item only.

4. Special Event Service (Rob Schupp)

Mr. Schupp provided a briefing on the special events that have occurred during the month of July. He reviewed the special events, including the New York Yankees playing the Padres, the hosting of the Major League Baseball (MLB) All-Star game, and Comic-Con. He stated that MTS created commemorative tickets for the MLB All-Star game and Comic-Con. Mr. Schupp noted that MTS partnered with Uber to encourage travel to transit centers. He stated that advertising revenues included 35 trolley wraps, station activations and fence banners. He noted that advertising revenues totaled \$493,600.

Action Taken

No action taken. Information item only.

5. Pacific Imperial Railroad (PIR) Desert Line Agreement – Status Update (Karen Landers)

Karen Landers, General Counsel, provided a status update on the PIR Desert Line Agreement. She stated that at the previous Board meeting the sublease agreement was approved between PIR and Baja California Railroad (BJRR). She stated that there have been positive press events regarding the signing of the sublease agreement. The next step for BJRR is to have their reconstruction plans approved for the 60 miles of their portion of the Desert Line. She stated that these plans should be finalized in the fall of this year. Ms. Landers confirmed that the bi-annual lease check from PIR was received on time. She also noted that a working group is going to be established to work with Customs and Border Patrol on safety and security issues on the Desert Line.

Action Taken

No action taken. Information item only.

D. REVIEW OF DRAFT July 28, 2016 BOARD AGENDA (TAKEN BEFORE CLOSED SESSION)

Recommended Consent Items

6. Increased Authorization for Legal Services Contracts to Pay Projected Expenses in Fiscal Year 2017

Action would: (1) Approve increasing the dollar amount of eleven (11) legal services contracts to cover anticipated fiscal year 2017 (FY17) expenses; and (2) Ratify previous contract authority of \$75,000 with Baker & Miller, PLLC.

7. Centralized Train Control and Customer Information Systems Maintenance Services MOU with SANDAG

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G0930.17-04.29.1, with SANDAG, for the provision of preventative maintenance services on software and equipment for the Centralized Train Control (CTC) System and Customer Information System (CIS).

8. SAP Public Services, Inc. - Contract Amendment

Action would: (1) Ratify Amendment 2 to MTS Doc. No. G1680.0-14 for \$99,386.69, which was previously issued under the Chief Executive Officer's (CEO) authority, for SAP budget module licenses and first year support services; and (2) Authorize the CEO to execute Amendment 4 to the same agreement to allow the purchase of SAP licenses for the implementation of the SAP HANA reporting module, the purchase of the incremental SAP HANA license support for eight and a half (8.5) years, and the purchase of the incremental SAP budget license support for eight (8) years.

9. Fiscal Year 2017 Transportation Development Act Claim

Action would adopt Resolution Nos. 16-14, 16-15, and 16-16 approving fiscal year 2017 Transportation Development Act Article 4.0, 4.5, and 8.0 claims.

10. Investment Report - May 2016
11. San Diego Trolley, Inc. (SDTI) SD100, S70, SD8 Brake Rehabilitation Contract Award - Sole Source  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1320.0-16 with Knorr Brake Corporation (Knorr), on a sole source basis, for SD100, S70, and SD8 brake rehabilitation services for MTS's fleet of 128 light rail vehicles (LRVs).
12. Light Rail Vehicle (LRV) Resistor Bands - Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1297.0-16 with Hi-Tec Enterprises, Inc. for the purchase of Light Rail Vehicle (LRV) Resistor Bands.
13. SD8 Trolley Brake Parts - Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1296.0-16 with Siemens Industry, Inc. for the purchase of SD8 Trolley brake parts.
14. San Diego Metropolitan Transit System Propane Vehicle Fueling Services - Minibus and Paratransit - Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0656.0-16 with Ferrellgas, LLP (Ferrellgas) for the provision of Propane Vehicle Fueling Services for MTS's minibuses and paratransit buses located at the Copley Park Division, for a one year term.
15. Green Line Traction Power Substations (TPSS) Rehabilitation Services - Contract Amendment  
Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 1 to MTS Doc. No. PWL183.0-16 with Mass Electric Construction (MEC) Company to upgrade the Secheron DC circuit breakers originally proposed in the contract to Siemens DC circuit breakers for the Green Line Traction Power Substation (TPSS) Rehabilitation Project.
16. SD-100 Light Rail Vehicle Gate Turn Off Firing Boards - Sole Source Purchase Order  
Action would authorize the Chief Executive Officer (CEO) to issue a purchase order to Siemens Transportation Systems Corporation (Siemens), on a sole source basis, for the purchase of forty (40) Gate Turn-Off (GTO) Firing Boards for MTS's fleet of SD-100 Light Rail Vehicles (LRVs).
17. San Diego Trolley, Inc. (SDTI) Wheel Truing Machine Pit - Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL209.0-16 with Western Rim Constructors, Inc. (WRC) for the provision of services, materials, equipment, and supplies for the construction of a wheel truing machine pit, and installation of an additional wheel truing machine at MTS's Light Rail Vehicle (LRV) Maintenance Building C.
18. Taxicab Maximum Allowable Rates of Fare - Maintain the Current Uniform Rates of Fare as the Maximum Rates for 2016  
Action would adopt Resolution No. 16-17 setting the maximum/uniform taxicab rates of fare for 2016.

19. MTS Green Line 3-Bay Communications Cabinets Purchase and Installation Services - Award Work Order Under a Job Order Contract  
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC7504-08, under MTS Doc. No. PWL204.0-16 with ABC Construction, Inc., for the provision of labor, materials, equipment, and supplies for the purchase and installation of 3-Bay Communications Cabinets at seven locations along the MTS Green Line.
20. Minibus Fixed-Route Services - Contract Amendment  
Action would: (1) Ratify Amendment Nos. 1, 2, and 3 to MTS Doc. No. G1313.0-10 which were previously approved under the Chief Executive Officer's (CEO) approval authority; (2) Authorize the CEO to execute Amendment No. 4 to MTS Doc. No. G1313.0-10 with First Transit, Inc. to increase the contract amount to fund additional revenue service hours; and (3) Authorize the CEO to exercise each option year in his discretion.
21. New Board Policy: Payment for Freight/Shipping or Sales/Other Taxes  
Action would adopt new Board Policy No. 63 "Payments for Freight/Shipping or Sales/Other Taxes".
22. San Diego and Arizona Eastern Railway Company (SD&AE) Quarterly Reports and Ratification of Actions Taken by the SD&AE Board of Directors at its Meeting on July 19, 2016  
Action would: (1) receive the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association (Museum), and Pacific Imperial Railroad, Inc. (PIR) quarterly reports for information; and (2) ratify actions taken by the SD&AE Board at its quarterly meeting on July 19, 2016.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA (TAKEN BEFORE CLOSED SESSION)

There was no SANDAG Transportation Committee agenda discussion.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS (TAKEN BEFORE CLOSED SESSION)

There was no Committee Member Communications and Other Business discussion.

G. PUBLIC COMMENTS (TAKEN BEFORE CLOSED SESSION)

There were no Public Comments.

The Executive Committee convened for Closed Session at 10:08 a.m.

- C6. CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8  
Property: 100 16<sup>th</sup> Street, San Diego, California 92101  
Agency Negotiators: Paul Jablonski, Chief Executive Officer; Karen Landers, General Counsel; and Tim Allison, Manager of Real Estate Assets

Negotiating Parties: JMI Realty, Inc.; Chargers Football Company, LLC; City of San Diego

The Executive Committee reconvened from Closed Session at 11:07 a.m.

Oral Report on Final Actions Taken in Closed Session

C6. The Executive Committee received a report from staff.

H. NEXT MEETING DATE

The next Executive Committee meeting is scheduled for September 8, 2016 at 9:00 a.m. in the Executive Committee Conference Room.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 11:08 a.m.

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Chairman

Attachments: Roll Call Sheet

**EXECUTIVE COMMITTEE  
SAN DIEGO METROPOLITAN TRANSIT SYSTEM**

**ROLL CALL**

MEETING OF (DATE) July 21, 2016

CALL TO ORDER (TIME) 9:00am

RECESS

RECONVENE

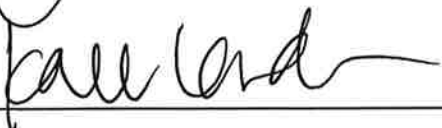
CLOSED SESSION 10:08 am

RECONVENE 11:07 am

ADJOURN 11:08 am

BOARD MEMBER (Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
BRAGG <input checked="" type="checkbox"/> (Rios) <input type="checkbox"/>	9:00am	11:08 am
MCCLELLAN <input checked="" type="checkbox"/> (McWhirter) <input type="checkbox"/>	9:00am	11:08 am
GLORIA <input type="checkbox"/> (Cole) <input type="checkbox"/>		
MATHIS <input checked="" type="checkbox"/>	9:00am	11:08 am
ROBERTS <input type="checkbox"/> (Cox) <input type="checkbox"/>		
Transportation Committee Rep Slot (Mathis)		

SIGNED BY THE CLERK OF THE BOARD: 

CONFIRMED BY THE GENERAL COUNSEL: 





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## Agenda Item No. C1

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

September 8, 2016

#### SUBJECT:

TRANSIT OPTIMIZATION PLAN (TOP) AGREEMENT – CONTRACT AWARD (DENIS DESMOND)

#### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Executive Committee forward a recommendation to the Board of Directors to authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1922.0-16 (in substantially the same format as Attachment A) with Transportation Management & Design, Inc. (TMD), for the provision of TOP Services from October 2016 to June 30, 2017, and authorize the optional tasks, in the CEO's discretion.

#### Budget Impact

The amount for the core tasks is \$358,787.65 and the optional tasks, exercisable at MTS's sole discretion is \$72,100.52, for a not to exceed total of \$430,888.17. The project will be funded by Planning Department's operating budget as follows:

Task	Task Description	Amount	Total
1	Data Collection/Review of Existing Conditions	\$66,728.16	\$358,787.65
2	System and Service Evaluation	\$87,378.07	
3	Develop Service Implementation Plan	\$153,900.33	
4	Scheduling Support	\$50,781.09	
5 (Optional)	Designing for Transit Manual Update	\$22,673.09	\$72,100.52
6 (Optional)	Specific Feeder Bus Operating Plans	\$49,427.43	
Total			\$430,888.17

#### DISCUSSION:

MTS conducted a Comprehensive Operational Analysis (COA) in 2004-2006 that evaluated services and reallocated resources according to a strategy that emphasized sustainability and productivity. Since that time, ridership has grown over 20%, the Mission Valley East extension opened (2005), four new Rapid bus services were



implemented, Trolley Renewal added \$600+ million in rail improvements, and service levels were adjusted to meet budgetary constraints during the recession. FY 2015 represented a record ridership year for MTS with nearly 97 million passengers boarded. However, recent trends have shown a leveling off of ridership gains, and it has been a full ten years since a comprehensive review of services has been undertaken.

To address this, MTS is initiating the TOP to determine and implement necessary changes to ensure that transit services are best aligned to current market needs. This project will update the data and findings of the COA, and could result in adjustments to bus, trolley, and paratransit services. Similar to the COA, the goal of this project is to evaluate MTS's current performance, and restructure transit services as necessary to more efficiently and effectively serve the region's travel needs within the current financial and operating environment.

MTS proposes to utilize the services of a transit planning consultant to assist in the data collection and analysis, service evaluation, development of an implementation plan, and assist with scheduling changes. Optional tasks for the consultant would be to update the 1994 Designing for Transit Manual and to assist in the development of bus feeder plans for the South Bay Rapid and Mid-Coast Light Rail projects.

MTS Policy No. 52, "Procurement of Goods and Services", requires a formal competitive process for procurements and service contracts over \$100,000. On June 14, 2016, MTS issued a Request for Proposals. Three proposals were received by the due date of July 11, 2016 from the following:

1. Nelson Nygaard, San Francisco, CA 94105
2. Steer Davies Gleave, Los Angeles, CA 90014
3. Transportation Management & Design, Inc (TMD), Carlsbad, CA 92008

All three proposals were deemed responsive and responsible and were evaluated by a committee comprised of representatives from MTS Planning, Finance and Marketing. The proposals were evaluated on the following:

1. Qualifications, Related Experience, and References of Proposer	35%
2. Proposed Staffing, Organization, and Management Plan	35%
3. Work Plan	10%
4. Cost/Price	20%
Total	100%

The following table illustrates the total scores and ranking of each:

PROPOSER	TOTAL AVG. TECH. SCORE	INITIAL PRICE PROPOSAL	COST SCORE	TOTAL AVG SCORE Total Possible: 100	RANKING
TMD	65.70	\$490,504.11	11.21	76.91	1
Nelson Nygaard	57.30	\$443,731.54	12.39	69.69	2
Steer Davies Gleave	34.50	\$274,970.53	20.00	54.50	3

Because of the higher technical ratings, TMD and Nelson Nygaard were invited for an interview and to provide revised proposals. After the interview/revised proposal phase, both firms reduced their costs and were re-scored as shown below.

PROPOSER	TOTAL AVG. TECH. SCORE	INITIAL PRICE PROPOSAL	COST SCORE	TOTAL AVG SCORE Total Possible: 100	RANKING
TMD	65.70	\$470,580.11	16.60	82.30	1
Nelson Nygaard	57.30	\$390,611.89	20.00	77.30	2

Because of the higher technical score, MTS entered into negotiations with TMD on August 9, 2016. After the negotiations, MTS asked TMD for a Best and Final Offer (BAFO). The summary of all costs is shown below:

TMD PROPOSAL	AMOUNT	SAVINGS FROM INITIAL PROPOSAL
Initial proposal	\$490,504.11	
Revised proposal	\$470,580.11	\$19,924.00
BAFO proposal	\$430,888.17	\$59,615.94

Based on the objectives of this procurement, consideration of the evaluation criteria and TMD's technical and price proposals, the evaluation team determined that TMD presented the best overall value to MTS.

Therefore, staff recommends that the Executive Committee forward a recommendation to the Board of Directors to authorize the CEO to execute MTS Doc. No. G1922.0-16 (in substantially the same format as Attachment A) with Transportation Management & Design, Inc (TMD) for the provision of Transit Optimization Plan (TOP) Services from October 2016 to June 30, 2017. MTS anticipates that any resulting changes will begin to be implemented in June 2017, and that any major changes proposed would likely be implemented in late 2017 or early 2018.



Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachments: A. Draft Standard Services Agreement; Contract G1922.0-16  
B. TMD Cost Proposal



## TRANSIT OPTIMIZATION PLAN (TOP)

MTS DOC. NO. G1922.0-16

PRIME CONSULTANT: TRANSPORTATION MANAGEMENT & DESIGN, INC. (TMD)

TMD (PRIME CONTRACTOR)	Core Tasks				Optional Tasks		Total
	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	
LABOR HOURS	600.00	814.00	1,288.00	418.00	64.00	478.00	3662
TOTAL	\$ 62,824.30	\$ 84,203.57	\$ 139,109.15	\$ 50,781.09	\$ 7,069.44	\$ 49,427.43	\$ 393,414.98

KIMLEY HORN (SUB CONTRACTOR)	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Total
LABOR HOURS	31.00	24.00	107.00	0	130.00	0	292.00
TOTAL	\$ 3,703.86	\$ 3,174.50	\$ 14,141.18	\$ -	\$ 14,853.65	\$ -	\$ 35,873.19
OTHER DIRECT COSTS - MATERIALS AND SUPPLIES	\$ 200.00	\$ -	\$ 650.00	\$ -	\$ 750.00	\$ -	\$ 1,600.00

TOTAL PROPOSED COSTS	\$ 66,728.16	\$ 87,378.07	\$ 153,900.33	\$ 50,781.09	\$ 22,673.09	\$ 49,427.43	\$ 430,888.17
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## Agenda Item No. C2

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

September 8, 2016

#### SUBJECT:

MTS BUS DIVISION STUDY (DENIS DESMOND)

#### RECOMMENDATION:

That the Executive Committee receive a report and provide direction.

#### Budget Impact

None at this time.

#### DISCUSSION:

MTS currently owns five bus divisions in the region: Imperial Avenue Division (IAD-Downtown), Kearny Mesa Division (KMD-Kearny Mesa), Copley Park Maintenance Facility (CPMF-Kearny Mesa), South Bay Maintenance Facility (SBMF-Chula Vista), and East County Bus Maintenance Facility (ECBMF-El Cajon). IAD and KMD are directly operated by MTS, while the other three are operated by contractors.

These five divisions are well distributed in the MTS service area and have sufficient capacity to handle the current levels of service, along with some organic growth. However, two current developments will potentially drive a need for a replacement and/or expansion division:

- The transformation of East Village (where IAD is located) from an industrial area into a mixed-use area, including residential and other potentially conflicting uses. This will put pressure on IAD from a land use and land value standpoint. There are also proposals for a potential future stadium or convention facility on the IAD site.



- The bus transit expansion planned in both the 2050 Regional Transportation Plan and the 2016 Proposition A ballot measure could not be accommodated within existing facilities.

MTS engaged transit planning consultant Transportation Management and Design (TMD) to assist with the preliminary information needed to assess the needs and locations for future replacement or expansion divisions. Tasks included:

- Developing mock schedules for future transit expansion called for in the RTP and Proposition A.
- Establishing centroids in the region for the geographically ideal location of both an IAD replacement division and an expansion division.
- Estimating the operating cost differential of two sample locations (versus the existing IAD facility for an IAD replacement).

Staff will provide a report on the study results and take Board comment and direction for next steps.

  
Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)



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DRAFT

## Agenda

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

9:00 a.m.

James R. Mills Building  
Board Meeting Room, 10th Floor  
1255 Imperial Avenue, San Diego

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please call the Clerk of the Board at least two working days prior to the meeting to ensure availability. Assistive Listening Devices (ALDs) are available from the Clerk of the Board/Assistant Clerk of the Board prior to the meeting and are to be returned at the end of the meeting.

#### ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - July 28, 2016
3. Public Comments - Limited to five speakers with three minutes per speaker. Others will be heard after Board Discussion items. If you have a report to present, please give your copies to the Clerk of the Board.

Approve

Please SILENCE electronics  
during the meeting



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Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS is the taxicab administrator for seven cities.

MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.



## CONSENT ITEMS

- |     |  |             |
|-----|--|-------------|
| 6.  | <u>Adoption of Amended 2016 Conflict of Interest Code</u><br>Action would: (1) adopt Resolution No. 16-19 amending the MTS Conflict of Interest Code pursuant to the Political Reform Act (PRA) of 1974; (2) adopt the amended 2016 MTS Conflict of Interest Code; and (3) forward the amended 2016 MTS Conflict of Interest Code to the County of San Diego (the designated code-reviewing body).   | Adopt       |
| 7.  | <u>New Board Policy: Inventory Controls and Signature Authority Policy</u><br>Action would adopt new Board Policy No. 64 "Inventory Controls and Signature Authority Policy".  | Adopt       |
| 8.  | <u>Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments</u>   | Information |
| 9.  | <u>Federal Transit Administration Section 5310 Grant Application</u><br>Action would: (1) Adopt Resolution No. 16-20 agreeing to comply with all terms and conditions of the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities program as set forth by the FTA and the San Diego Association of Governments (SANDAG); (2) Authorize the Chief Executive Officer (CEO) to submit the following applications and execute any grant agreements awarded by SANDAG: a. \$432,000 in federal fiscal year 2015 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement; b. \$432,000 in federal fiscal year 2016 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement; and (3) Authorize the commitment of up to \$466,476 in local matching funds to full fund the purchase of 12 paratransit vehicles. | Approve     |
| 10. | <u>Investment Report - June 2016</u>   | Information |
| 11. | <u>Investment Report - July 2016</u>   | Information |
| 12. | <u>San Diego Metropolitan Transit System Orange Line Track Improvements - Contract Award</u><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL211.0-16, with Herzog Contracting Corporation for the provision of services and materials for Orange Line Track Improvements.  | Approve     |
| 13. | <u>Proposed Revisions to MTS Policy No. 42, "Transit Service Evaluation and Adjustment"</u><br>Action would approve the proposed revisions to MTS Policy No. 42, "Transit Service Evaluation and Adjustment".  | Approve     |
| 14. | <u>Helix Water District Utility Relocation Reimbursement Agreement for Hill Street Slope Repair</u><br>Action would authorize the Chief Executive Officer (CEO) to execute an Memorandum of Understanding (MOU) with the Helix Water District for cost reimbursement to relocate water mains and fire hydrants required for slope reconstruction by MTS in the vicinity of Hill Street in El Cajon.  | Approve     |

- |     |   |         |
|-----|---|---------|
| 15. | <u>Janitorial Services - Sole Source Contract Extension</u><br>Action would: (1) Ratify Amendment 4 and Amendment 5 to MTS's contract with NMS Management, Inc. (NMS) (MTS Doc. No. G1387.0-11) for \$95,134.38, which were previously issued under the Chief Executive Officer's (CEO) authority, for janitorial services at MTS Buildings and on Light Rail Vehicles; and (2) Authorize the CEO to execute Amendment 6, with NMS, for a three (3) month sole source extension of janitorial services at MTS Buildings and on Light Rail Vehicles. | Approve |
| 16. | <u>Diesel Vehicle Wet-Hose Fueling Services - Contract Award</u><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0658.0-17 with Dion & Sons, Inc. for the provision of Diesel Vehicle Wet-Hose Fueling Services for MTS's Rapid Express Commuter and Rural buses located at the East County Division, for a nine month term.   | Approve |
| 17. | <u>San Diego Metropolitan Transit System (MTS) Sole Source Award for Regional Transit Management System (RTMS) Hardware Maintenance Services to Xerox Transportation Solutions</u><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1941.0-16 with Xerox Transportation Solutions, Inc. (Xerox) for the provision of RTMS software and vehicle hardware maintenance services for a five year period with two (2) one year options, exercisable at the CEO's discretion.   | Approve |
| 18. | <u>Regional Transit Management System (RTMS) Radio Maintenance Services - Contract Award</u><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1887.0-16 with Motorola Solutions, Inc. (Motorola) for the provision of RTMS radio system maintenance services for a three year period.   | Approve |

#### CLOSED SESSION

- |     |   |                    |
|-----|---|--------------------|
| 24. | a. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS<br>Pursuant to California Government Code Section 54957.6<br><u>Agencies:</u> San Diego Transit Corporation (SDTC) and San Diego Trolley, Inc. (SDTI)<br><u>Agency-Designated Representative:</u> Jeff Stumbo<br><u>Employee Organization:</u> International Brotherhood of Electrical Workers, Local 465 (Representing SDTC Mechanics and Servicers)<br><u>Employee Organization:</u> International Brotherhood of Electrical Workers, Local 465 and/or Public Transit Employees Association (Representing SDTI Train Operators, Electromechanics, Servicers and Clerical) | Possible<br>Action |
|-----|---|--------------------|

#### Oral Report of Final Actions Taken in Closed Session

#### NOTICED PUBLIC HEARINGS

25. None.

#### DISCUSSION ITEMS

- |     |   |         |
|-----|---|---------|
| 30. | <u>Transit Optimization Plan (TOP) Agreement - Contract Award (Denis Desmond)</u> | Approve |
|-----|---|---------|

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1922.0-16 with Transportation Management & Design, Inc. (TMD), for the provision of TOP Services from October 2016 to June 30, 2017.

31.

32.

33.

34.

#### REPORT ITEMS

45.

46.

47.

48.

49.

60.	<u>Chairman's Report</u>	Information
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61.	<u>Chief Executive Officer's Report</u>	Information
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62.	<u>Board Member Communications</u>	
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63.	<u>Additional Public Comments Not on the Agenda</u> If the limit of 5 speakers is exceeded under No. 3 (Public Comments) on this agenda, additional speakers will be taken at this time. If you have a report to present, please furnish a copy to the Clerk of the Board. Subjects of previous hearings or agenda items may not again be addressed under Public Comments.	
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64.	<u>Next Meeting Date:</u> October 13, 2016	
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65.	<u>Adjournment</u>	
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## Agenda Item No. 6

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### SUBJECT:

ADOPTION OF AMENDED 2016 CONFLICT OF INTEREST CODE

#### RECOMMENDATION:

That the Board of Directors:

- 1) adopt Resolution No. 16-19 (Attachment A) amending the MTS Conflict of Interest Code pursuant to the Political Reform Act (PRA) of 1974;
- 2) adopt the amended 2016 MTS Conflict of Interest Code (in substantially the same format as Attachment B); and
- 3) forward the amended 2016 MTS Conflict of Interest Code to the County of San Diego (the designated code-reviewing body).

#### Budget Impact

None.

#### DISCUSSION:

As a public agency, MTS is required to comply with the provisions of the PRA, which mandates that public agencies maintain a Conflict of Interest Code for each of its publicly elected officials as well as certain designated staff. Every other year, MTS is required by the PRA to revise and update its Conflict of Interest Code. Attachment B is the proposed amended 2016 Conflict of Interest Code incorporating the model provisions as drafted by the California Fair Political Practices Commission (FPPC).



The proposed 2016 Conflict of Interest Code contains the model terms and conditions as well as:

- 1) a list of designated officials who manage public investments (Attachment B, Part A)
- 2) a list of designated positions for employees (Attachment B, Part A); and
- 3) Disclosure Categories (Attachment B, Part B).

General Counsel is requesting that the Board of Directors: (1) adopt Resolution No. 16-19 amending the MTS Conflict of Interest Code pursuant to the Political Reform Act of 1974; (2) adopt the 2016 MTS Conflict of Interest Code in substantially the same format as attached; and (3) forward the 2016 MTS Conflict of Interest Code to the County of San Diego – the designated code-reviewing body.



Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Karen Landers, 619.557.4512, [Karen.Landers@sdmts.com](mailto:Karen.Landers@sdmts.com)

Attachments: A. Resolution No. 16-19  
B. Proposed Amended Appendix for 2016 Conflict of Interest Code  
C. Existing 2016 Conflict of Interest Code

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 16-19

A Resolution of the Board of Directors of the San Diego Metropolitan Transit System Adopting  
An Amended Conflict of Interest Code Pursuant to the Political Reform Act of 1974

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the San Diego Metropolitan Transit System ("MTS") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in MTS being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on January 14, 2016, in compliance with the Act; and

WHEREAS, subsequent changed circumstances at MTS have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update MTS's Code; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Conflict of Interest Code was provided each designated employee and publicly posted for review at the offices of MTS; and

WHEREAS, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Directors on September 15, 2016, at which all present were given an opportunity to be heard on the proposed amended Conflict of Interest Code.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the General Counsel and available to the public for inspection and copying during regular business hours.

SECTION 2. The said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval.

SECTION 3. The said amended Conflict of Interest Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

PASSED, APPROVED AND ADOPTED, by the Board of Directors this 15th day of September, 2016 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

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Chairperson  
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

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Clerk of the Board  
San Diego Metropolitan Transit System

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Office of the General Counsel  
San Diego Metropolitan Transit System

Attachment: Amended Conflict of Interest Code

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**LEGISLATIVE VERSION**  
**(SHOWS CHANGES MADE)**

**CONFLICT OF INTEREST CODE**

**OF THE**

**SAN DIEGO METROPOLITAN  
TRANSIT SYSTEM**



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BEST BEST & KRIEGER LLP

# **CONFLICT OF INTEREST CODE**

## **OF THE**

### **SAN DIEGO METROPOLITAN TRANSIT SYSTEM**

(Amended ~~January 14, 2016~~ September 15, 2016)

The Political Reform Act, (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730) that contains the terms of a standard model conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories shall constitute the conflict of interest code of the **San Diego Metropolitan Transit System (MTS)**.

All officials and designated positions shall file their statements of economic interests with MTS's **General Counsel** as MTS's Filing Officer. The **General Counsel** shall make and retain a copy of all statements filed by Members and Alternates of the Board of Directors, Chief Executive Officer and the Chief Financial Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **General Counsel** shall retain the originals of the statements filed by all other designated positions. The **General Counsel** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

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# APPENDIX

## CONFLICT OF INTEREST CODE OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM

(Amended January 14, 2016September 15, 2016)

### PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

MTS Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to MTS's Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Board of Directors and Alternates

Chief Executive Officer

Chief Financial Officer

Investment Consultant

<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

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## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Assistant (Copy Center)	4
Advertising Specialist	5
Applications Development & Support Manager	5
Assistant Manager of Maintenance	5
Assistant Manager of Stores	5
<del>Assistant Right-of-Way Agent</del>	<del>1, 2</del>
<del>Assistant Transportation Operations Specialist (ALL)</del>	<del>2, 5</del>
<del>Operating Budget Manager Supervisor</del>	<del>1, 2</del>
Business Systems Analyst (ALL)	5
Buyer	4
Capital Grants Supervisor	2, 4
Chief of Staff	1
Chief Operating Officer – Rail	1
Chief Operating Officer – Transit Services	1
Chief Information Officer	5
Communications Design Manager	5
<del>Communications Graphic Designer III</del>	<del>5</del>
Controller	1, 2
Datacenter Operations Manager	5
Deputy Director of Transit Enforcement	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director of Financial Planning & Analysis	1, 2
Director of Fleet and Facility Maintenance	5
Director of Human Resources and Labor Relations	5
Director of Marketing & Communications	5
<u>Director of Procurement &amp; Stores</u>	<u>4</u>
Director of Transit System Security	5
Director of Transportation	1
Enterprise Business Solutions Manager	5
Environmental Health & Safety Specialist	5
<u>ERP Project Manager</u>	<u>4</u>
Facilities Manager	5
<u>Fare Systems Administrator</u>	<u>5</u>
Financial Analyst	4
General Counsel	1, 2
Human Resources Supervisor (ALL)	5
Internal Auditor	4
Liability Claims Supervisor	1, 2, 7
<u>Manager of BRT and East County Operations (merged w/</u> <u>Manager of South Bay Operations)</u>	<u>8</u>
Manager of Capital Projects	1, 2
Manager of Fleet & Facility Maintenance	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Manager of Human Resources	5
Manager of Maintenance	5
Manager of Marketing	5
Manager of Paratransit <u>Operations &amp; Mini Bus</u>	5
Manager of Planning	1, 2
Manager of Procurement	4
Manager of Real Estate Assets	1, 2
Manager of Risk and Claims	1, 2, 7
Manager of Scheduling	5
Manager of South Bay <u>&amp; East County</u> Operations	8
Manager of Support Services	2, 3, 5
Materials Manager	4
Network Operations Manager	5
Principal Contract Administrator	4
Procurement Specialist (ALL)	4
Project Engineer (Rail)	1, 2
Project Manager -- Capital Projects	2, 3, 5
Quality Assurance Supervisor	5
Regulatory Enforcement Supervisor	6
Report Development Analyst	5
Revenue Maintenance Supervisor	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Revenue Manager (ALL)	5
Revenue Supervisor	5
Right-of-Way Engineer	1, 2
SAP System Administrator	5
Senior Transit Planner/Rail Operations Analyst	5
Senior Transportation Planner	1, 2
Staff Attorney – Regulatory Compliance	2, 5, 6, 7
Superintendent of LRV Maintenance	5
Superintendent of Transportation	5
Superintendent of Wayside Maintenance	5
Systems Engineer (Rail)	1, 2
Taxicab Administration Manager	5
Transit Asset Administrator	4
Worker's Compensation Analyst	7

Consultant and New Positions<sup>2</sup>

<sup>2</sup> Individuals serving as a Consultant defined in Regulation 18700.3, or in a new position created since this Code was last amended that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The Chief Executive

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DESIGNATED POSITIONS'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

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Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

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## **PART “B”**

### **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> “Investment” means financial interest in any business entity (including a consulting business, or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of MTS.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of MTS.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of MTS.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of MTS.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by MTS.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

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<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)



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Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against MTS in the past 2 years, or have a claim pending before MTS.

Category 8: Disclose investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the geographical area of, and within two miles of, the designated position's assigned project area.

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**CONFLICT OF INTEREST CODE  
OF THE  
SAN DIEGO METROPOLITAN  
TRANSIT SYSTEM**

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**CONFLICT OF INTEREST CODE**  
**OF THE**  
**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
(Amended January 14, 2016)

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All officials and designated positions shall file their statements of economic interests with MTS's **General Counsel** as MTS's Filing Officer. The **General Counsel** shall make and retain a copy of all statements filed by Members and Alternates of the Board of Directors, Chief Executive Officer and the Chief Financial Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **General Counsel** shall retain the originals of the statements filed by all other designated positions. The **General Counsel** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

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# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## SAN DIEGO METROPOLITAN TRANSIT SYSTEM

(Amended January 14, 2016)

### PART “A”

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

MTS Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to MTS’s Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Board of Directors and Alternates

Chief Executive Officer

Chief Financial Officer

Investment Consultant

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

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## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Assistant (Copy Center)	4
Advertising Specialist	5
Applications Development & Support Manager	5
Assistant Manager of Maintenance	5
Assistant Manager of Stores	5
Assistant Right-of-Way Agent	1, 2
Assistant Transportation Operations Specialist (ALL)	2, 5
Budget Manager	1, 2
Business Systems Analyst (ALL)	5
Buyer	4
Capital Grants Supervisor	2, 4
Chief of Staff	1
Chief Operating Officer – Rail	1
Chief Operating Officer – Transit Services	1
Chief Information Officer	5
Communications Design Manager	5
Communications Designer III	5
Controller	1, 2
Datacenter Operations Manager	5
Deputy Director of Transit Enforcement	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director of Financial Planning & Analysis	1, 2
Director of Fleet and Facility Maintenance	5
Director of Human Resources and Labor Relations	5
Director of Marketing & Communications	5
Director of Transit System Security	5
Director of Transportation	1
Enterprise Business Solutions Manager	5
Environmental Health & Safety Specialist	5
ERP Project Manager	4
Facilities Manager	5
Financial Analyst	4
General Counsel	1, 2
Human Resources Supervisor (ALL)	5
Internal Auditor	4
Liability Claims Supervisor	1, 2, 7
Manager of BRT and East County Operations	8
Manager of Capital Projects	1, 2
Manager of Fleet & Facility Maintenance	5
Manager of Human Resources	5
Manager of Maintenance	5
Manager of Marketing	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Manager of Paratransit Operations	5
Manager of Planning	1, 2
Manager of Procurement	4
Manager of Real Estate Assets	1, 2
Manager of Risk and Claims	1, 2, 7
Manager of Scheduling	5
Manager of South Bay Operations	8
Manager of Support Services	2, 3, 5
Materials Manager	4
Network Operations Manager	5
Principal Contract Administrator	4
Procurement Specialist (ALL)	4
Project Engineer (Rail)	1, 2
Project Manager – Capital Projects	2, 3, 5
Quality Assurance Supervisor	5
Regulatory Enforcement Supervisor	6
Report Development Analyst	5
Revenue Maintenance Supervisor	5
Revenue Manager (ALL)	5
Revenue Supervisor	5
Right-of-Way Engineer	1, 2

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
SAP System Administrator	5
Senior Transit Planner/Rail Operations Analyst	5
Senior Transportation Planner	1, 2
Staff Attorney – Regulatory Compliance	2, 5, 6, 7
Superintendent of LRV Maintenance	5
Superintendent of Transportation	5
Superintendent of Wayside Maintenance	5
Systems Engineer (Rail)	1, 2
Taxicab Administration Manager	5
Transit Asset Administrator	4
Worker's Compensation Analyst	7

Consultant and New Positions<sup>2</sup>

<sup>2</sup> Individuals serving as a Consultant defined in Regulation 18700.3, or in a new position created since this Code was last amended that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)



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## **PART “B”**

### **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> “Investment” means financial interest in any business entity (including a consulting business, or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of MTS.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of MTS.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of MTS.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of MTS.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by MTS.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position’s department, unit or division.

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<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against MTS in the past 2 years, or have a claim pending before MTS.

Category 8: Disclose investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the geographical area of, and within two miles of, the designated position's assigned project area.



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## Agenda Item No. 7

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### SUBJECT:

NEW BOARD POLICY: INVENTORY CONTROLS AND SIGNATURE AUTHORITY  
POLICY

#### RECOMMENDATION:

That the Board adopt new Board Policy No. 64 "Inventory Controls and Signature Authority Policy" (Attachment A).

#### Budget Impact

None.

#### DISCUSSION:

Board Policy No. 41, "Signature Authority", establishes dollar limits for approval of purchase requisitions and expense contracts. In general, Policy No. 41 allows the following purchase levels:

- Manager/Supervisor – up to \$3,000
- Directors – up to \$5,000
- COO – Bus or Rail/CFO/Chief of Staff/General Counsel – up to \$50,000
- CEO – up to \$100,000

All purchases over \$100,000 require Board approval.

With the implementation of the new SAP enterprise resource planning (ERP) software, MTS's inventory purchases have been structured according to SAP's inventory module. Under this module, once an item is placed in inventory (inventory list), the ordering of replacement items is automatically triggered when the inventory count falls below the minimum quantity set for that item. The quantity ordered is dependent on the maximum



quantity established for each individual item. Individual parts are ordered in compliance with the bidding and other requirements set forth in Board Policy No. 52.

The MTS Storeroom maintains a database for all inventory items, which will include a minimum and maximum quantities as established by department staff based on the following factors:

- The minimum quantity is based on factors such as the historical demand for the part, lead time for orders, ordering costs, operational campaigns, and includes a level of safety stock sufficient to avoid a shortage of parts which would prevent maintenance or repairs from being completed in a timely manner.
- The maximum quantity is optimized to minimize ordering costs while avoiding excessive growth of inventory and reducing waste from obsolescence and spoilage of parts with a limited shelf-life.

The SAP inventory module has an algorithm that recommends updates to the established minimums and maximums based on MTS's ordering history. Updates to these minimums/maximums are not implemented until and unless approved by the Director of Procurement and Stores.

All inventory items are kept in the MTS Storeroom and held as an asset on the balance sheet of MTS. When a part is needed by maintenance staff, a requisition form is submitted and the part is "charged out" to the requesting department. Upon charge out from the Storeroom, the cost of the part is charged as an expense by the ERP system against the appropriate line item in that department's budget. The MTS Materials Manager is responsible for keeping the Storeroom stocked with the appropriate level of parts to meet MTS's maintenance and repair needs

The intent of the SAP inventory module is to streamline routine storeroom ordering and ensure that the storeroom has the minimum quantity of recommended parts at all times. If the inventory levels fall below this set minimum, there is a risk that buses, trolleys, wayside equipment and other equipment/facilities will be out of service for an extended period of time while parts are acquired and repairs scheduled. This module accomplishes this goal by authorizing an exception to the hierarchy of management level spending approvals set forth in Policy No. 41. As configured, once an inventory item reaches a minimum level, a purchase requisition is automatically triggered in SAP, and then reviewed and approved by the Materials Manager. The purchase requisition is forwarded to a Buyer in the Procurement Department who reviews it, determines the appropriate bidding method, and then creates a purchase order. The purchase order is reviewed and approved by the Procurement Manager, or his/her designee, and issued to the vendor by the Buyer. This process applies to all inventory item purchase orders under \$100,000. All purchases over \$100,000 still require Board approval.

Proposed new Board Policy No. 64 documents the inventory control process and establishes an alternate set of controls for oversight of inventory purchases, outside of Board Policy No. 41.



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Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachment: A. (Proposed) Board Policy No. 64



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## Policies and Procedures

No. 64

Board Approval: 9/15/2016

### SUBJECT:

#### INVENTORY CONTROLS AND SIGNATURE AUTHORITY POLICY

### PURPOSE:

To authorize the MTS Materials Manager and Procurement Manager to approve parts/inventory purchases outside of the signature limits set forth in Policy No. 41 (Signature Authority).

### BACKGROUND:

Policy No. 41 (Signature Authority) establishes dollar limits for approval of purchase requisitions and expense contracts. This Policy No. 64 is intended to authorize the MTS Materials Manager and Procurement Manager to complete parts purchases at appropriate intervals so that the MTS Storerooms have sufficient inventory to support daily transit operations and maintain MTS rolling stock and other equipment in a state of good repair. MTS's enterprise resource planning (ERP) software is programmed to automate inventory purchases. This requires that the Board approve an exception to the signature limits set forth in Policy No. 41 for automatic parts ordering to maintain designated inventory levels.

### POLICY:

#### 64.1 INVENTORY CONTROLS

- a. The Chief Executive Officer (CEO), or his/her designee, shall maintain a database of materials, components and spare parts (inventory list) that must be available in MTS Storerooms in order to support daily transit operations and maintain MTS rolling stock and other equipment in a state of good repair. The inventory list shall, at a minimum, contain the following:
  - i. The part name and manufacturer's part number, if applicable;
  - ii. The responsible/requesting department;
  - iii. The minimum quantity of that part that must be maintained at all times in the MTS Storeroom;
    - 1) The minimum quantity should be based on factors such as the historical demand for the part, lead time for orders, ordering costs, operational campaigns, and include a level of safety stock



sufficient to avoid a shortage of parts which would prevent maintenance or repairs from being completed in a timely manner.

- iv. The maximum quantity of that part that should be maintained in the MTS Storeroom;
  - 1) The maximum quantity should be optimized to minimize ordering costs while avoiding excessive growth of inventory and reducing waste from obsolescence and spoilage of parts with a limited shelf-life.
- b. The inventory list shall be reviewed by the CEO, or his/her designee, at least annually.
- c. Items being added to the inventory list require formal approval from the following departments: Maintenance, Finance, Procurement and Storeroom Operations
- d. The CEO may designate staff responsible for approving:
  - i. The addition or deletion of items from the inventory list.
  - ii. Any adjustments to the minimum and maximum quantities of the inventory list.

#### 64.2 PARTS/INVENTORY PURCHASES

- a. Parts may be purchased by MTS through various methods. Primarily, parts are purchased either through a competitively bid or sole-sourced multi-year contract or through individual purchases on an as-needed basis. Generally, a multi-year contract is used for parts that MTS purchases in large quantities on a regular basis, or for highly specialized and expensive parts. All purchases of parts must comply with state and federal laws, regulations and grant requirements. Nothing in this Policy No. 64 is intended to excuse MTS staff from compliance with legal requirements. All parts/inventory purchases shall comply with Policy No. 52 (Procurement of Goods and Services).
- b. If a part is on the approved inventory list, then the ERP system will recommend orders based on the minimum required quantities by generating a purchase requisition. The MTS Materials Manager may authorize, through the approval of the purchase requisition in the ERP system, the purchase of such parts, subject to the following limitations:
  - i. The quantity ordered may not result in an inventory count higher than the designated maximum on the date the parts are expected to be delivered;
  - ii. The dollar value of the proposed purchase, exclusive of freight/shipping and applicable taxes/government fees, does not exceed \$100,000.
    - 1) Purchases of parts may not be intentionally split into multiple purchase requisitions so as to avoid this spending limit.
- c. All parts purchases over \$100,000, exclusive of freight/shipping and applicable taxes/government fees, must be approved by the Board.

- d. All inventory items are kept in the MTS Storeroom and held as an asset on the balance sheet of MTS. When a part is needed by maintenance staff, a requisition form is submitted and the part is "charged out" to the requesting department. Upon charge out from the Storeroom, the cost of the part is charged as an expense against the appropriate line item in that department's budget.

Original Policy Adopted on 9/15/2016





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## Agenda Item No. 8

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

**SUBJECT:**

SEMIANNUAL UNIFORM REPORT OF DISADVANTAGED BUSINESS ENTERPRISE  
(DBE) AWARDS OR COMMITMENTS AND PAYMENTS

**This item will be provided with  
the Executive Committee  
meeting materials**





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## Agenda Item No. 9

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### SUBJECT:

FEDERAL TRANSIT ADMINISTRATION SECTION 5310 GRANT APPLICATION

#### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors:

- 1) Adopt Resolution No. 16-20 agreeing to comply with all terms and conditions of the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities program as set forth by the FTA and the San Diego Association of Governments (SANDAG);
- 2) Authorize the Chief Executive Officer (CEO) to submit the following applications and execute any grant agreements awarded by SANDAG:
  - a. \$432,000 in federal fiscal year 2015 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement;
  - b. \$432,000 in federal fiscal year 2016 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement; and
- 3) Authorize the commitment of up to \$466,476 in local matching funds to fully fund the purchase of 12 paratransit vehicles.

#### Budget Impact

Section 5310 requires that at least 20 percent of the total project cost is funded by local matching funds. SANDAG has set a maximum Section 5310 request amount per vehicle of \$72,000. Based on vehicle pricing estimates, the project will require \$38,873 in local matching funds per vehicle, or \$466,476 total local matching funds for the replacement of 12 paratransit vehicles.



## DISCUSSION:

The FTA provides capital and operating assistance to agencies providing transportation through Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Program. These funds are to be apportioned by the Metropolitan Planning Organization (MPO) through a competitive grant application process. SANDAG is currently accepting applications for the available funding for federal fiscal years (FFY) 2015 and 2016. SANDAG requirements include submission of a resolution by the MTS Board of Directors agreeing to comply with the terms and conditions of the Section 5310 program, authorizing the CEO to submit applications and execute any grant agreements, and authorizing the commitment of local matching funds to the project. The draft applications are due September 23, and the final applications are due October 24.

MTS replaces paratransit vehicles every year according to their age and mileage. MTS is scheduled to purchase 30 replacement vehicles in fiscal year (FY) 2020. This funding would be used to purchase 12 of those 30 vehicles, if fully awarded. Therefore, staff recommends that the Board of Directors approve Resolution No. 16-20, authorizing the application and use of \$864,000 in FFY 2015 and FFY 2016 Section 5310 funding for MTS Access Replacement, specifically for the replacement of 12 paratransit vehicles.



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Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachment: A. Resolution No. 16-20

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 16-20

Resolution Authorizing the Filing of an Application for FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds through the San Diego Association of Governments for MTS Access Fleet Replacement, Committing the Necessary Local Match for the Project(s), and Stating the Assurance of the San Diego Metropolitan Transit System to Complete the Project

WHEREAS, the San Diego Association of Governments (SANDAG) is making available funds for the Enhanced Mobility of Seniors and Individuals with Disabilities Program through a competitive process for Federal Fiscal Year 2015 and 2016 funding; and

WHEREAS, San Diego Metropolitan Transit System (MTS) wishes to receive up to \$864,000 in Section 5310 Program funds for the following project(s): MTS Access Fleet Replacement; and

WHEREAS, MTS understands that the Section 5310 Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded through the Section 5310 Program; and

WHEREAS, MTS understands that all funds awarded from SANDAG are subject to a use it or lose it policy enunciated in SANDAG Board of Directors Policy No. 035; and

WHEREAS, MTS understands that projects funded through the Section 5310 Program require matching funds to be provided by the project sponsor;

NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the MTS Board of Directors that MTS is authorized to submit an application to SANDAG for Section 5310 funding in the amount of \$864,000 for MTS Access Fleet Replacement; and

BE IT FURTHER RESOLVED that if an award is made by SANDAG to fund the MTS Access Fleet Replacement project, the Board of Directors commits to providing up to \$466,476 of matching funds which is not less than the required amount of \$216,000 based on the required proportion to the grant request amount, and authorizes the MTS Chief Executive Officer to accept the grant funding, execute a Grant Agreement with SANDAG in the form that has been provided by SANDAG, and complete the MTS Access Fleet Replacement project.

PASSED AND ADOPTED, by the Board of Directors this 15<sup>th</sup> day of September 2016, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

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Chairperson  
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

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Clerk of the Board  
San Diego Metropolitan Transit System

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Office of the General Counsel  
San Diego Metropolitan Transit System



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## Agenda Item No. 10

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

#### SUBJECT:

INVESTMENT REPORT – JUNE 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### INFORMATIONAL ONLY

##### Budget Impact

None.

#### DISCUSSION:

Attachment A comprises a report of the San Diego Metropolitan Transit System (MTS) investments as of June 30, 2016. The combined total of all investments has decreased month to month from \$98.5 million to \$90.9 million. This \$7.6 million decrease is attributable to \$11.5 million in capital expenditures, partially offset by \$3.6 million received from the Low-Carbon Transit Operations Program (LCTOP), as well as normal timing differences in other payments and receipts.

The first column provides details about investments restricted for capital improvement projects.

The second column, unrestricted investments, reports the working capital for MTS operations allowing payments for employee payroll and vendors' goods and services.



Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachment: A. Investment Report for June 2016

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Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS is the taxicab administrator for seven cities.

MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.



**San Diego Metropolitan Transit System  
Investment Report  
June 30, 2016**

	<b>Restricted</b>	<b>Unrestricted</b>	<b>Total</b>	<b>Average rate of return</b>
Cash and Cash Equivalents				
JP Morgan Chase - concentration account	-	20,815,206	20,815,206	0.00%
Total Cash and Cash Equivalents	-	20,815,206	20,815,206	
Cash - Restricted for Capital Support				
US Bank - retention trust account	4,758,582	-	4,758,582	N/A *
San Diego County Investment Pool				
Proposition 1B TSGP grant funds	8,750,133	-	8,750,133	
Total Cash - Restricted for Capital Support	13,508,715	-	13,508,715	
Investments - Working Capital				
Local Agency Investment Fund (LAIF)	14,523,048	42,056,390	56,579,438	0.576%
Total Investments - Working Capital	14,523,048	42,056,390	56,579,438	
Total cash and investments	<b>\$ 28,031,763</b>	<b>\$ 62,871,596</b>	<b>\$ 90,903,359</b>	

N/A\* - Per trust agreements, interest earned on retention account is allocated to trust beneficiary (contractor)



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## Agenda Item No. 11

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

#### SUBJECT:

INVESTMENT REPORT – JULY 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### INFORMATIONAL ONLY

##### Budget Impact

None.

#### DISCUSSION:

Attachment A comprises a report of the San Diego Metropolitan Transit System (MTS) investments as of June 30, 2016. The combined total of all investments has increased month to month from \$90.9 million to \$92.1 million. This \$1.2 million increase is attributable to normal timing differences in other payments and receipts.

The first column provides details about investments restricted for capital improvement projects.

The second column, unrestricted investments, reports the working capital for MTS operations allowing payments for employee payroll and vendors' goods and services.



Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachment: A. Investment Report for July 2016





**San Diego Metropolitan Transit System  
Investment Report  
July 31, 2017**

	<b>Restricted</b>	<b>Unrestricted</b>	<b>Total</b>	<b>Average rate of return</b>
Cash and Cash Equivalents				
JP Morgan Chase - concentration account	-	21,915,955	21,915,955	0.00%
Total Cash and Cash Equivalents	-	21,915,955	21,915,955	
Cash - Restricted for Capital Support				
US Bank - retention trust account	4,758,582	-	4,758,582	N/A *
San Diego County Investment Pool				
Proposition 1B TSGP grant funds	8,174,993	583,986	8,758,979	
Total Cash - Restricted for Capital Support	12,933,575	583,986	13,517,561	
Investments - Working Capital				
Local Agency Investment Fund (LAIF)	14,523,048	42,108,117	56,631,165	0.588%
Total Investments - Working Capital	14,523,048	42,108,117	56,631,165	
Total cash and investments	<b>\$ 27,456,623</b>	<b>\$ 64,608,058</b>	<b>\$ 92,064,681</b>	

N/A\* - Per trust agreements, interest earned on retention account is allocated to trust beneficiary (contractor)



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## Agenda Item No. 12

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### SUBJECT:

SAN DIEGO METROPOLITAN TRANSIT SYSTEM ORANGE LINE TRACK  
IMPROVEMENTS - CONTRACT AWARD

#### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Document No. PWL211.0-16 (in substantially the same format as Attachment A), with Herzog Contracting Corporation for the provision of services and materials for Orange Line Track Improvements.

#### Budget Impact

The total cost of this Agreement will not exceed \$3,916,490.00. Funding will be through the following MTS Capital Improvement Projects (CIP):

Grade Crossing Replacement	2005002502	\$1,627,692.00
Crossing Diamond at Broadway	2005003002	\$200,000.00
Orange Line Tie Replacement	2005007203	\$1,889,088.00
Orange Line Curve Tail	2005007302	\$199,710.00

The Grade Crossing Replacement, Orange Line Tie Replacement, and Orange Line Curve Tail portions of the project will be completed within 180 days from date of commencement and the Crossing Diamond at Broadway work will be completed within 365 days from date of commencement.

#### DISCUSSION:

MTS's Orange Line Track requires the replacement of several components that have reached the end of their service lives. The list of items needing replacement includes rails that are worn from normal use, aging timber crossties, and outmoded grade crossings. The project will also entail enhancements to track gauge and geometry as well as the replacement of five (5) Vehicular Crossings at the following locations:



1. 1<sup>st</sup> Ave and C Street;
2. Park Blvd and J Street;
3. 30<sup>th</sup> Street and Commercial Street;
4. Massachusetts Avenue;
5. I-8 Off Ramp at Spring Street

The Orange Line Track Improvements will also include track replacement at Lemon Grove Depot Trolley Station, rail replacement between Imperial Avenue and Francis Street, tie replacement, lining, and surfacing between Francis Street and Euclid Avenue, and the complete replacement of the diamond at the Broadway Wye.

These improvements will result not only in providing smoother transportation experiences for passengers, but also improve trolley on-time performance due to less maintenance downtime.

MTS Policy No. 52, "Procurement of Goods and Services", requires a formal competitive bid process for procurements exceeding \$100,000.

On May 20, 2016, MTS issued an Invitation for Bids (IFB) for services and materials for Orange Line Track Improvements. Two (2) bids were received on the due date of July 28, 2016, as follows:

Table 1

Contractor	Bid Submission Summary
Herzog Contracting Corporation	\$3,916,490.00
Railworks Track System	\$7,068,639.00

Therefore, staff recommends that the San Diego MTS Board of Directors authorize the CEO to execute MTS Document No. PWL211.0-16 with Herzog Contracting Corporation for the Orange Line Track Improvements project (in substantially the same format as attachments A).



Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachment: A. Draft MTS Doc. No. PWL211.0-16 Herzog Contracting Corporation  
B. Herzog Cost Breakdown

DRAFT  
STANDARD CONSTRUCTION AGREEMENT

PWL211.0-16  
CONTRACT NUMBER  
970.4  
FILE NUMBER(S)

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Herzog Contracting Corporation

Address: 600 South Riverside Road,  
Saint Joseph MO, 64507

Form of Business: Corporation  
(Corporation, partnership, sole proprietor, etc.)

Telephone: 816-233-9001

Email Address: snorman@herzog.com

Authorized person to sign contracts: <u>Scott Norman</u>	<u>Senior Vice President</u>
Name	Title

The specified Contract Documents are part of this Agreement. The Contractor agrees to furnish to MTS services and materials, as follows:

Contractor shall furnish all necessary management, supervision, labor, materials, tools, supplies, equipment, services, and testing as specified in the Scope of Work (attached as Exhibit A), Herzog Contracting Corporations bid pricing document dated July 28, 2016 (attached as Exhibit B) and the Standard Construction Agreement and Special Conditions (attached as Exhibit C).

The term of this Agreement shall commence as specified in the NTP and shall be completed in not less than One Hundred and Eighty (180) calendar days for "Removal of Existing Track, Vehicular Crossing", "Remove Existing Track, Lemon Grove Depot", "Construction of New Track, Vehicular Crossing", "Construction of New Track on Concrete Ties", "10' Pedestrian Crossing", "20' Pedestrian Crossing", Surfacing, Top Ballast, & Destressing", "Rail Replacement (115lb to 115lb)", "Crosstie Replacement (Timber Ties)", "Asphalt Concrete, (8" HMAC)", "Installation of Sidewalk, (4" PCCP)", Installation of Crosswalk, (8" PCCP)" and "Installation of Underdrain" and Three Hundred and Sixty Five (365) calendar days for "Removal of the Broadway Diamond" and "Construct of the Broadway Diamond".

Total contract amount shall not exceed \$ 3,916,490.00, without express written consent of MTS.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

CONTRACTOR AUTHORIZATION

By: \_\_\_\_\_  
Chief Executive Officer

Firm: Herzog Contracting Corporation

Approved as to form:

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Office of General Counsel

Title: \_\_\_\_\_

AMOUNT ENCUMBERED

BUDGET ITEM

FISCAL YEAR

\$ 3,916,490.00

MULTIPLE ACCOUNTS

2017-2018

By: \_\_\_\_\_  
Chief Financial Officer  
( \_\_\_\_ total pages, each bearing contract number)

Date

Orange Line Track Improvements

Bid Item	Description	UOM	Quantity	RAILWORKS TRACK SYSTEMS			HERZOG		
				Unit Cost (one unit)	Extended Cost (Quantity x Unit Cost)		Unit Cost (one unit)	Extended Cost (Quantity x Unit Cost)	
1	Rail Anchors (Up To)	EA	500	\$ 5.00	\$ 2,500.00		\$ 2.20	\$ 1,100.00	
2	Tie Plates (Up To)	EA	250	\$ 30.00	\$ 7,500.00		\$ 14.20	\$ 3,550.00	
3	Remove Existing Track, Vehicular Crossing	TF	1240	\$ 449.00	\$ 556,760.00		\$ 146.00	\$ 181,040.00	
4	Remove Broadway Diamond	EA	1	\$ 46,643.00	\$ 46,643.00		\$ 10,000.00	\$ 10,000.00	
5	Remove Existing Track, Lemon Grove Depot	TF	740	\$ 362.00	\$ 267,880.00		\$ 102.50	\$ 75,850.00	
6	Construct New Track, Vehicular Crossing	TF	1240	\$ 1,024.00	\$ 1,269,760.00		\$ 720.00	\$ 892,800.00	
7	Construct New Track on Concrete Ties	TF	740	\$ 270.00	\$ 199,800.00		\$ 335.00	\$ 247,900.00	
8	Construct Broadway Diamond	EA	1	\$ 334,697.00	\$ 334,697.00		\$ 190,000.00	\$ 190,000.00	
9	10' Pedestrian Crossing	EA	1	\$ 11,464.00	\$ 11,464.00		\$ 15,000.00	\$ 15,000.00	
10	20' Pedestrian Crossing	EA	2	\$ 18,557.00	\$ 37,114.00		\$ 23,000.00	\$ 46,000.00	
11.1	Surfacing, Top Ballast, & Destressing (Segment #1)	TF	21781	\$ 27.00	\$ 588,087.00		\$ 18.00	\$ 392,058.00	
12	Rail Replacement (115lb to 115lb)	TF	2853	\$ 124.00	\$ 353,772.00		\$ 70.00	\$ 199,710.00	
13.1	Crosstie Replacement (Timber Ties) (Segment #1) (Up To)	EA	8291	\$ 379.00	\$ 3,142,289.00		\$ 180.00	\$ 1,492,380.00	
14	Asphalt Concrete, (8" HMA)	SF	7608	\$ 27.00	\$ 205,416.00		\$ 19.00	\$ 144,552.00	
15	Install Sidewalk, (4" PCCP)	SF	148	\$ 43.00	\$ 6,364.00		\$ 34.00	\$ 5,032.00	
16	Install Crosswalk, (8" PCCP)	SF	72	\$ 44.00	\$ 3,168.00		\$ 44.00	\$ 3,168.00	
17	Install 6" Underdrain	LF	545	\$ 65.00	\$ 35,425.00		\$ 30.00	\$ 16,350.00	
GRAND TOTAL BASIS OF AWARD				\$	\$ 7,068,639.00		\$	\$ 3,915,890.00	



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## Agenda Item No. 13

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### SUBJECT:

PROPOSED REVISIONS TO MTS POLICY NO. 42, "TRANSIT SERVICE  
EVALUATION AND ADJUSTMENT"

#### RECOMMENDATION:

That the Board of Directors approve the proposed revisions to MTS Policy No. 42, "Transit Service Evaluation and Adjustment" (Attachment A).

#### Budget Impact

None.

#### DISCUSSION:

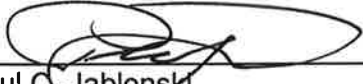
MTS Policy No. 42 is the Board-adopted policy for planning and evaluating services and recommending changes. The policy needs periodic updates to keep current and ensure that evaluation metrics and service change definitions meet Board reporting requirements and operational needs. Policy 42 was last updated in 2012 and 2013 to reflect changes to federal guidance on Title VI compliance.

The three changes proposed in this item would bring the policy up-to-date:

- 1) Update the dates of evaluation metrics from 2012-2015 to 2016-2020. The current twenty metrics have been in place largely since the Comprehensive Operational Analysis, and reflect the goal of a sustainable and productivity-based system. The staff recommendation is to maintain these existing twenty metrics through FY2020.
- 2) Update the route numbers in service type table to reflect route changes over the past three years, such as Rapid route implementation.
- 3) Change the primary metrics from "per in-service hour or mile" to "per revenue hour or mile" to include layover requirements in the evaluation of route performance and new



routes. While "in-service" data reflects the amount of service actually offered to passengers, "revenue" data adds the layover requirements that contribute to a route's cost, bus, and labor requirements. Both types of measurements would still be included in the twenty annual performance metrics.



Paul C. Jablonski  
Chief Executive Officer

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Attachment: A. Proposed Revisions to MTS Policy No. 42



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## Policies and Procedures

No. 42

Board Approval: 6/20/139/15/16

### SUBJECT:

TRANSIT SERVICE EVALUATION AND ADJUSTMENT

### PURPOSE:

To establish:

- (1) a process for evaluating and adjusting existing transit services to improve performance; and
- (2) procedures for implementing service changes.

### BACKGROUND:

On June 23, 2005, the MTS Board of Directors approved the following vision for MTS services.

#### A Vision for MTS Services

- Develop a **Customer-Focused** System: Provide services that reflect the travel needs and priorities of our customers.
- Develop a **Competitive** System: Provide services that are competitive with other travel options by meeting market segment expectations.
- Develop an **Integrated** System: Develop transit services as part of an integrated network rather than a collection of individual routes.
- Develop a **Sustainable** System: Provide appropriate types and levels of service that are consistent with market demands and are maintainable under current financial conditions.





This policy establishes a process for evaluating existing transit services based on these vision statements. In addition, the policy outlines procedures for implementing minor and major service adjustments.

POLICY:

42.1 Categories of Transit Service

To ensure that transit services are evaluated against other similar services, routes are designated into eight service categories based on route characteristics. These categories include: Premium Express, Express, Light Rail, Urban Frequent, Urban Standard, Circulator, Rural, and Demand-Responsive, as defined below. These categories also ensure that fares are consistent with the type and characteristics of the service. Attachment A specifies the services within each category.

***Fixed-Route Services***

Premium Express – High-speed, point-to-point service geared towards commute markets. Service provided during weekday peak periods only and scheduled to meet primary work shift times. May use over-the-road coaches for maximum comfort and highway operations.

Express – High-speed service geared toward linking major subregional residential, employment, and activity centers. Service is generally provided throughout the weekday and possibly on weekends. Operates primarily on highways and major arterials.

Light Rail – High-frequency service (15 minutes or better during the base weekday) operating on exclusive railroad right-of-way. Serves multiple trip purposes and generally experiences high turnover along the line.

Rapid – High-frequency bus service (15 minutes or better during the base weekday) operating in a combination of HOV lanes, mixed-traffic lanes, and/or exclusive right-of-way. Serves multiple trip purposes and generally experiences high turnover along the line. Offers Traffic Signal Priority, enhanced station stops, and “Rapid” or other distinct branding. Service is subsidized by TransNet.

Urban Frequent – High-frequency service (15 minutes or better during the base weekday) primarily operated along major arterials in denser urban areas. Serves multiple trip purposes and generally experiences high turnover along the route. May be operated as regular (all stops) or limited (stopping only at major transfer points and activity centers).

Urban Standard – Basic transit service with base weekday frequencies generally between 30 and 60 minutes. Operates in less dense urban and suburban areas. Serves multiple trip purposes and provides access to all stops.

Circulator – Neighborhood feeder/distributor to transfer stations or shuttle service to local destinations. Operates on arterials and local streets to provide access to residences, businesses, activity, and transfer centers.

**Figure 1**  
**Characteristics of Fixed-Route Services**

	Trip Distance	Speed	Stop Spacing	Streamlined Routing	Fares
	<i>Longer</i>	<i>Faster</i>	<i>Greater</i>	<i>More</i>	<i>Higher</i>
Premium Express	↑	↑	↑	↑	↑
Express	↑	↑	↑	↑	↑
Light Rail	↑	↑	↑	↑	↑
Rapid Bus	↑	↑	↑	↑	↑
Urban Frequent	↓	↓	↓	↓	↓
Urban Standard	↓	↓	↓	↓	↓
Circulator	↓	↓	↓	↓	↓
	<i>Shorter</i>	<i>Slower</i>	<i>Lesser</i>	<i>Less</i>	<i>Lower</i>

### ***Specialized Services***

Rural – Lifeline service that provides a link between rural communities and the San Diego urban core. Very limited service levels; generally a few round-trips operating a few days per week given limited demand.

Demand-Responsive - Paratransit services that complement fixed-route services in accordance with the Americans with Disabilities Act (ADA), as well as services that provide transit access to areas difficult to serve by conventional fixed-routes (e.g., due to terrain, discontinuous street patterns, and extremely low densities).

#### **42.2 Performance Indicators**

The following performance indicators, summarized in Figure 2, ensure that the service evaluation is consistent with the vision statements established for MTS services.

**Figure 2**  
**Transit Service Performance Indicators**

CUSTOMER FOCUSED / COMPETITIVE								INTEGRATED			SUSTAINABLE								
PRODUCTIVITY				QUALITY				CONNECTIVITY			RESOURCES			EFFICIENCY					
Total Passengers	Average Weekday Passengers	Passengers/Revenue Hour	Passengers/In Service Hour	Passenger Load Factor	On-Time Performance	Mean Distance between Failures	Accidents/100,000 Miles	Comments/100,000 Passengers	Route Headway	Span of Service Consistency	Service Availability	In-Service Miles	In-Service Hours	Peak Vehicle Requirement	In-Service Speeds	In-Service/Total Miles	In-Service/Total Hours	Farebox Recovery Ratio	Subsidy/Passenger

**Bold** – Key indicators used for ranking route performance.

**Total Passengers** – Total number of unlinked boardings.

**Average Weekday Passengers** – Average of weekday unlinked boardings excluding abnormal weekday boardings due to unusual circumstances, such as inclement weather, special events, and other unusual impacts to daily ridership levels.

**Passengers per Revenue Hour** – Total number of unlinked boardings divided by the sum of in-service and layover (including recovery) hours. Does not include pull and deadhead hours. Consistent with National Transit Database (NTD) definitions, this indicator is generally used to compare the productivity of MTS services with other agencies.

**Passengers per In Service Hour** – Total number of unlinked boardings divided by in-service hours. Does not include layover, recovery, pull, and deadhead hours. This indicator is a more accurate measure of service performance because it only includes scheduled hours available for loading, unloading, and transporting passengers.

**Passenger Load Factor** – Percent of trips exceeding the passenger load target.

**On-Time Performance** – Percent of service that is within zero minutes zero seconds (00m:00s) early and four minutes fifty nine seconds (04m:59s) late.

**Mean Distance between Failures** – Average distance (measured in total miles) between major mechanical failures.

**Accidents per 100,000 Miles** – Average number of collision accidents (preventable and nonpreventable) for every 100,000 miles operated (measured in total miles).

**Comments per 100,000 Passengers** – Average number of passenger comments for every 100,000 unlinked boardings.

**Route Headway** – Base weekday frequency of route.

**Span of Service Consistency** – Indication of consistency in service span for route groups that experience high levels of transfers between the services.

**Service Availability** – A general measure of the geographic distribution of service within the MTS service area.

**In Service Miles** – Scheduled miles of service available for loading, unloading, and transporting passengers (measured as scheduled miles between departure from the first stop and arrival to the last stop of a trip).

**In-Service Hours** – Scheduled hours of service available for loading, unloading, and transporting passengers (measured as scheduled hours between departure from the first stop and arrival to the last stop of a trip).

**Peak Vehicle Requirement** – Maximum number of vehicles available to provide scheduled service during the heaviest service period of the week.

**In-Service Speed** – Average scheduled speed of transit service between departure from the first stop and arrival to the last stop of a trip.

**In-Service Miles/Total Miles** – Percent of total miles operated that are attributed to service available for loading, unloading, and transporting passengers.

**In-Service Hours/Total Hours** – Percent of total hours operated that are attributed to service available for loading, unloading, and transporting passengers.

**Farebox Recovery Ratio** – Percent of total operating cost recovered through fare revenue.

**Subsidy/Passenger** – The amount of public subsidy required to provide service for each unlinked boarding (measured as total operating cost minus fare revenue divided by total passengers).

### 42.3 Performance Targets

Performance targets represent aggressive yet realistic service expectations based on service design, route characteristics, and operating environments. In addition to setting service expectations, targets are also used to flag and evaluate negative impacts that may occur when balancing an improvement in one aspect of performance at the expense of another aspect. Therefore, using targets ensures that service is designed to achieve the overall goals of the system through a balanced approach.

To ensure that targets are stable, yet reflect changes to market and operating conditions, they will be reviewed and adjusted, if needed, on a three-year basis. In addition to evaluating performance indicators against their targets, tracking the performance trend of each indicator will help ensure that no aspect of performance is unduly impacted over time as a result of overemphasizing other performance priorities. Attachment B presents the performance targets for each indicator.

### 42.4 Performance-Monitoring Process

**Annual Service Evaluation** - The MTS operating budget is adopted annually by the Board of Directors prior to the start of the fiscal year (July 1). This budget is developed around initial assumptions of service levels to be provided in the upcoming year, including anticipated service changes as well as expected performance in achieving the vision for MTS services.

The annual service evaluation will be conducted at the conclusion of each fiscal year to compare actual performance of the system with the targets outlined in Attachment B and to identify opportunities for adjustments and improvements based on this analysis.

Key indicators for flagging low-performing routes are passengers per in-service revenue hour and subsidy per passenger. Routes on the bottom quartile of each route group for both of these indicators will be identified for further analysis on a segment basis (temporal and geographic) as well as closer look at other aspects of the route's performance.

**Service Change Evaluation** – The triannual service evaluation will be conducted at the conclusion of each regularly scheduled service change period. This evaluation will present initial results of service changes and provide an early indication of significant trends. The analysis also provides a basis for tracking the progress of performance throughout the year.

Attachment B identifies the key performance indicators that will be used for analysis during the triannual and annual service evaluations.

## 42.5 Service Changes

Changes to MTS bus and trolley services are implemented three times a year in the fall, winter, and summer. These regularly scheduled service changes provide an opportunity to: (1) improve the routing, operation, and schedules of the transit system consistent with service evaluation and customer comments, (2) implement changes as a result of service plans, including the implementation of new services, (3) optimize service according to the MTS service vision, and (4) adjust service levels according to budget constraints. Service changes can be classified into minor and major changes.

42.5a Minor Service Changes. Minor service changes generally include schedule adjustments for routes that are chronically late or to improve scheduling efficiencies or trip-level adjustments to address overcrowding and productivity improvements. Minor service changes can also include slight routing adjustments to serve a new trip generator, eliminate unproductive segments, or to streamline and optimize service.

Since minor service changes address service maintenance issues, it is important that they are implemented expeditiously. To streamline the process, these changes should not result in a significant impact to ridership. To ensure that impacts are minimized, minor service changes will not represent more than a 25 percent change in a route's weekly in-service miles or hours. Therefore, no action will be required of the MTS Board for approval and implementation of these changes, unless a Title VI report requires Board action as specified in Section 42.6.

42.5b Major Service Changes. Major service changes represent a change that is greater than 25 percent of a route's weekly in-service miles or hours. These changes are generally a result of in-depth research and analyses to address a significant change in a route's demand, operating environment, or performance. Changes may include significant route realignment, changes in scheduled headways, or subarea restructuring.

Although these changes are strategically designed to maximize public benefit and minimize negative impacts, they often result in tradeoffs or reduction in benefits for some riders. Due to the significance and potential negative impacts, approval of these changes is contingent on a properly noticed public hearing.

42.5c New Service Implementation. All new services will be implemented on a trial basis for one year. New service can include new routes, increased frequency during a significant part of the service day, new days of operation, or a significant route extension. These services should perform to equal or better than the system average for passenger per in-service revenue hour and subsidy per passenger within the first year of operation. For a new service to be continued beyond 12 months, a Title VI analysis must be completed and presented to the MTS Board of Directors, which must take action to approve the new service as regular service.

## 42.6 Title VI

MTS is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin as protected by Title VI of the Civil Rights Act of 1964, as amended. This includes the planning and scheduling of routes and services.

42.6a Analysis: Except as provided in Section 42.5c, any of the following changes would require that a Title VI analysis be presented to the MTS Board of Directors before a final implementation decision is made:

- A change that is greater than 25 percent of a route's weekly in-service miles or hours.
- An increase or reduction in the average weekly span-of service of more than 25 percent.
- The implementation of a new route or the discontinuation of an existing route.
- A routing change that affects more than 25% of a route's Directional Route Miles and more than 25-% of the route's bus stops.

42.6b Disparate Impacts and Disproportionate Burdens: MTS' Title VI analysis for a Major Service Change will include a determination of whether or not disparate impacts to minority populations or disproportionate burdens to low-income populations would result from the change.

- A disparate impact is found when there is a difference in adverse effects between minority and non-minority populations such that: the adversely affected population is 10 percent or greater minority by percentage of total population than the total MTS service area average; or, the benefitting population is 10 percent or more non-minority (by percentage of total MTS service area population) than the total MTS service area average. *For example, if the total MTS service area average is 55% minority, then a proposed service change that adversely affects a population that is 65% minority or greater would be defined as a disparate impact.* If MTS chooses to implement a proposed major service change despite a finding of a disparate impact, MTS may only do so if there is a substantial justification for the change, and there are no alternatives that would have a less disparate impact and still accomplish the goals of the change.
- A disproportionate burden is found when there is a difference in adverse effects between low-income and non-low-income populations such that: the adversely affected population is 10 percent or more "low-income" (by percentage of total MTS service area population) than the total MTS service area average; or, the benefitting population is 10 percent or greater "non-low-income" by percentage of total population than the total MTS service area average. *For example, if the total MTS service area average is 20% "low-income," then a proposed service*

*change that benefits a population that is 90% or greater "non-low-income" would be defined as a disproportionate burden. If MTS chooses to implement a proposed change despite a finding of disproportionate burden, MTS may only do so if steps are taken to avoid or minimize impacts where practicable, and MTS provides a description of alternatives available to affected low-income populations.*

42.6c Complaints: Persons alleging violations of Title VI by MTS would follow the procedures outlined in MTS Policy No. 48.

Attachments: A. Service Categories

B. FY ~~2012-2016~~ – FY ~~2015-2020~~ Performance Targets

Original Policy Accepted on 4/8/93.

Policy Revised on 12/8/94.

Policy Repealed and Readopted on 1/13/00.

Policy Revised on 10/26/00.

Policy Revised on 12/14/00.

Policy Revised on 4/25/02.

Policy Revised on 4/29/04.

Policy Revised on 6/14/07.

Policy Revised on 9/20/12.

Policy Revised on 6/20/13.

Policy Revised on 9/15/16.



**Attachment A**  
**Service Categories/Modes & Service Standards**

<b>Category/Mode</b>	<b>Routes</b> (subject to change)	<b>On-Time Performance Standard</b>	<b>Headway Standard (base wkdy)</b>	<b>Vehicle Load Factor (Standard = No more than 20% of trips exceed factor)</b>
<b>Premium Express</b> – High-speed, point-to-point service geared toward commute markets. Service provided during weekday peak periods only and scheduled to meet primary work shift times. May use over-the-road coaches for maximum comfort and highway operations.	<del>810, 820, 850,</del> <del>860, 880</del> <u>280,</u> <u>290</u>	90%	30 min.	1.0
<b>Express</b> – High-speed service geared toward linking major subregional residential, employment, and activity centers. Service is generally provided throughout the weekday and possibly on weekends. Operates primarily on highways and major arterials.	20, 50, <del>60,</del> <u>110,</u> <del>150,</del> <u>240,</u> 870, <del>960</del> <u>950</u>	90%	30 min.	1.5*
<b>Light Rail</b> – High-frequency service operating on exclusive railroad right-of-way. Serves multiple-trip purposes and generally experiences high turnover along the line.	Blue Line, Orange Line, Green Line, <u>Silver Line</u>	90%	15 min.	3.0
<b>Rapid</b> – High-frequency service primarily operated along major arterials in denser urban areas. Serves multiple-trip purposes and generally experiences high turnover along the route. May be operated as regular (all stops) or limited (stopping only at major transfer points and activity centers).	<del>201/202,</del> 204, <del>215, 235, 237,</del> <del>225 (future Mid</del> <del>City Rapid (#</del> <del>TBD),</del> 1-15 BRT <del>(#s TBD),</del> South Bay BRT ( <del>#s</del> <del>TBD</del> <u>Rapid 225</u> )	85%	15 min.	1.5*
<b>Urban Frequent</b> – High-frequency service primarily operated along major arterials in denser urban areas. Serves multiple-trip purposes and generally experiences high turnover along the route. May be operated as regular (all stops) or limited (stopping only at major transfer points and activity centers).	1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 13, <del>15,</del> 30, 41, 44, 120, 701, 709, 712, 901, 906/907, 929, 932, 933/934, 955, 961, 992	85%	15 min.	1.5*
<b>Urban Standard</b> – Basic transit	4, <del>44,</del> 27, 28, 31,	90%	30 min.	1.5*

service along major arterials throughout the MTS service area. Operates in less dense urban and suburban areas. Serves multiple-trip purposes and provides access to all stops.	35, 105, 115, 703, 704, 705, 707, 815, 816, 832, 833, 834, <del>844, 845, 848,</del> 854, 855, 856, 864, 871/872, 874/875, 904, 905, 916/917, 921, 923, 928, 936, <u>944, 945,</u> 962, 963, 967, 968			
<b><u>Circulator</u></b> – Neighborhood feeder/distributor to transfer stations or shuttle service to local destinations. Operates on arterials and local streets to provide access to residences, businesses, activity, and transfer centers.	<u>14</u> , 18, 25, 83, 84, 88, 851, 964, 965, 972, 973, 978, 979	90%	60 min.	1.5*
<b><u>Rural</u></b> – Lifeline service that provides a link between rural communities and the San Diego urban core. Very limited service levels; generally a few round-trips operating a few days per week given limited demand.	888, 891, 892, 894	No specific goal	No specific goal	No specific goal
<b><u>Demand-Responsive</u></b> - Paratransit services that complement fixed-route services in accordance with the Americans with Disabilities Act (ADA) as well as services that provide transit access to areas difficult to serve by conventional fixed-routes (e.g., due to terrain, discontinuous street patterns, and extremely low densities).	MTS Access (ADA Paratransit)	No specific goal	n/a	No specific goal

\*Load standard is 1.0 for routes operated with a minibus

**Attachment B**  
**FY 2042-2016 – FY 2046-2020 Performance Targets**

	Performance Indicator	Level of Analysis	Freq	Target
CUSTOMER FOCUSED/COMPETITIVE	PRODUCTIVITY			
	Total Passengers	Sys, Cat, Rt	A, Q	<ul style="list-style-type: none"> <li>Year-over-year improvement by route, category, and system</li> </ul>
	Average Weekday Passengers	Sys, Cat, Rt	A, Q	<ul style="list-style-type: none"> <li>Year-over-year improvement by route, category, and system</li> </ul>
	Passengers/Revenue Hour	Sys, Cat, Rt	A, Q	<ul style="list-style-type: none"> <li>Improve route category average</li> </ul>
	Passengers/In-Service Hour	Sys, Cat, Rt	A, Q	<ul style="list-style-type: none"> <li>Improve route category average</li> </ul>
QUALITY	Passenger Load Factor	Rt	A	<ul style="list-style-type: none"> <li>No more than 20% of trips exceed vehicle load factor</li> </ul>
	On-Time Performance	Sys, Cat, Rt	A, Q	<ul style="list-style-type: none"> <li>85% for Urban Frequent and Rapid, and 90% for all other route categories</li> </ul>
	Mean Distance between Failures	Op	A	<ul style="list-style-type: none"> <li>Improve operator average</li> </ul>
	Accidents/100,000 Miles	Op	A	<ul style="list-style-type: none"> <li>Improve operator average</li> </ul>
	Comments/100,000 Passengers	Op	A	<ul style="list-style-type: none"> <li>Improve operator average</li> </ul>
INTEGRATED	CONNECTIVITY			
	Route Headway	Rt	A, Q	<ul style="list-style-type: none"> <li>Meet the target headway in each route's classification.</li> </ul>
	Span of Service Consistency	Sys	Q+	<ul style="list-style-type: none"> <li>Improve for routes that share common transfers</li> </ul>
	Service Availability	Sys	Q+	<ul style="list-style-type: none"> <li>80% of residents or jobs within ½ mile of a bus stop or rail station in urban areas.</li> </ul>
				<ul style="list-style-type: none"> <li>100% of suburban residences within 5 miles of a bus stop or rail station.</li> <li>One return trip at least 2 days/week to destinations from rural villages</li> </ul>
SUSTAINABLE	RESOURCES			
	In-Service Miles	Op	Q, A	<ul style="list-style-type: none"> <li>Not to exceed budget</li> </ul>
	In-Service Hours	Op	Q, A	<ul style="list-style-type: none"> <li>Not to exceed budget</li> </ul>
	Peak Vehicle Requirement	Op	Q, A	<ul style="list-style-type: none"> <li>Not to exceed budget</li> </ul>
	In-Service Speeds	Op	Q, A	<ul style="list-style-type: none"> <li>Improve operator average</li> </ul>
	In-Service/Total Miles	Op	Q, A	<ul style="list-style-type: none"> <li>Improve operator average</li> </ul>
	In-Service/Total Hours	Op	Q, A	<ul style="list-style-type: none"> <li>Improve operator average</li> </ul>
	Farebox Recovery Ratio	Sys, Cat, Rt	A	<ul style="list-style-type: none"> <li>TDA requirement of 31.9 percent system wide for fixed-route (excluding regional routes that have a 20 percent requirement)</li> </ul>
	Subsidy/Passenger	Sys, Cat, Rt	A	<ul style="list-style-type: none"> <li>Improve route category average</li> </ul>

Level of Analysis: Sys=System, Op=Operator, Cat=Route Category Rt=Route; Frequency: A=Annually, Q=Quarterly/Triannually  
+ Staff analysis/Not included in Board report. **BOLD** indicates analysis level for the target.



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## Agenda Item No. 14

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### SUBJECT:

HELIX WATER DISTRICT UTILITY RELOCATION REIMBURSEMENT AGREEMENT  
FOR HILL STREET SLOPE REPAIR

#### RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute an Memorandum of Understanding (MOU) with the Helix Water District for cost reimbursement to relocate water mains and fire hydrants required for slope reconstruction by MTS in the vicinity of Hill Street in El Cajon (in substantially the same format as Attachment A).

#### Budget Impact

Funding for the project is included in MTS's Capital Improvement Project (CIP) 1128100 for reconstruction of the slope, utility relocation, retaining walls, road repair, fencing and drainage improvements. The budgetary cost for the relocation of the water mains and fire hydrants totals \$99,500 and will be reimbursed from CIP 1128100.

#### DISCUSSION:

The slope adjacent to Hill Street in El Cajon has been deemed unstable and requires improvements to avoid future slope failures resulting in service disruption. Prior to removing the unstable soil and recompacting with new, the existing water mains and fire hydrants require relocating to the north side of Hill Street to allow for the slope reconstruction. The utilities are owned by Helix Water District (Helix). Helix has agreed to relocate the facilities with costs reimbursed by MTS through a MOU for services rendered. MTS will also assist Helix with changes to the current easement to allow for the utilities to remain on the north side of Hill Street permanently.

A handwritten signature in black ink, appearing to read 'Paul C. Jablonski', is written over a horizontal line.

Paul C. Jablonski  
Chief Executive Officer



Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachment: A. Helix Water District MOU

**MEMORANDUM OF UNDERSTANDING  
BETWEEN HELIX WATER DISTRICT  
AND THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
REGARDING THE HILL STREET SLOPE IMPROVEMENTS EAST OF HILL STREET**

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This Memorandum of Understanding ("MOU") is made and entered into effective as of this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the Helix Water District (HELIX) and the San Diego Metropolitan Transit System (MTS) for the purpose of working cooperatively on the slope improvements east of Hill Street in El Cajon along the MTS railroad tracks. Individually, HELIX and MTS may be referred to as "Party" and collectively as "Parties."

**RECITALS**

The following recitals are a substantive part of this MOU:

WHEREAS, MTS is a transit development board established by Public Utilities Code section 120050 with the responsibility to operate public mass transit in certain unincorporated portions of San Diego County and the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego and Santee;

WHEREAS, the San Diego Association of Governments (SANDAG) is the transit planning agency for the San Diego County region with authority to construct transit projects and facilities in cooperation with or on behalf of MTS;

WHEREAS, MTS plans to reconstruct the slope along the north side of the MTS track from Hill Street and continuing east, approximately 1,700 feet which will require HELIX to relocate its facilities to accommodate reconstruction of the slope (the Project).

WHEREAS, the Project will require reconstruction of the slope, new retaining wall, drainage improvements, landscaping and fencing;

WHEREAS, the Project will also require the relocation of water services south of the MTS tracks along El Cajon Boulevard and will be abandoned by HELIX;

WHEREAS, because the improvements are for MTS' benefit, MTS has agreed to reimburse HELIX for relocation of its facilities that include existing water services to customers adjacent to the slope improvements, share in the costs of the grade crossing track work portion of the Project;

WHEREAS, the Parties have entered into this MOU to define the responsibilities MTS and Helix have agreed to complete.

## AGREEMENT

NOW THEREFORE, in consideration of the mutual promises set forth herein, the Parties agree as follows:

1. HELIX Responsibilities:

a. Relocate existing facilities as identified on Attachment A – HELIX Facilities

HELIX shall be responsible for permanently relocating the existing water services, meters, valves, and fire hydrants to facilitate the slope reconstruction along Hill Street and includes:

- i. Work to relocate the water services includes traffic control, excavation, temporary paving, and all requirements for water service and fire hydrant relocation as described per Attachment A.
- ii. General location of the water service lines, meters, and fire hydrants to be relocated or abandoned are shown on Attachment B.
- iii. All materials for the project shall meet the Federal procurement requirements set forth in Attachment C.

2. MTS Responsibilities:

- a. MTS will be responsible for actual and reasonable construction costs for relocation of HELIX's water services and fire hydrants as indicated in Attachment A.
- b. MTS will be responsible for all costs associated with survey/easement plats, easement processing fees, project initiation fees, field estimate fees, and property owner costs for easement agreements.
- c. MTS will be responsible for all costs related to slope reconstruction as depicted in the contract plans prepared by Klienfelder, Inc. dated December 2015 and includes:
  - i. Slope reconstruction;
  - ii. Curb and gutter;
  - iii. Roadway replacement;
  - iv. Subgrade preparation,
  - v. Landscaping;
  - vi. Traffic Control;
  - vii. Fencing,
  - viii. Retaining walls,
  - ix. Drainage ditch;

- d. Helix has notified MTS that the existing water facilities in the area are vulnerable due to age, type and the general nature of conditions surrounding this proposed project. MTS shall be responsible for all costs and damage caused by and during MTS work identified in paragraph 2(c).
- e. The work identified in paragraphs 2(a) which relates to HELIX's facilities is as estimated and reflected on Exhibit A.
- f. MTS shall maintain the temporary paving after Helix completes the work and for the duration of MTS Construction work. The project scope includes repaving of the road. Once the project is completed, MTS shall have no obligation to maintain the paving.

### 3. Other Terms and Conditions

- a. Upon work completion, neither HELIX nor any officer thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by MTS, or its designated representative, under or in connection with any work, authority, or jurisdiction under this MOU. It is understood and agreed that, pursuant to Government Code Section 895.4, MTS shall fully defend, indemnify, and hold harmless HELIX, all officers and employees from all claims, suits, or actions of every name, kind, and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by MTS, or its designated representative, under or in connection with any work, authority, or jurisdiction delegated to MTS under this MOU.
- b. Upon work completion, neither MTS, nor any officer thereof nor any designated representative, is responsible for any damage or liability occurring by reason of anything done or omitted to be done by HELIX under or in connection with any work, authority, or jurisdiction under this MOU. It is understood and agreed that, pursuant to Government Code Section 895.4, HELIX shall fully defend, indemnify, and hold harmless MTS, all officers and employees and designated representatives, from all claims, suits, or actions of every name, kind, and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by HELIX under this MOU.
- c. Any notice required or permitted under this MOU may be personally served on the other party, by the party giving notice, or may be served by first class mail, to the following addresses:

For MTS  
1255 Imperial Ave, Suite 1000  
San Diego, CA 92101  
Attn: General Counsel

For Helix Water District  
7811 University Avenue  
La Mesa, CA 91942  
Attn: Carlos Lugo

- d. That unless it is amended by the Parties in writing, this MOU shall terminate on July 31, 2018, or on such earlier or later date as the Parties may agree to in writing.
- e. The indemnification provisions of this MOU shall survive termination of the MOU.



- f. This MOU shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this MOU, the action shall be brought in a state or federal court situated in the County of San Diego, State of California.
- g. All terms, conditions, and provisions hereof shall insure to and shall bind each of the Parties hereto and each of their respective heirs, executors, administrators, successors, and assigns.
- h. For purposes of this MOU, the relationship of the Parties is that of independent entities and not as agents of each other or as joint ventures or partners. The parties shall maintain sole and exclusive control over their personnel, agents, consultants, and operations.
- i. No alteration or variation of the terms of this MOU shall be valid unless made in writing and signed by the Parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the Parties hereto.
- j. . For new and unforeseen work not covered in Attachment A, Helix to provide details of the change including cost justification prior to starting of the work for MTS' written approval..
- k. Nothing in the provisions of this MOU is intended to create duties or obligations to or rights in third Parties to this MOU or affect the legal liability of the Parties to this MOU to third parties.
- l. This MOU may be executed in any number of identical counterparts, each of which shall be deemed to be an original, and all of which together shall be deemed to be one and the same instrument when each Party has signed one such counterpart.
- m. This Agreement shall be deemed executed on the date on which the last Party signs this MOU.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU effective on the day and year first above written.

SAN DIEGO METROPOLITAN TRANSIT  
SYSTEM

HELIX WATER DISTRICT

\_\_\_\_\_  
Paul Jablonski  
Chief Executive Officer

\_\_\_\_\_  
Carlos Lugo  
General Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Office of General Counsel

\_\_\_\_\_  
Helix Legal Counsel

## Attachment A

### Estimated Water Service Relocation Cost Summary

Water service relocation and abandonment to building side of driveway and reconnect to private plumbing (installed by Helix paid by MTS):

- 1" WS for 1300 Hill St. (acct. #263337) \$9,000
- 1" WS for 1320 Hill St. (acct. #273131) \$9,000
- 2" WS for 1330 Hill St. (Acct. #214881) \$10,200
- 1" WS for 1340 Hill St. (acct. # 214882) \$9,000
- 1" WS for 1350 Hill St. (acct. # 214883) \$9,000
- **Sub-total (estimated):** **\$46,200\***

Water service relocation and abandonment to building side of driveway and reconnect to private plumbing that were to be protected in place or relocate meter box to behind curb (installed by Helix paid by MTS):

- 1" WS for 1360 Hill St. (acct. # 272893)
- 1" WS for 1370 Hill St. (acct. # 214885)
- 1" WS for 1380 Hill St. (acct. # 271885)
- 1" WS for 1390 Hill St. (acct. #214889)
- **Sub-total (lump sum)** **\$5,000**

Fire Hydrant relocation to building side of driveway (responsibility of MTS):

- FH located at 1330 Hill St. \$14,100
- FH located at 1360 Hill St. \$14,200
- FH located at 1390 Hill St. \$17,300
- **Sub-total (estimated):** **\$45,600\***

Abandonment of water service without a meter (installed by Helix paid by MTS):

- 1" lateral at 1330 Hill St. **\$2,700\***

Abandonment of water service without a meter (responsibility of Helix):

- 2" lateral at 1380 Hill St.
- 1.5" lateral at 1390 Hill St.

**Total Estimated Cost: \$99,500\***

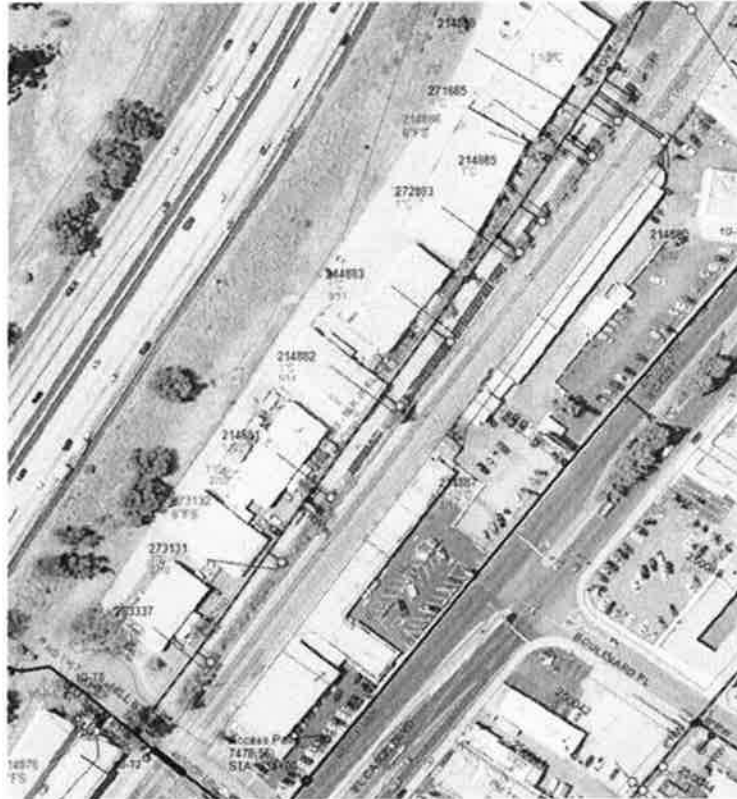
*\* MTS to reimburse Helix based on actual cost.*

### EASEMENTS FOR RELOCATED FACILITIES

Easements for relocated HELIX facilities (responsibility of the Parties):

- MTS to provide HELIX with a plan that clearly depicts the property lines, building lines, with respect to Hill Street. HELIX shall provide MTS the plan to indicate the approximate proposed locations of the water services and fire hydrants on the plan. MTS will use the plan to confirm with the property owner's approval of the proposed locations.
- MTS will produce easement plats of the various proposed pop-out easements for all relocated water services and fire hydrants.
- MTS to negotiate with property owner's on the granting of easements which HELIX will be party to.
- MTS will package the final easement documents for Helix's review and execution.
- Easement acquisition to be completed a minimum of 4 months prior to contractor's mobilization to allow time for HWD to complete all work as identified in Exhibit A.

## Attachment B



## **Attachment C**

FEDERAL REQUIREMENTS TO BE INSERTED.



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

## Agenda Item No. 15

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### SUBJECT:

JANITORIAL SERVICES – SOLE SOURCE CONTRACT EXTENSION

#### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors:

- 1) Ratify Amendment 4 (Attachment A) and Amendment 5 (Attachment B) to MTS's contract with NMS Management, Inc. (NMS) (MTS Doc. No. G1387.0-11) for \$95,134.38, which were previously issued under the Chief Executive Officer's (CEO) authority, for janitorial services at MTS Buildings and on Light Rail Vehicles; and
- 2) Authorize the CEO to execute Amendment 6 (in substantially the same format as Attachment C), with NMS, for a three (3) month sole source extension of janitorial services at MTS Buildings and on Light Rail Vehicles.

#### Budget Impact

The total associated with this request, inclusive of Amendments 4 and 5, will not exceed \$442,550.91. The costs associated with Amendment 6, exclusively, will total \$347,416.52, as follows:

Description	Total Cost
Trolley Janitorial Services	\$302,407.52
Bus Janitorial Services	\$45,009.00

The overall value of the contract will increase from the original \$6,450,302.46 to a revised \$6,797,718.98. Funding is included in the FY 2017 SDTC and SDTI operating budgets.



## DISCUSSION:

MTS currently has an existing Agreement with NMS for Janitorial Services for both Bus and Trolley operations. This agreement ensures janitorial services are provided at MTS buildings and on trolleys to maintain a clean environment for staff and MTS patrons. This agreement is due to expire on September 30, 2016.

To secure a successor to this agreement staff launched a competitive procurement in July 2016.

In April 2016, the California State Legislature passed the California \$15 Minimum Wage Initiative raising California's minimum wage over time. The first incremental increase, to \$10.50 per hour, starts on January 1, 2017. After evaluating the status of the current NMS contract and the pending competitive procurement for the next 5 year period, staff recommends that the NMS contract be extended until December 31, 2016 and the next contract begin January 1, 2017. NMS also confirmed that they have and will continue to be compliant with the City of San Diego Minimum Wage Requirement of \$10.50 per hour, which began on July 11, 2016.

The intent of commencing services following the minimum wage increase effective dates is to ensure pricing obtained and recommended for award in November is immediately in compliance with the aforementioned unfunded mandate from the State of California.

Additionally, by commencing services effective January 1, 2017, MTS will better ensure it is maintaining compliance to the State of California minimum wage rate increase(s) as well as will permit staff to recommend an award to the MTS Board for the new Janitorial Services Agreement with an accurate compensation schedule reflective of said mandate.

Therefore, approval of this recommendation would permit for the ratification of previously authorized services under Amendments 4 and 5 as well as permit receipt of three (3) additional months of janitorial services to MTS buildings and trolleys as follows:

### Ratification of Amendment No. 4:

This amendment increased janitorial services at the Kearny Mesa Division to seven days (7) per week totaling \$23,302.28.

### Ratification of Amendment No. 5:

This amendment added daily cleaning of interior and exterior surveillance camera lenses totaling \$71,832.

### Amendment No. 6:

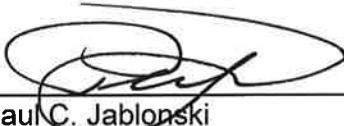
This amendment would authorize a three (3) month sole source extension of janitorial services at MTS Buildings and on Light Rail Vehicles.

MTS Policy No. 52, "Procurement of Goods and Services", MTS may utilize a documented Sole Source procurement method when a change to a contract is beyond the contracts original scope.

As such and in accordance with FTA Circular 4220.1F, Chapter IV, Section 2b-(3)(c), "Time Extensions", consistent with the general tone of the circular, contract time extensions will be considered in light of whether they are permissible changes or impermissible cardinal changes. Once the recipient awards the third party contract, an extension of the contract term length that amounts to a cardinal change will require a sole source justification.

Additionally and in accordance with FTA Circular 4220.1F, Chapter VI, Section 3i-1c – "Substantial Duplication of Costs" MTS requires a time extension for a period of not more than three (3) months to ensure operational continuity is maintained until a competitive recommendation of award for Janitorial services can be made to the MTS Board in November 2016. It is likely that an award to another contractor for the aforementioned period would result in substantial duplication of costs that are not expected to be recovered through competition.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute a Sole Source extension to MTS Doc. No. G1387.6-11, pursuant to MTS Policy 52 and the aforementioned provisions under FTA Circular 4220.1F, with NMS for an additional three (3) month period (in substantially the same format as attachments C).



Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachment: A. Amendment No. 4 to MTS Doc. No. G1387.0-11  
B. Amendment No. 5 to MTS Doc. No. G1387.0-11  
C. Draft MTS Doc. No. G1387.6-11 NMS Management Inc. and Cost Breakdown



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

ORIGINAL

June 6, 2014

MTS Doc. No. G1387.4-11

NMS Management, Inc.  
David Guaderrama, President  
155 West 35th Street, Suite D  
National City, CA 91950

Subject: AMENDMENT NO. 4 TO MTS DOC. NO. G1387.0-11; JANITORIAL SERVICES

This amendment will serve as Amendment No. 4 to our agreement for Janitorial Services as further described below.

#### SCOPE OF WORK

Effective as of June 8, 2014, the <sup>N<sup>4</sup></sup>Kearney Mesa Division (KMD) will now operate seven (7) days per week. Exhibit A, Sections B.5 and B.6 currently describe cleaning tasks to be performed at KMD "Sunday through Friday". This Amendment changes all references to KMD cleaning from "Sunday through Friday" to "Seven (7) days per week". The effective date of this change will be as of June 6, 2014.

#### PAYMENT

As per the NMS Quotation dated June 3, 2014 (see Attachment A) an increase in payment for these tasks are inclusive of additional cleaning supplies and taxes, are stated in detail below, and reflective of monthly invoicing by NMS as follows:

1. Remainder of Base Contract Year 3; June 6 – September 30, 2014  
Additional Day of cleaning tasks and supplies (which are inclusive of sales tax) will be \$190.94. With 17 weeks remaining in this period, the total increase will be \$3,245.98 and invoiced as follows:
  - June 2014 will increase by \$763.76
  - July 2014 will increase by \$763.76
  - August 2014 will increase by \$954.70
  - September 2014 will increase by \$763.76
2. Option Year 1 if exercised at MTS's discretion; October 1, 2014 - September 30, 2015  
Additional Day of cleaning tasks and supplies (which are inclusive of sales tax) will be \$192.85 multiplied by fifty-two (52) weeks, for an annual increase of \$10,028.20.
3. Option Year 2 if exercised at MTS's discretion; October 1, 2015 - September 30, 2016  
Additional Day of cleaning tasks and supplies (which are inclusive of sales tax) will be \$192.85 multiplied by fifty-two (52) weeks, for an annual increase of \$10,028.20.

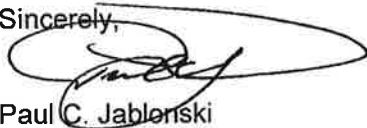




As a result of this Amendment the current total contract price shall be increased by \$3,245.98 from \$3,763,509.60 to \$3,766,755.58. Total value of this contract shall not be exceeded without prior written approval from MTS.

All other conditions remain unchanged. If you agree with the above, please sign below, and return the document marked "Original" to the Contract Specialist at MTS. The other copy is for your records.

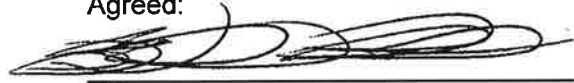
Sincerely,



Paul C. Jablonski  
Chief Executive Officer

LMARQUIS-CL  
CL-G1387.4-11.NMSMGMT.SREED.060614

Agreed:



David Guaderrama  
President / NMS Management, Inc.

Date: 6-12-14

Enclosure: Attachment A – NMS Quote Dated 6/3/14

**ADDENDUM NO. 1: Add (1) Extra Daily Service (Saturday) at Kearny Mesa Division Location**

ADDENDUM NO. 1											
		NMS B&FO Price				Additional Service Price				TOTAL	
		Month Cost	Annual Cost	Week Cost	Day Cost	6 Day Service Annual Price	6 Day Service Month Price	1 Day Service Annual Price	1 Day Service Month Price	B&FO and Additional Annual Price	B&FO and Additional Annual Price
Year 3											
10/01/13-9/30/14		\$ 4,964.35	\$ 59,572.20	\$ 1,145.62	\$ 190.94	\$ 59,572.20	\$ 4,964.35	\$ 3,245.98	\$ 811.50	\$ 62,818.18	\$ 5,775.85

Please Note: Year 1 Price is only for (4) Months: June, July, August & September 2014 (17) Saturdays

	NMS B&FO Price				Additional Service Price				TOTAL	
	Month Cost	Annual Cost	Week Cost	Day Cost	6 Day Service Annual Price	6 Day Service Month Price	1 Day Service Annual Price	1 Day Service Month Price	B&FO and Additional Annual Price	B&FO and Additional Annual Price
Year 4 10/01/14-9/30/15	\$ 5,014.00	\$ 60,168.00	\$ 1,157.08	\$ 192.85	\$ 60,168.00	\$ 5,014.00	\$ 10,028.20	\$ 835.68	\$ 70,196.20	\$ 5,849.68

	NMS B&FO Price				Additional Service Price				TOTAL	
	Month Cost	Annual Cost	Week Cost	Day Cost	6 Day Service Annual Price	6 Day Service Month Price	1 Day Service Annual Price	1 Day Service Month Price	B&FO and Additional Annual Price	B&FO and Additional Annual Price
Year 5 10/01/15-9/30/16	\$ 5,014.00	\$ 60,168.00	\$ 1,157.08	\$ 192.85	\$ 60,168.00	\$ 5,014.00	\$ 10,028.20	\$ 835.68	\$ 70,196.20	\$ 5,849.68

<b>Grand Total Price</b>				<b>\$ 23,302.38</b>	<b>\$ 2,482.86</b>	<b>\$ 203,210.58</b>	<b>\$ 17,475.21</b>
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1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

ORIGINAL

September 16, 2014

MTS Doc. No. G1387.5-11

NMS Management, Inc.  
David Guaderrama, President  
155 West 35th Street, Suite D  
National City, CA 91950

Subject: AMENDMENT NO. 5 TO MTS DOC. NO. G1387.0-11; JANITORIAL SERVICES

This amendment will serve as Amendment No. 5 to our agreement for Janitorial Services as further described below.

Period of Performance:

This is your formal notification that MTS has elected to exercise both option year periods. The period of performance completion date will change from September 30, 2014 to September 30, 2016.

Scope of Work:

Effective as of October 1, 2014, begin additional cleaning of interior and exterior mounted camera lenses as described in the attached quotation (see Attachment A) and continue through September 30, 2016.

Contract Value:

As a result of this Amendment, the contract value has increased by \$2,683,546.88 from \$3,766,755.58 to \$6,450,302.46. The contract value shall not be exceeded without prior written approval from MTS. Details of the increase associated with option period costs are as follows:

1. Original Contract Option Period Value:	\$2,377,994.36
2. Amendment No. 1, Clean LRV's at terminal stations:	\$ 51,979.20
3. Amendment No. 3, Additional LRV cleaning services:	\$ 161,684.92
4. Amendment No. 4, Increase KMD cleaning services:	\$ 20,056.40
5. Amendment No. 5, Add LRV camera cleaning:	\$ 71,832.00
Total:	\$2,683,546.88

All other conditions remain unchanged. If you agree with the above, please sign below and return the document marked "Original" to the Contracts Specialist at MTS. The other copy is for your records.

Sincerely,

Paul G. Jablonski  
Chief Executive Officer

Agreed:

David Guaderrama  
President / NMS Management, Inc.

Date:

9-22-14

LMARQUIS-CL  
CL-G1387.5-11.NMSMGMT.SREED.091714

Enclosure: Attachment A – NMS Quote Dated 6/3/14





MANAGEMENT, INC.

*The  
Environmental  
Care Specialist*

Metropolitan Transit System  
Attn: Mr. Lee Summerlott  
MTS Superintendent  
1255 Imperial Avenue  
San Diego, CA 92101

**RE: PROPOSAL TO ADD DAILY CLEANING OF CAMERA LENSES  
MOUNTED ON INTERIOR & EXTERIOR MTS LRV'S**

On behalf of NMS Management, Inc. (NMS), I am pleased to submit this proposal as we take great pride in being partnered with your agency to provide the public the absolute best experience during their daily commute aboard your LRV's. On behalf of NMS, I would like to propose adding the following services to the nightly cleaning services that we provide.

***Service***

- Cleaning of four (4) interior and four (4) exterior surveillance camera lenses (8 cameras total per LRV).
- LRV's (with cameras) serviced per night=80 LRV's
- Materials (to be provided by NMS): Ladders, Soft Microfiber Cloths

***Cost per LRV***

NMS wants to offer the absolute lowest price to our most preferred customer and still guarantee the highest quality of services and attention to detail in every service performed at your location. The total price is inclusive of all labor costs, material, equipment, supplies, employee benefits, supervision, overhead, and other direct costs. To clean the eight (8) camera lenses on each LRV, NMS is proposing a unit price of **\$1.23 per LRV**.

	Unit Price	Daily Quantity	Days	Annual price
Year 1	\$ 1.23	80	365	\$ 35,916.00
Year 2	\$ 1.23	80	365	\$ 35,916.00
Two year Total				\$ 71,832.00

If this proposal is agreeable, we will be more than happy to implement the additional service upon receipt of authorization from your agency. Alternatively, should you have any suggestions, comments or questions regarding this proposal, please feel free to contact me at any time.

**CORPORATE OFFICE**

Office: (619) 425-0440

Fax: (619) 425-2432

155 West 35th Street, Ste. A

National City, CA 91950

nmsmanagement@msn.com

Sincerely,

David S. Guaderrama  
NMS Management, Inc.  
President

September XX, 2016

MTS Doc. No. G1387.6-11

NMS Management, Inc.  
David Guaderrama, President  
155 West 35<sup>th</sup> St., Suite D  
National City, CA 91950

Subject: AMENDMENT NO. 6 TO MTS DOC. NO. G1387.0-11 JANITORIAL SERVICES

This amendment will serve as Amendment No. 6 to our agreement for Janitorial Services as further described below.

Period of Performance:

This is your formal notification that MTS has exercised a sole source extension to Agreement G1387.0-11, per NMS Quotes dated June 13, 2016 (Bus Operations) and June 17, 2016 (Trolley Operations). The period of performance completion date will change from September 30, 2016 to December 31, 2016.

Scope of Work:

All services as specified in Agreement G1387.0-11, as originally included and Amended, shall continue through December 31, 2016.

Contract Value:

As a result of this Amendment, the contract value has increased by \$347,416.53 from \$6,450,302.46 to \$6,797,718.99. The contract value shall not be exceeded without prior written approval from MTS. Details of the increase costs are as follows:

1. Original Agreement Award:	\$3,520,497.92
2. Amendment No. 1, Clean LRV's at terminal stations:	\$ 68,619.60
3. Amendment No. 2, Quarterly LRV cleaning increase	\$ 14,308.00
4. Amendment No. 3, Additional LRV cleaning services:	\$ 160,084.08
5. Amendment No. 4, Increase KMD cleaning services:	\$ 3,245.98
6. Amendment No. 5, Add LRV camera cleaning and exercise option years 1 & 2:	\$2,683,546.88
7. <u>Amendment No. 6, Sole Source Extension:</u>	<u>\$ 347,416.52</u>
Total:	<u>\$6,797,718.98</u>

All other conditions remain unchanged. If you agree with the above, please sign below, and return the document marked "Original" to the Contracts Administrator at MTS. The other copy is for your records.

Sincerely,

Agreed:

\_\_\_\_\_  
Paul C. Jablonski  
Chief Executive Officer

\_\_\_\_\_  
David Guaderrama  
President / NMS Management, Inc.

Date: \_\_\_\_\_

Enclosure: Attachment A – NMS Bus Operations Quote Dated 06/13/16  
Attachment B – NMS Trolley Operations Quote Dated 06/17/16

Bus Janitorial Services - Cost Break Down for Additional Three (3) Month Term				
Description	Monthly Cost	Quantity	Extended Price	
Kearny Mesa Division (KMD) Supplies	\$ 4,323.86	3	\$	12,971.58
Kearny Mesa Division (KMD) Labor	\$ 840.56	3	\$	2,521.68
Additional Services per Amendment 5 (KMD)	\$ 860.75	3	\$	2,582.25
Imperial Avenue Division (IAD) Labor	\$ 7,927.13	3	\$	23,781.39
Imperial Avenue Division (IAD) Supplies	\$ 1,050.70	3	\$	3,152.10
	Total Cost per Amendment 6		\$	45,009.00

Trolley Janitorial Services - Cost Break Down for Additional Three (3) Month Term				
Description	Monthly Cost	Quantity	Extended Price	
Trolley Light Rail Vehicle Cleaning - Inclusive of Cleaning Products	\$ 94,547.70	3	\$	283,643.10
Trolley Building Cleaning and Tower Cleaning - Including Cleaning Products and Day Porters	\$ 5,618.14	3	\$	16,854.42
HVAC Cleaning Service - Buildings	\$ 1,910.00	1	\$	1,910.00
	Total Cost per Amendment 6		\$	302,407.52

Combined Cost Break Down Total - Janitorial Services for Bus and Trolley			
Description	Extended Price		
KMD	\$ 18,075.51		
IAD	\$ 26,933.49		
Trolley LRVs	\$ 283,643.10		
Trolley Buildings	\$ 18,764.42		
Total	\$ 347,416.52		



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

## Agenda Item No. 16

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

#### SUBJECT:

DIESEL VEHICLE WET-HOSE FUELING SERVICES – CONTRACT AWARD

#### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0658.0-17, (in substantially the same format as Attachment A) with Dion & Sons, Inc. for the provision of Diesel Vehicle Wet-Hose Fueling Services for MTS's Rapid Express Commuter and Rural buses located at the East County Division, for a nine month term.

#### Budget Impact

The total cost of this agreement will not exceed \$404,880.00. Funding for this contract is included in the Fiscal Year 2017 Rapid Express (I-15 Commuter) and Rural operation budgets 830012 and 825012.

	Budget Account	Budget Amount
Rural Diesel Fuel	825012-541100	\$ 25,493.00
Commuter Diesel Fuel	830012-541100	\$ 379,387.00
		\$ 404,880.00

#### DISCUSSION:

With this agreement, MTS will receive mobile fueling (off site wet-hosing) at the East County Operating Division. Quantities delivered will be based on actual demand.

MTS's East County Bus Operating Division is under construction and entering its final project phase. The final phase will include moving into the new state-of-the-art administrative and maintenance facility at Vernon Way and vacating the existing facility



and diesel fueling lanes accessible on North Johnson Street. The North Johnson site will be redeveloped to include state-of-the-art CNG service lanes, an above ground diesel fueling option, a bus wash and expanded fleet parking for up to 120 buses. During the construction phase of the North Johnson site, the existing underground diesel fuel tank and service lanes will be removed, thus requiring a temporary mobile diesel (off-site wet hosing) fueling option for the remaining East County diesel fleet from September 21, 2016 through June 30, 2017.

MTS's East County operation includes a fleet of twenty-five (25) diesel over-the-road coaches for Rapid Express Commuter routes 280 and 290 servicing I-15 to downtown and two (2) forty foot diesel buses for rural route 894, which provides service between El Cajon and Campo. Both commuter and rural service is scheduled during the morning and afternoon periods, which allows for midday fueling opportunities when the majority of the fixed route is in service and space is available to park a mobile diesel fueling truck on site.

Daily fueling will be required to maintain operations at the East County Bus Division. The site will require approximately 1,000 - 1,500 gallons of fuel daily. The hours of operation for wet-hosing will be between 11am – 2pm, where a small mobile tanker will arrive when all or majority of the Rapid Express and Rural buses are on site. This process will allow the least amount of time needed to fuel the diesel fleet.

MTS Policy No. 52, "Procurement of Goods and Services", requires a formal competitive process for acquisitions exceeding \$100,000.

On August 3, 2016, MTS issued an Invitation for Bid (IFB) for Diesel Wet-Hose Fueling Services for Rapid Express Commuter and Rural fleet. Three (3) bids were received on August 19, 2016, as follows:

Contractor	Bid Submission Summary
Dion & Sons Inc.	\$404,880.00
Merrimac Energy Group	\$409,212.00
SC Fuels	\$413,472.00

After a review for responsiveness and responsibility, staff determined that Dion & Sons Inc. presented MTS with the lowest responsive and responsible bid.

The proposed contract value does not exceed the existing FY17 budget (\$443,081) for diesel fuel for the time period specified.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute MTS Doc. No. B0658.0-17, (in substantially the same format as Attachment A) with Dion & Sons, Inc. for the provision of Diesel Wet-Hose Fueling Services for Rapid Express Commuter and Rural fleet, from September 21, 2016 – June 30, 2017.

  
\_\_\_\_\_  
Paul C. Jablonski  
Chief Executive Officer

Key Staff Contact: Sharon Coney, 619-557-4513, [Sharon.Cooney@sdmts.com](mailto:Sharon.Cooney@sdmts.com)

Attachment: A. Draft Standard Services Agreement; Contract B0658.0-17



## DRAFT

## STANDARD CONSTRUCTION AGREEMENT

B0658.0-17  
 CONTRACT NUMBER  
 920.2  
 FILE NUMBER(S)

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2016, in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: M.O. Dion & Sons Inc. dba. Dion & Sons, Inc.

Address: 1543 West 16<sup>th</sup> Street,  
Long Beach CA, 90813

Form of Business: Corporation  
 (Corporation, partnership, sole proprietor, etc.)

Telephone: 310-753-4092

Email Address: mcarlson@amberresources.com

Authorized person to sign contracts: Marla Carlson Vice President of Business Development  
 Name Title

The specified Contract Documents are part of this Agreement. The Contractor agrees to furnish to MTS services and materials, as follows:

Contractor shall furnish all necessary management, supervision, labor, materials, tools, supplies, equipment, and services, as specified in the Scope of Work (attached as Exhibit A), Dion & Sons Inc., bid pricing document dated August 19, 2016 (attached as Exhibit B) and the Standard Services Agreement and Special Conditions (attached as Exhibit C).

The period of performance for Diesel Wet-Hose Fueling Services for Rapid Express Commuter and Rural fleet at MTS's East County Facility shall commence on September 21, 2016 through June 30, 2017.

Total contract amount shall not exceed \$ 404,880.00 without express written consent of MTS.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM		CONTRACTOR AUTHORIZATION
By: _____ Chief Executive Officer		Firm: <u>M.O. Dion &amp; Sons Inc. dba.</u> <u>Dion &amp; Sons, Inc.</u>
Approved as to form:		By: _____ Signature
By: _____ Office of General Counsel		Title: _____
AMOUNT ENCUMBERED	BUDGET ITEM	FISCAL YEAR
\$ 404,880.00	MULTIPLE ACCOUNTS	2017
By: _____ Chief Financial Officer ( ____ total pages, each bearing contract number)		Date _____



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

## Agenda Item No. 17

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

SUBJECT:

SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) SOLE SOURCE AWARD  
FOR REGIONAL TRANSIT MANAGEMENT SYSTEM (RTMS) HARDWARE  
MAINTENANCE SERVICES TO XEROX TRANSPORTATION SOLUTIONS

This item will be provided with  
the Executive Committee  
meeting materials





1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
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## Agenda Item No. 18

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

September 15, 2016

**Draft for  
Executive Committee  
Review Date: 9/8/16**

SUBJECT:

REGIONAL TRANSIT MANAGEMENT SYSTEM (RTMS) RADIO MAINTENANCE  
SERVICES - CONTRACT AWARD

This item will be provided with  
the Executive Committee  
meeting materials

