

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

### **Agenda**

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

November 5, 2020

Meeting will begin immediately after Audit Oversight Committee

\*Meeting will be held via webinar\*

To request an agenda in an alternative format or to request accommodations to facilitate meeting participation, please call the Clerk of the Board at least two working days prior to the meeting. Meeting webinar/teleconference instructions can be accessed at the following link: <a href="https://www.sdmts.com/about-mts-meetings-and-agendas/executive-committee">https://www.sdmts.com/about-mts-meetings-and-agendas/executive-committee</a>

ACTION RECOMMENDED

- ROLL CALL
- 2. APPROVAL OF MINUTES September 10, 2020

Approve

PUBLIC COMMENTS

#### COMMITTEE DISCUSSION ITEMS

4. Quarterly Mid-Coast Transit Project Update (Ramon Ruelas of SANDAG)

Informational

5. <u>2021 Legislative Program Workshop (Julia Tuer)</u>
Action would: 1) Receive a report and provide feedback on the draft 2021
State and Federal Legislative Program; and 2) Forward a recommendation to the Board of Directors to approve staff recommendations for the 2021 State and Federal Legislative Program.

**Approve** 

6. Authorization to Negotiate and Conduct Due Diligence for Potential Real Property Purchase (1346-1394 Pioneer Way, El Cajon) (Tim Allison)
Action would authorize staff to conduct due diligence and commence negotiations with Walter E. Fiedler, Inc. concerning the potential purchase of property located at 1346 and 1394 Pioneer Way in El Cajon, California.

Approve

Please SILENCE electronics during the meeting









Possible Action

7. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY
NEGOTIATORS Pursuant to California Government Code Section 54956.8

Property: Assessor's Parcel Numbers (APN) 483-021-39 and 40; 1346 –
1394 Pioneer Way, El Cajon, California
Agency Negotiators: Sharon Cooney, Chief Executive Officer; Karen
Landers, General Counsel; and Tim Allison, Manager of Real Estate Assets
Negotiating Party: Walter E. Fiedler, Inc.
Under Negotiation: Price and Terms of Payment

#### **OTHER ITEMS**

- 8. REVIEW OF DRAFT November 12, 2020 MTS BOARD AGENDA
- 9. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS
- 10. NEXT MEETING DATE: December 3, 2020
- 11. ADJOURNMENT

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

1255 Imperial Avenue, Suite 1000 San Diego, CA 92101

### DRAFT MINUTES

September 10, 2020

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. Note that the meeting was conducted via webinar to comply with public health orders].

#### 1. ROLL CALL

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

#### APPROVAL OF MINUTES

Chair Fletcher moved to approve the minutes of the July 16, 2020, MTS Executive Committee meeting. Board Member Ward seconded the motion, and the vote was 3 to 0 in favor with Board Member Salas and Board Member Arambula absent.

#### PUBLIC COMMENTS

There were no Public Comments.

#### **COMMITTEE DISCUSSION ITEMS**

### 4. <u>Zero Emission Bus Draft Transition Plan (Mike Wygant, Mark Olson, Denis Desmond & Larry Marinesi)</u>

Sharon Cooney, Chief Executive Officer; Mark Olson, MTS Manager of Public Relations; Denis Desmond, MTS Director of Planning; Michael Wygant, MTS Chief Operating Officer – Transit Services; and Larry Marinesi, MTS Chief Financial Officer, presented on the Zero Emission Bus (ZEB) Draft Transition Plan. They outlined the following aspects of the project: public engagement, deployment plan, alternative fleet transitions, greenhouse gas analysis, cost analysis and next steps.

### **PUBLIC COMMENTS**

Gretchen Newsom – with IBEW 569, provided a verbal statement to the Committee during the meeting. Newsom supported MTS's prioritization of ZEBs in environmental justice communities; acknowledged working with MTS staff to incorporate work force safety and retention language; and encouraged the committee to adopt the accelerated transition option and return this item to the Board no later than February 2021. Newsom voiced appreciation for the updated transition plan and supported MTS's recommendation.

Noah Harris – with Climate Action Campaign provided a verbal statement to the Committee during the meeting. Harris stated that transitioning off of fossil fuels was crucial to the impacts of the climate crisis. Harris cited the United Nations Intergovernmental Panel on Climate Change (UNIPCC) special report noted a zero carbon push by mid-century to stop climate change. Harris urged MTS to transition the fleet to a shorter timeline for the purchase of ZEB buses, and encouraged halting the purchase of CNG buses. Harris thanked staff for prioritizing the implementation in San Diego's disadvantage communities.

Carolina Martinez – with Environmental Health Coalition provided a verbal statement to the Committee during the meeting. Martinez voiced support for the incorporation of environmental justice communities as priority areas to the ZEB implementation plan. Martinez asked the

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committee to support the alternative scenario 1 option as well as cover the item once more during the February 2021 Board meeting. Martinez noted that the agency was not meeting the region's frequency needs and referenced the GHG graph noting concerns that the agency continues to buy CNG buses.

Haney Hong – with San Diego County Taxpayers Association provided a verbal statement to the Committee during the meeting. Hong stated that acceleration could lead to an increase in fares, therefore affect low income ridership as well as create service reductions. Hong questioned the funding source identified for transition and noted there could be a future sales tax, which would hurt low income residents the most. Hong urged a longer transition plan so MTS can take advantage of having better technology and improved costs.

Nahomi Sanchez – a resident from Barrio Logan provided a verbal statement to the Committee during the meeting. Sanchez voiced support for MTS's transition plan. Sanchez focused on environmental factors such as air quality as a main reason for the transition.

Alicia Sanchez – with Environmental Health Coalition provided a verbal statement to the Committee during the meeting in Spanish and Marcial Gutierrez, MTS Marketing Specialist, translated Sanchez's statement. Sanchez commented on the heat wave and lack of access for air conditioning in low income communities. Sanchez expressed support for MTS's recommendation.

Esperanza Gonzalez – with Environmental Health Coalition provided a verbal statement to the Committee during the meeting in Spanish and Marcial Gutierrez, MTS Marketing Specialist, translated Gonzalez's statement. Gonzalez highlighted the effects of climate change and urged MTS to accelerate the transition to electric buses.

J.G. Lonjaret – Provided a verbal statement to the Committee during the meeting. Lonjaret asked if the 240km range was for the bus battery or fuel cells. Lonjaret also asked if night time charging would be converted from natural gas. Lastly, Lonjaret asked about the type of fuel used currently for natural gas buses.

Silvia Calzada – a resident from National City provided a verbal statement to the Committee during the meeting. Calzada urged the committee to prioritize and expedite ZEB implementation in low income communities such as National City.

*Priscilla Dioquino* – Provided a written statement to the Committee prior to the meeting. The full written statement is included in the final meeting packet and posted on the MTS website.

#### COMMITTEE COMMENTS

Ms. Cooney responded to the questions posed by J.G. Lonjaret. She clarified all current natural gas being used is renewable. The electricity that would be supplied for ZEB buses would be the mode of production provided by San Diego Gas & Electric (SDG&E). The 240km range references the hydrogen fuel cell bus.

Chair Fletcher stated he wants MTS to reach zero emission as fast as possible while avoiding fare increases or reductions in service levels. Chair Fletcher noted the challenge to quickly and aggressively reach the goals while balancing funding and seeking technology advances. He noted a significant need for policy change within the federal government and also acknowledged restrictions with state funding. Chair Fletcher noted support of cancelling the five CNG buses

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and replacing those with electric buses. He also voiced support in adopting the 25% accelerated plan and holding annual reviews of the plan beginning in February 2021.

Vice Chair Sotelo-Solis agreed with Chair Fletcher. She supported the recommendation and the workforce partnership language.

Board Member Ward appreciated the critical analysis staff put into the report and supported the recommendation. Board Member Ward asked for more information on the cutaways vehicles. Mr. Wygant answered that the fuel cell cutaway vehicles are the smaller buses and have a range extender component which uses hydrogen to charge the battery on board the bus. Board Member Ward supported the plan right now given the current limitations, but would like to reevaluate the plan each year to make any changes and potentially speed up the transition plan, if possible.

### Action Taken

Vice Chair Sotelo-Solis moved to forward a recommendation to the Board of Directors to include the following considerations in the draft Rollout Plan and Transition Plan:

- 1) Prioritize the deployment of ZEB's in disadvantaged communities;
- 2) Include the workforce development and certification language;
- 3) Approve the accelerated transition option #1 (25% purchase requirements 2020-2022), transitioning to 100% ZEB by 2040 (this option includes the purchase of five battery electrics buses (BEBs) instead of five CNG buses in 2021, for a 13% total annual purchase, as well as the purchase of 12 articulated BEBs in 2022, for a 25% total annual purchase); and
- 4) Conduct an annual review of the Transition Plan by the Board of Directors beginning in February 2021.

Chair Fletcher seconded the motion, and the vote was 5 to 0 in favor.

#### OTHER ITEMS

5. REVIEW OF DRAFT September 17, 2020 BOARD AGENDA

#### Recommended Consent Items

6. <u>San Diego and Arizona Eastern (SD&AE) Railway Company Quarterly Reports and Ratification of Actions Taken by the SD&AE Board of Directors at its Meeting on July 28, 2020</u>

Action would receive the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association (Museum), and Desert Line quarterly reports for information and ratify any actions taken.

7. Adoption of Amended 2020 Conflict of Interest Code

Action would: 1) Adopt Resolution No. 20-17 amending the MTS Conflict of Interest Code pursuant to the Political Reform Act of 1974; 2) Adopt the amended 2020 MTS Conflict of Interest Code; and 3) Forward the amended 2020 MTS Conflict of Interest Code to the County of San Diego (the designated code-reviewing body).

### 8. Fiscal Year (FY) 2019-2020 And FY 2020-2021 California Senate Bill (SB) 1 State of Good Repair (SGR) Funding

Action would; approve Resolution No. 20-18 (in substantially the same format as Attachment A), in order to: 1) Authorize the use of, and application for, \$4,955,508.00 in FY 2020-21 State of Good Repair funding to be used for the 40-foot Bus Replacement Project in FY 2021-22; and 2) Approve the acceptance of an additional \$54,235.03 in FY 2019-20 SB1-SGR funding to bring the total FY 2019-20 allocation to \$4,643,615.03

### 9. <u>Occupational Health Services - Contract Amendments</u>

Action would authorize the Chief Executive Officer (CEO) to reallocate contract capacity between contracts G1944.2-17 with Kaiser Permanente and G2069.2-18 with Concentra. The amended amounts for each contract are based on actual usage during the base period of these contracts, and will not exceed the original total contract dollar amount of \$762.204.00.

### 10. Investment Report – Quarter Ending June 30, 2020

#### 11. Printing Timetables – Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2381.0-20, with Southwest Offset Printing Co., Inc. (SOP), for printing services, in the amount of \$1,440,751.59, for seven (7) years effective December 1, 2020.

### 12. <u>Engineering and Right of Way Services - Work Order Amendment</u>

Action would authorize the Chief Executive Officer (CEO) to execute WOA1947-AE-16.03 under MTS Doc. No. G1947.0-17 with HDR Engineering, Inc. (HDR) in the amount of \$618,232.64 to increase the Work Order budget for the continued provision of engineering and right-of-way support services for the MTS Capital Projects Department.

### 13. <u>Design Services for America Plaza and Kettner Blvd Track Replacement – Award Work</u> Order Contract

Action would authorize the Chief Executive Officer (CEO) to execute Work Order WOA1947-AE-59 under MTS Doc. No. G1947.0-17 with HDR Engineering, Inc. (HDR), in the amount of \$154,736.16 for design services for America Plaza and Kettner Blvd. Track Replacement.

### 14. <u>Kearny Mesa Division (KMD) Bay Rollup Door Replacement Construction – Contract</u> Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWB314.0-20, with Noble E&C Inc., a Small Business (SB), for procuring and installing KMD rollup doors in the amount of \$98,400 plus a 30% contingency for change orders.

### 15. <u>Closed-Circuit Television (CCTV) System Installation for the Mid-Coast Trolley</u> Extension Project – Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL320.0-21, with Electro Specialty Systems (ESS) Corp., for procuring and installing a CCTV (video surveillance) system for the Mid-Coast Trolley Extension Project in the amount of \$623,616.00 plus a 25% contingency.

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### 16. <u>Monitoring Well at Imperial Avenue Division (IAD) Project – Additional Design Services –</u> Work Order Amendment

Action would; 1) Ratify Work Order WOA1951-AE-52 under MTS Doc No. G1951.0-17 with Mott MacDonald, LLC (MM) totaling \$76,666.24, for environmental services; 2) Authorize the Chief Executive Officer (CEO) to execute Work Order amendment WOA1951-AE-52.01 under MTS Doc No. G1951.0-17, with MM totaling \$30,959.53, for additional environmental services to abandon the temporary and permanent groundwater monitoring wells at IAD.

### 17. <u>Managed Print Services and Canon Multi-Function Device (MFD) Purchase - Contract Award</u>

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. G2354.0-20 with Signa Digital Solutions, a Small Business, for four (4) years in the amount of \$635,937.00.

### 18. <u>Fare Collection (Rail Validator Masts Change Order) – Ratification and Approval of Amendments</u>

Action would ratify Amendment 3 and authorize the Chief Executive Officer (CEO) to execute Amendment 4 to MTS Doc. No. G2091.0-18 with Innovations in Transportation, Inc. (INIT), for a total contract increase of \$964,948.08.

#### 19. Las Chollas Creek Bridge Repair Design - Work Order Amendment

Action would; 1) Ratify Work Order WOA1951-AE-58 under MTS Doc. No. G1951.0-17 with Mott MacDonald, LLC (MM) totaling \$67,607.46, for Las Chollas Creek Bridge assessment services; and; 2) Authorize the Chief Executive Officer (CEO) to execute Work Order amendment WOA1951-AE-58.01 under MTS Doc. No. G1951.0-17, with MM totaling \$80,187.49, for preparation of final construction documents for most immediate portions of the bridge repair work.

### 20. Old Town Transit Center (OTTC) West – Fund Transfer

Action authorize the Chief Executive Officer (CEO) to execute Addendum 17, Scope of Work 90.1 to the Memorandum of Understanding (MOU) between San Diego Associations of Governments (SANDAG) and MTS for the Construction of the Old Town Transit Center West Improvements project for an additional amount of \$888,130 for a total not to exceed \$5,492,130.

### 21. New Transit Facility – Fund Transfer for Initial Environmental Review

Action would authorize the Chief Executive Officer (CEO) to execute Addendum 17, Scope of Work 91 (in substantially the same format as Attachment A) to the Memorandum of Understanding (MOU) between San Diego Associations of Governments (SANDAG) and MTS to conduct initial environmental review to support acquisition of real property, for a total not to exceed \$265,000.

#### 6. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

There was no Committee Member Communications and Other Business discussion.

Executive Committee Meeting – DRAFT MINUTES September 10, 2020

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### 7. NEXT MEETING DATE

The next Executive Committee meeting is scheduled for October 1, 2020, at 9:00 a.m. [Clerk's note: the October 1, 2020 Executive Committee meeting was subsequently cancelled.]

### 8. ADJOURNMENT

Chair Fletcher adjourned the meeting at 10:25 a.m.

Chairperson

San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

### **EXECUTIVE COMMITTEE**SAN DIEGO METROPOLITAN TRANSIT SYSTEM

### ROLL CALL

MEETING OF (I	DATE) <u>Sep</u>	tember 10, 2020	CALL TO ORDE	R (TIME)	9:00 a.m.	
RECESS				RECONVENE		
CLOSED SESS	ION			RECONVENE		
				ADJOURN	10:	:25 a.m.
BOARD MEN	MBER	(Alternate)		PRES (TIME AF	SENT RRIVED)	ABSENT (TIME LEFT)
ARAMBULA	⊠	(Hall)		9:05	a.m.	10:25 a.m.
FLETCHER (	(Chair) 🛮	(Cox)		9:00	a.m.	10:25 a.m.
SALAS		(Sandke)		9:03	a.m.	10:25 a.m.
SOTELO-SOLIS ☑ (Vice Chair – no alternate)				9:00	a.m.	10:25 a.m.
WARD	$\boxtimes$	(Montgomery)		9:00	a.m.	10:25 a.m.
SIGNED BY TH	IE CLERK O	F THE BOARD: <u>/</u> s	s/ Dalia Go	onzalez		

CONFIRMED BY THE GENERAL COUNSEL: /s/ Karen Landers



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

### Agenda Item No. 4

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

November 5, 2020

SUBJECT:

QUARTERLY MID-COAST CORRIDOR TRANSIT PROJECT UPDATE (RAMON RUELAS OF SANDAG)

INFORMATIONAL ONLY

**Budget Impact** 

None.

#### **DISCUSSION:**

The Mid-Coast Corridor Transit Project is being developed by the San Diego Association of Governments (SANDAG) with MTS's assistance. The Mid-Coast Project will extend Trolley service from Old Town Transit Center to the University City community, serving major activity centers such as the Veterans Administration Medical Center, the University of California San Diego, and Westfield UTC. The project is funded by SANDAG and the Federal Transit Administration New Starts Program. SANDAG staff will provide an update on the project.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

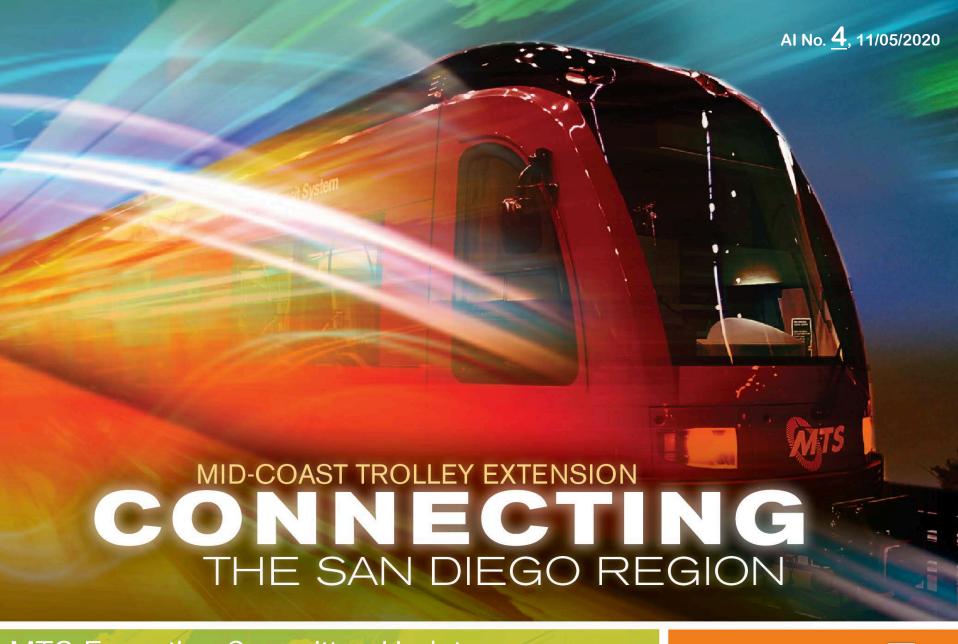
Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>











MTS Executive Committee Update November 5, 2020





## PROJECT OVERVIEW

11-mile extension of the Blue Line Trolley

One seat ride from U.S./Mexico Border to University area

Nine new stations (five with parking)

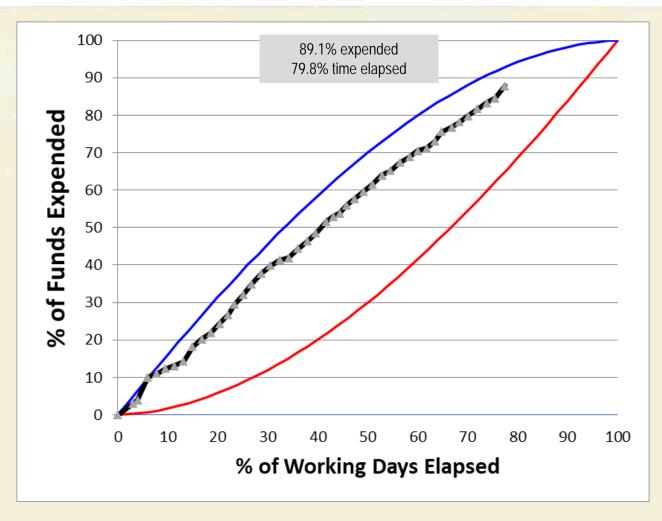
36 new Trolley cars

Revenue service to begin late 2021



## **CONSTRUCTION PROGRESS**





Note: Based on total authorized to date of \$1,012,965,853 through 9/20/2020

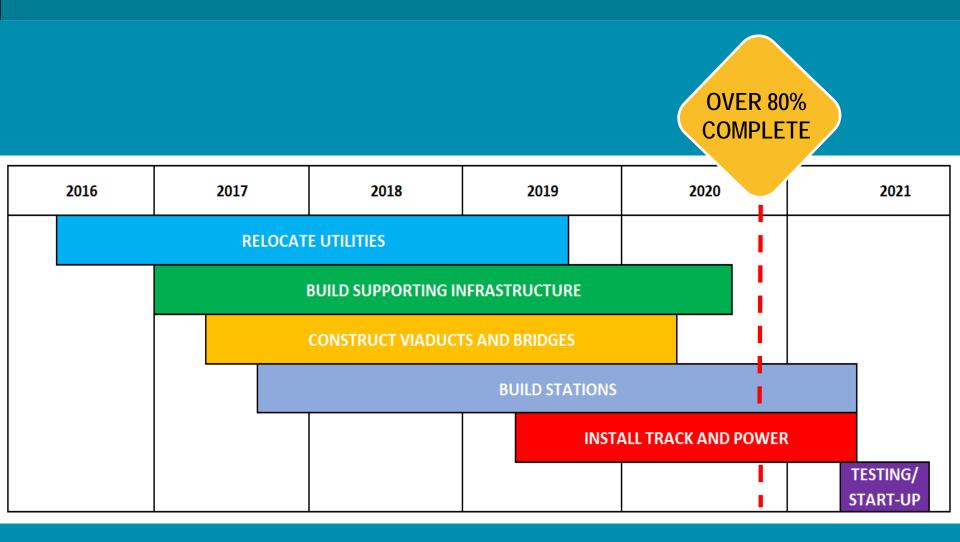
## DBE UTILIZATION





## **CONSTRUCTION SCHEDULE**





## **CONSTRUCTION SCHEDULE**



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IV	Ш	COLUNIC

**Heavy Construction Duration** 

AWW Shoofly 1 Complete

AWW Shoofly 2 Complete

Reach 14 Track Const. Complete

Start MTS Pre-Revenue Testing

Final Completion by MCTC

Revenue Service Date

FFGA Latest Revenue Date

### <u>Baseline</u>

56 months

March 26, 2017

March 18, 2018

August 6, 2020

April 20, 2021

July 16, 2021

Sept. 27, 2021

Nov. 23, 2022

### Sept. 2020 Update

58.2 months

March 26, 2017 (A)

April 22, 2018 (A)

October 9, 2020

June 23, 2021

September 20, 2021

November 9, 2021

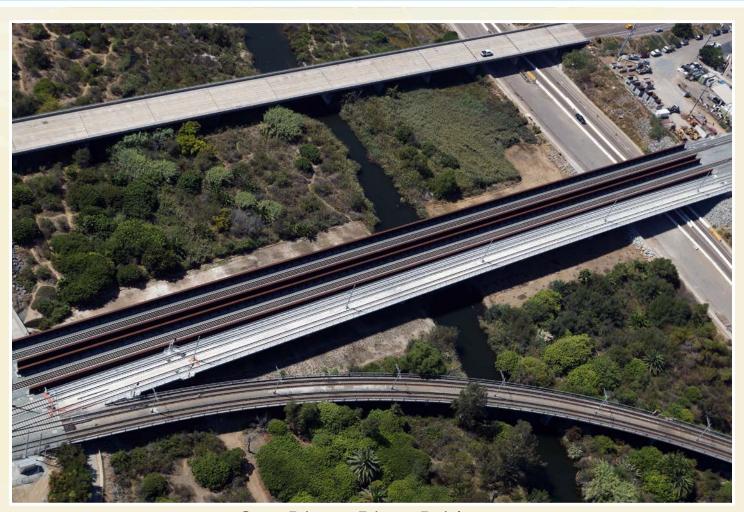
November 23, 2022





Old Town Transit Center Improvements





San Diego River Bridges





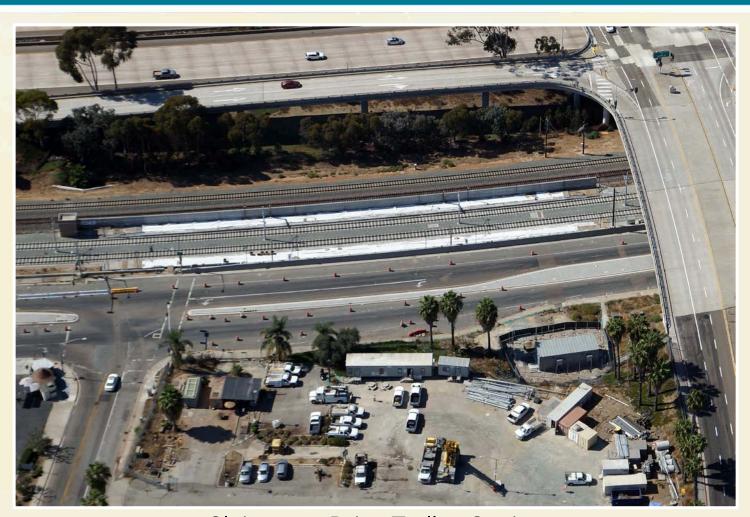
**Tecolote Road Trolley Station** 





Tecolote Creek Bridge





Clairemont Drive Trolley Station





Balboa Avenue Trolley Station





Balboa Avenue Trolley Station Pedestrian/Bicycle Ramp





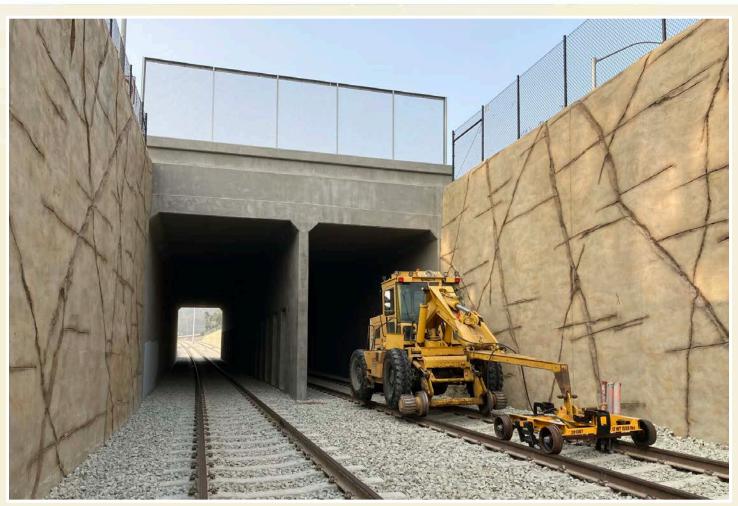
Trolley Flyover along Rose Canyon





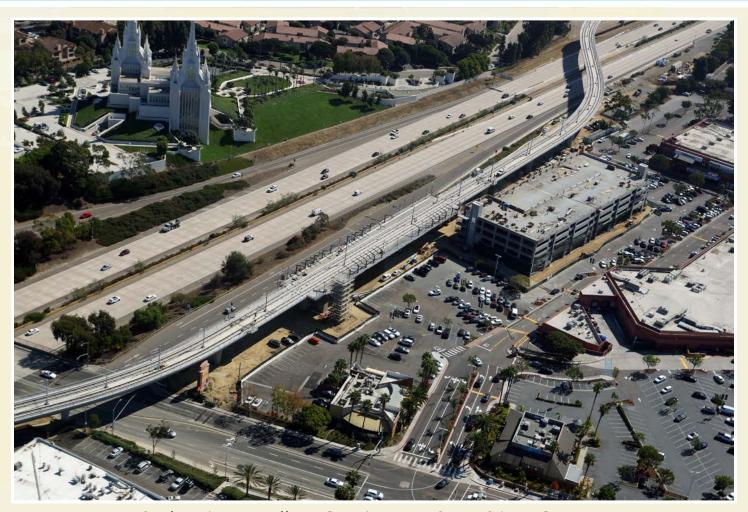
Trolley Underpass at La Jolla Colony Drive





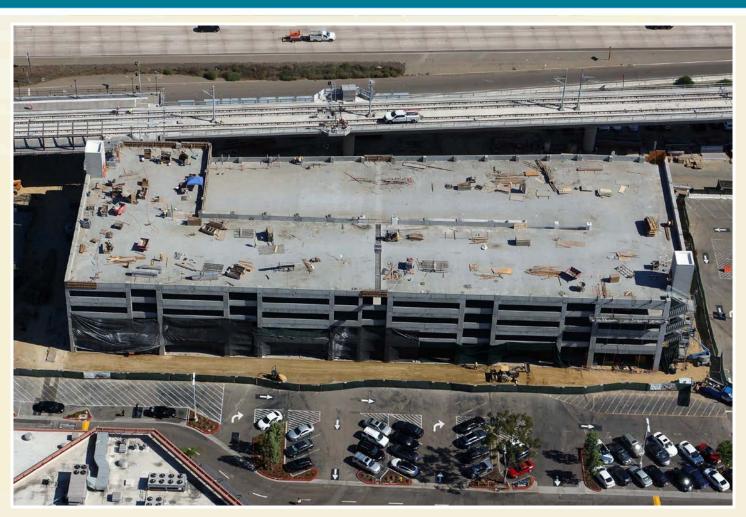
Trolley Underpass at La Jolla Colony Drive





Nobel Drive Trolley Station and Parking Structure





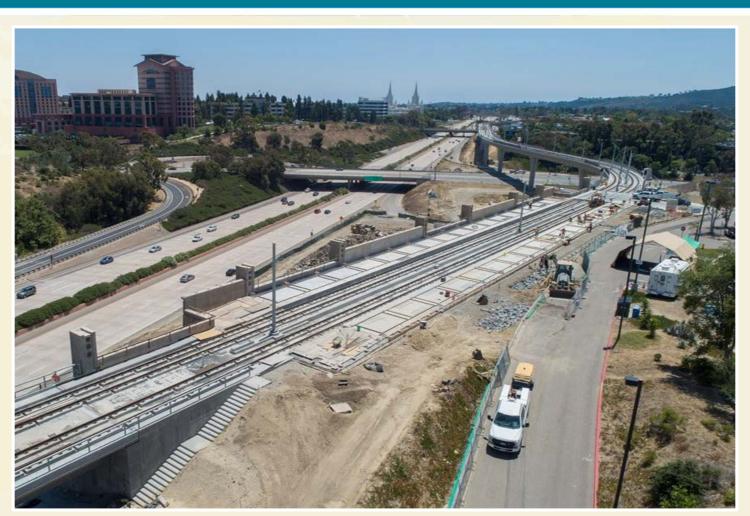
Nobel Drive Trolley Station Parking Structure





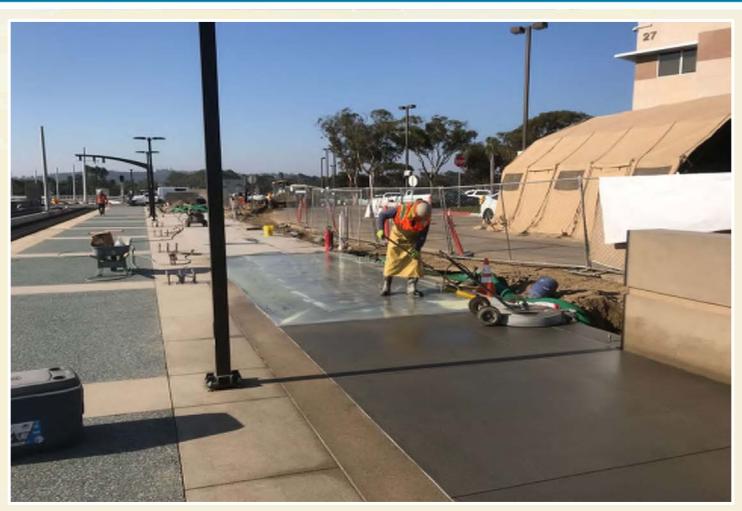
Nobel Drive Trolley Station Parking Structure





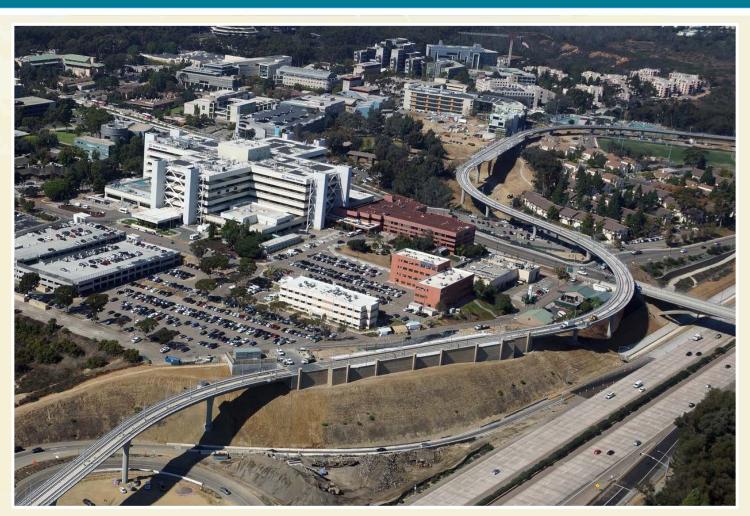
**VA Medical Center Trolley Station** 





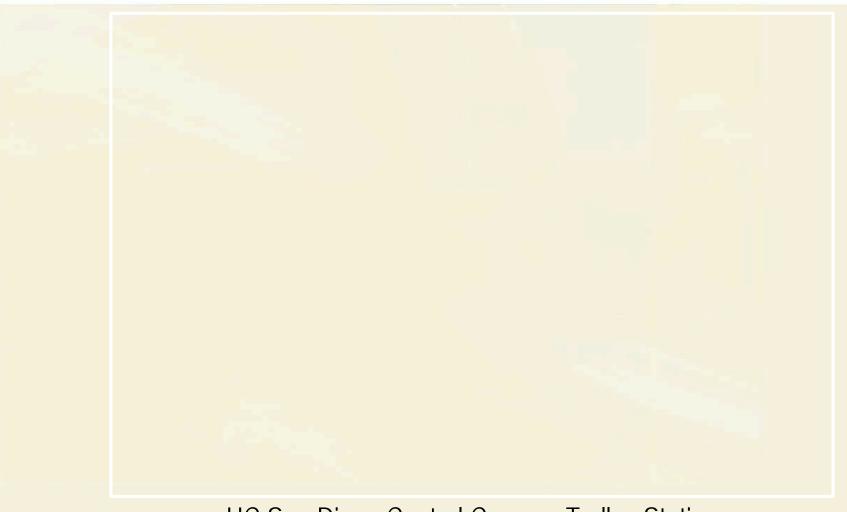
**VA Medical Center Trolley Station** 





UC San Diego Viaduct





UC San Diego Central Campus Trolley Station





UC San Diego Central Campus Trolley Station





UC San Diego Health La Jolla Trolley Station





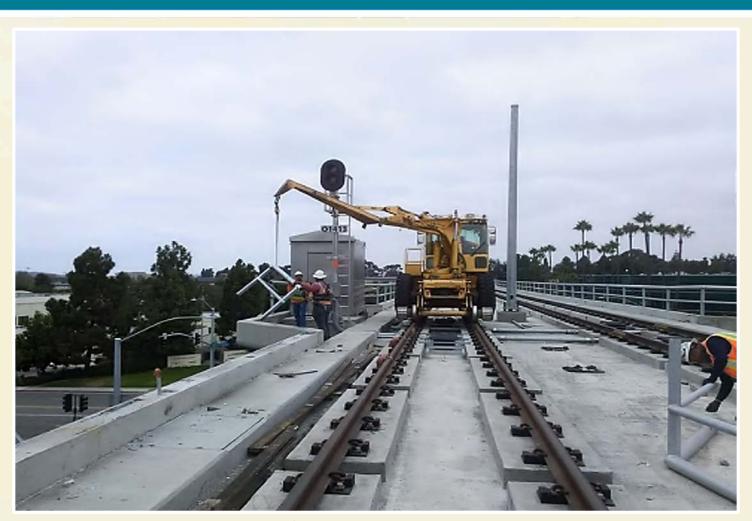
UC San Diego Health La Jolla Trolley Station





**Executive Drive Trolley Station** 





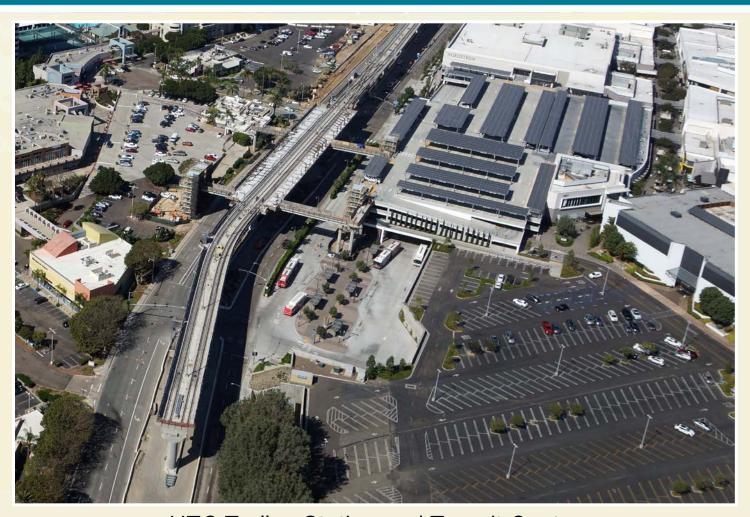
Genesee Viaduct





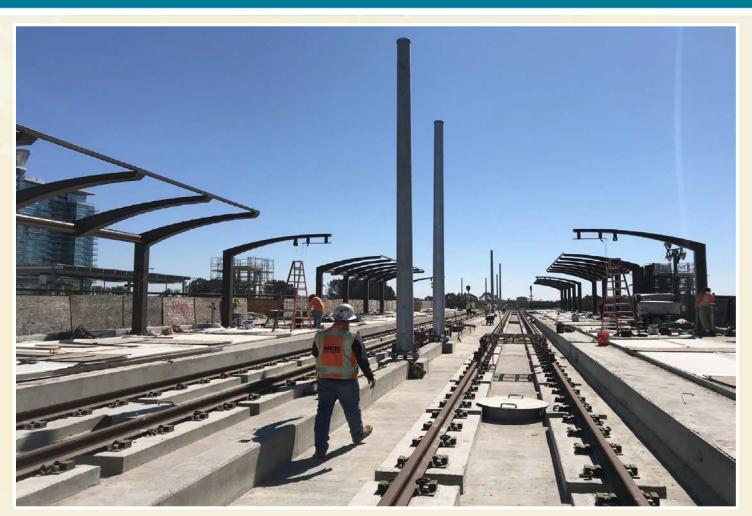
Genesee Viaduct





**UTC Trolley Station and Transit Center** 





**UTC Trolley Station and Transit Center** 

## LIGHT RAIL VEHICLES



- First MTS Mid-Coast Vehicle 5010 delivered April 4, 2019
- Final Mid-Coast Vehicle 5045 delivered October 1, 2020
- 36 of 36 (100%) total vehicles delivered
- 31 of 36 (86%) total vehicles accepted



## PUBLIC INVOLVEMENT



- Public outreach activities continue to follow COVID-19 precautions
- Team providing project updates through electronic media
- Ongoing attendance at virtual community planning group meetings
- "Mid-Coast Milestones" press event on September 17, 2020 garnered significant media coverage
- Opening day ribbon cutting event planning in progress



## ACCOMPLISHMENTS IN LAST QUARTER



- La Jolla Colony Drive construction activities completed
- Track placement completed
- Nobel Drive Trolley Station parking structure construction progressing
- Station construction progressing
- Landscaping work progressing
- Systems work on schedule
- Project remains within budget and on schedule for fall 2021 revenue service





## ACCOMPLISHMENTS IN LAST QUARTER



- Elvira to Morena Double Track project completed
- I-5/Genesee Avenue Auxiliary Lane project completed
- Rose Creek Bikeway nearing completion
- Voigt Drive Improvements project in progress
- Gilman Drive Bridge sign installation pending





## **NEXT STEPS**



- Complete signaling systems
- Continue coordination between MTS and SANDAG for project signage
- Continue coordination between MTS and SANDAG in preparation for opening day
  - New schedules
  - New maps
  - Opening day event(s)

## **Contact Us**

midcoast@sandag.org (877) 379-0110 KeepSanDiegoMoving.com/MidCoast









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

## Agenda Item No. 5

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

November 5, 2020

SUBJECT:

2021 LEGISLATIVE PROGRAM WORKSHOP (JULIA TUER)

#### RECOMMENDATION:

That the Executive Committee:

- 1) Receive a report and provide feedback on the draft 2021 State and Federal Legislative Program (Attachment A); and
- 2) Forward a recommendation to the Board of Directors to approve staff recommendations for the 2021 State and Federal Legislative Program.

#### **Budget Impact**

None.

#### **DISCUSSION:**

The draft 2021 State and Federal Legislative Program is attached for review. The purpose of this program is to help guide and define the MTS legislative advocacy efforts in calendar year 2021. The Executive Committee is asked to provide feedback and direction on the draft program. The program will then be provided to the full Board of Directors for final approval. Staff will return to the Board for approval of any amendments that are required to address unforeseen future events or policy initiatives.

/S/ Sharon Cooney

Sharon Cooney Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>

Attachment: A. Draft 2021 State and Federal Legislative Program













# State and Federal **Legislative Program** 2021









**Metropolitan Transit System** 









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### San Diego Metropolitan Transit System 2021 State and Federal Legislative Program

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#### **System Summary**

#### Creation

The Metropolitan Transit Development Board (MTDB) was created in 1975 by the passage of California Senate Bill 101 and came into existence on January 1, 1976. In 1984, the Governor signed Senate Bill 1736, which expanded the MTDB governing board from eight to 15 members. In 2002, Senate Bill 1703 merged MTDB's long-range planning, financial programming, project development and construction functions into the regional metropolitan planning organization, the San Diego Association of Governments (SANDAG). In 2005, MTDB changed its name to the San Diego Metropolitan Transit System (MTS).

#### **Board of Directors**

15-member Board generally meets once a month. Members are appointed as follows:

- One member of the County of San Diego Board of Supervisors appointed by the Board of Supervisors.
- Four members of the City Council of the City of San Diego, one of whom shall be the Mayor, appointed by the City Council.
- One member of each city council appointed individually by the City Councils of the Cities of Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, and Santee.
- Two members of the City Council of the City of Chula Vista, one of whom shall be the Mayor, appointed by the City Council.
- The chairperson of the board shall be selected from the board membership by a two-thirds vote of the board, a quorum being present. The chairperson shall serve for a term of two years, except that he or she is subject to removal at any time by a two-thirds vote of the board, a quorum being present.

#### **Subsidiary Corporations**

MTS owns assets of: San Diego Trolley, Inc. (SDTI); San Diego Transit Corporation (SDTC); and the San Diego & Arizona Eastern (SD&AE) Railway Company, which owns 108 miles of track and right-of-way.

#### Areas of Jurisdiction

About 570 square miles of the urbanized areas of San Diego County as well as the rural parts of East County, 3240 total square miles, serving approximately 3 million people in San Diego County.

#### Provision of Services

MTS provides bus and rail services directly or by contract with private operators. MTS coordinates all its services and determines the routing, stops, frequencies and hours of operation.

#### **Light Rail**

Light rail service is operated by SDTI on four lines (the UC San Diego Blue, Orange, Green and SDG&E Silver Lines) with a total of 53 stations and 54.3 miles of rail.

#### Bus

Fleet of over 800 buses and over 100 fixed bus routes and Americans with Disabilities Act (ADA) complementary paratransit service (MTS Access). Fixed route bus services include local, urban, express, premium express and rural routes.

#### Freight

MTS contracts with the San Diego & Imperial Valley (SD&IV) Railroad and the Baja California Rail Road, Inc. (BJRR) to provide freight service to San Diego shippers over SD&AE right-of-way. SD&IV shares certain tracks with SDTI, operating during non-service Trolley hours.

#### **Operating Budget**

Approximately \$278 million annual operating budget; \$96 million comes from fares. Fare revenue accounts for 34.5% of annual operating cost, one of the highest fare box recovery ratios among similar transit systems (FY18).

#### Ridership

MTS generates 88 million annual passenger trips or 300,000 trips each weekday. To handle the demand, the agency schedules 7,000 trips each weekday, and has 128 trolley cars and 800 buses in its fleet (FY18).

#### Planning and Scheduling

MTS is responsible for the service planning, scheduling, and performance monitoring of all MTS transit services. Service adjustments occur three times per year and as needed to improve efficiency and customer service.

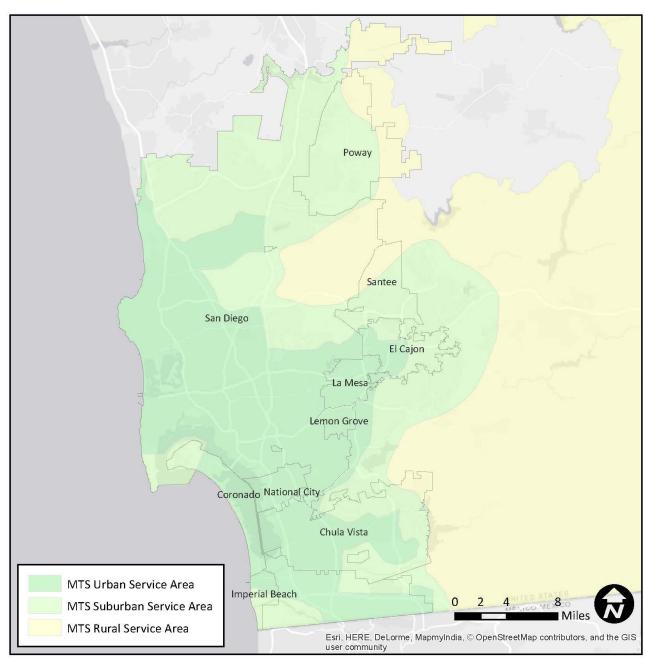
#### **Funding**

MTS receives funding from various federal, state, and local sources. The primary sources are the California Transportation Development Act (TDA), Federal Transit Administration (sections 5307, 5337 and 5339), TransNet funds (local sales tax) and fares.

#### For-Hire Vehicle Administration

MTS licenses and regulates taxicabs, jitneys, and other private for-hire passenger transportation services by contract with the cities of San Diego, Chula Vista, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, and Santee.

2





### San Diego Metropolitan Transit System

Area of Jurisdiction
June 2020



3

A-6

#### 2021 State Legislative Program

#### I. Transit Funding

- Support legislation that would generate new revenue for transit projects and operating costs.
- Oppose legislation that would reduce direct funding to transit agencies or transportation funding in general.
- Oppose legislation that would expand the use of Transportation Development Act (TDA) funds to non-transit purposes not currently covered by statute.
- Support legislation that would help offset the impact on transit budgets caused by increases in fuel and energy costs.
- In partnership with interested cities, seek funding dedicated to grade-separation projects.
- Support legislation to exempt transit agencies from state sales tax.
- Seek favorable programmatic guidelines for Cap and Trade Program-related funding sources, and seek awards under all relevant programs.
  - Support member agency applications for all relevant programs funded by Cap and Trade auctions.
- Oppose attempts to legislate local fare programs or to remove fare setting decisions from transit agencies.
- Seek subsidies for specialized fare programs supported by the MTS Board.
- Seek funding for zero emission buses and electrification infrastructure.
  - Support favorable electric rate setting to incentivize deployment of zero emission bus technology.
  - Support standardization of charging infrastructure and on-board bus charge management systems.
- Seek funding for the following capital projects:
  - 12th and Imperial Transit Center Expansion
  - Bus Stop Improvements
  - Expansion of Trolley Yard
  - MTS Bus Replacement Vehicles
  - New Bus Maintenance Facility
  - San Ysidro Intermodal Transit Center
  - SD 100 Light Rail Vehicle Replacements
  - Traction Power Substation Replacements
  - Zero Emission Buses and Electrification Infrastructure

#### II. Coronavirus (COVID-19) Pandemic

- Support legislation that would provide funding and policy relief measures to public transit agencies in order to continue operating essential transportation services during the COVID-19 pandemic.
- Support policies and public health measures that protect the safety and wellbeing
  of transit riders and public transit employees during the COVID-19 pandemic, while
  maintaining sufficient levels of service to facilitate essential transit trips.

#### III. Equity and Social Justice

• Support equity and social justice measures that encourage inclusivity in public engagement and outreach efforts in order to better serve and deliver equitable transportation options.

#### IV. Homelessness

 Seek funding and resources to implement a program that helps persons experiencing homelessness throughout the MTS system.

#### V. Transit-Oriented Development

- Support legislation that provides funding incentives for mixed-use projects and transit oriented development.
- Support legislation that aids transit operators' efforts to create high density transitoriented development.
- In partnership with interested cities, seek changes to Surplus Land Act statutes that
  would allow MTS development and joint development projects to be planned and
  designed in a way that benefits and achieves the region's important housing,
  climate action, and economic development goals.

#### VI. Public Safety

• Oppose legislation or regulations that would have an adverse impact on transit agencies' ability to provide safe transportation to their customers.

#### VII. For-Hire Vehicle Administration

 Seek changes to MTS enabling statutes that would allow MTS to regulate for-hire vehicle transportation services for the County of San Diego or any City within the County of San Diego.

#### VIII. Regulatory Matters

- Support legislation that would facilitate the delivery of transit capital projects.
- Oppose unfunded mandates that negatively impact transit operators.
  - Seek dedicated funding to offset costs when new regulatory requirements are proposed.
- Oppose legislation that adversely limits the use of eminent domain for public transportation projects.
- Oppose legislation that would limit MTS's use of data to provide better service to customers.
- Oppose efforts to eliminate or restrict transit exemption provisions in the California Environmental Quality Act (CEQA).
- Seek changes to Medi-Cal Benefits Program statute clarifying that transit operators shall be reimbursed for Medi-Cal eligible paratransit trips.

#### IX. Labor Relations

- Monitor and respond to legislation relating to personnel matters.
- Support legislation that protects the integrity of collective bargaining agreements.
  - Oppose efforts to mandate benefits or working conditions.

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 Monitor and respond to legislation designed to clarify provisions of the Public Employees' Pension Reform Act of 2012.

A-9

#### X. Administration

- Seek changes to MTS enabling statutes that would allow Ordinance summaries to be posted on the agency's public website.
- Seek changes to MTS enabling statutes that would amend MTS contracting thresholds to align with the Federal Transit Administration.
- XI. Support Legislative Programs of Other Agencies or Organizations
  - Support the legislative programs of other agencies, such as the San Diego Association of Governments (SANDAG) and North County Transit District (NCTD), where consistent with the MTS legislative program.
  - Support provisions in the legislative programs of other organizations, such as the California Transit Association (CTA) and American Public Transportation Association (APTA), where consistent with the MTS legislative program.



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#### 2021 Federal Legislative Program

#### I. Transit Funding

- Support legislation that would generate an increase in appropriation levels for existing transit funding program.
- Oppose legislation that would reduce direct funding to transit agencies or transportation in general.
- Support legislation that would help offset the impact on transit budgets caused by increases in fuel costs.
- Support legislation that would generate new revenue for transit projects and operating costs.
  - Support new long-term surface transportation reauthorization legislation that provides increased levels of funding for transportation programs.
  - Advocate for positive outcomes in any new infrastructure funding program.
- Support legislation to bring funding to railroad corridors and seek funding for railroad bridge and infrastructure rehabilitation.
- Seek funding to offset the costs associated with implementation and deployment of zero emission bus technologies.
- Seek programs in the defense appropriation process that would help offset the cost to provide transit services for military facilities.
- Oppose attempts to discontinue federal funding for school paratransit services or for nonemergency medical transport.
- Seek a legislative fix to ensure that transit operators will be reimbursed for paratransit services for Medicaid eligible trips.
- Seek funding for the following capital projects:
  - 12th and Imperial Transit Center Expansion
  - Bus Stop Improvements
  - Expansion of Trolley Yard
  - MTS Bus Replacement Vehicles
  - New Bus Maintenance Facility
  - San Ysidro Intermodal Transit Center
  - SD 100 Light Rail Vehicle Replacements
  - Traction Power Substation Replacements
  - Zero Emission Buses and Electrification Infrastructure

#### II. Coronavirus (COVID-19) Pandemic

- Support legislation that would provide funding and policy relief measures to public transit agencies in order to continue operating essential transportation services during the COVID-19 pandemic.
- Support policies and public health measures that protect the safety and wellbeing
  of transit riders and public transit employees during the COVID-19 pandemic, while
  maintaining sufficient levels of service to facilitate essential transit trips.
- Support new federal emergency and economic stimulus measures that include direct funding for public transit agencies via Federal Transit Administration Formula Grants.

#### III. Equity and Social Justice

 Support equity and social justice measures that encourage inclusivity in public engagement and outreach efforts in order to better serve and deliver equitable transportation options.

#### IV. Homelessness

 Seek funding and resources to implement a program that helps persons experiencing homelessness throughout the MTS system.

#### V. Public Safety

- Oppose attempts to create duplicative state rail safety regulatory agencies.
- Support legislation that provides reimbursement to transit operators for lost employee work hours due to emergency preparedness and antiterrorism training.
- Oppose legislation or regulations that would have an adverse impact on transit agencies' ability to provide safe transportation to their customers.

#### VI. Regulatory Matters

- Support legislation that would facilitate the delivery of capital projects.
- Oppose unfunded mandates that negatively impact transit operators.
  - Seek funding for all newly mandated programs.
- Support efforts to increase competition in the fuel market.
- Oppose proposals that limit the use of eminent domain for public transportation projects.
- Monitor and respond to legislation in the areas of finance, employment, and safety that could affect agency governance or operations, including issues related to contractors.
- Support efforts to ensure that climate change legislation recognizes that transit investment can help achieve emission reduction goals, and seek inclusion of transit funding in any climate change legislation.
- Oppose efforts to enlarge the universe of paratransit service eligibility to classifications of individuals that could effectively be served through fixed route services.
- Seek limits on the interpretation of the Americans with Disabilities Act with regard to service animals.
- Monitor and respond to attempts to alter Access Guidelines in a way that would financially burden transit operators without providing funding.
- Seek positive closure to the Department of Labor's case regarding the California Public Employees' Pension Reform Act (PEPRA).
- Seek approval for the operation of cross border rail freight. Work with Customs and Border Protection to seek approval for a new Customs Inspection Facility to serve cross border rail freight.

#### VII. Support Legislative Programs of Other Agencies or Organizations

- Support the legislative programs of other agencies, such as the San Diego
  Association of Governments (SANDAG) and North County Transit District (NCTD),
  where consistent with the MTS legislative program.
- Support provisions in the legislative programs of other organizations, such as the California Transit Association (CTA) and American Public Transportation Association (APTA), where consistent with the MTS legislative program.

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# 2021 Legislative Program Workshop

Executive Committee
November 5, 2020



# Agenda

- Introduction
- Report from Mark Watts, State lobbyist
- Draft State legislative priorities
- Draft Federal legislative priorities
- Draft Legislative proposals
- Feedback and recommendations from Executive Committee



# Mark Watts Principal Lobbyist

Watts & Hartmann, LLC



# 2021 State and Federal Legislative Program

- Program purpose is to guide advocacy efforts
  - Not meant to be fully comprehensive
  - Will bring back key specific legislative items, as needed
- Proactively work with MTS Executive Committee and Board to plan and implement legislative initiatives
- Collaborate with regional municipalities and key stakeholders on MTS-related initiatives and priorities



- Transit Funding
- Coronavirus (COVID-19) Pandemic
- Equity and Social Justice
- Homelessness
- Transit-Oriented Development
- Public Safety
- For-Hire Vehicle Administration
- Regulatory Matters
- Labor Relations
- Administration



- Transit funding
  - Support legislation that would generate new revenues for transit projects and operating costs
  - Seek grant awards under all applicable Cap and Trade / SB 1 / CARB Programs
  - Seek subsidies for specialized fare programs supported by the MTS Board
  - Seek funding for zero emission buses and electrification infrastructure
    - Support favorable electric rate setting and standardization of charging systems



- Transit Funding
  - Seek funding for the following capital projects:
    - 12th and Imperial Transit Center Expansion
    - Bus Stop Improvements
    - Expansion of Trolley Yard
    - MTS Bus Replacement Vehicles
    - New Bus Maintenance Facility
    - San Ysidro Intermodal Transit Center
    - SD 100 Light Rail Vehicle Replacements
    - Traction Power Substation Replacements
    - Zero Emission Buses and Electrification Infrastructure



- Coronavirus (COVID-19) Pandemic
  - Support legislation that would provide funding and policy relief measures in order to continue operating essential transportation services
  - Support policies and public health measures that protect the safety and wellbeing of transit riders and transit employees
- Equity and Social Justice
  - Support equity and social justice measures that encourage inclusivity in public engagement and outreach efforts in order to better serve and deliver equitable transportation options.



### Homelessness

 Seek funding and resources to implement a program that helps persons experiencing homelessness throughout the MTS system.

## Transit-Oriented Development

- Support legislation that provides funding incentives for mixed-use projects and transit oriented development.
- Support legislation that aids transit operators' efforts to create high density transit-oriented development.

## Public Safety

 Oppose legislation or regulations that would have an adverse impact on transit agencies' ability to provide safe transportation to their customers.



- Regulatory Matters
  - Support legislation that would facilitate the delivery of transit capital projects.
  - Oppose unfunded mandates that negatively impact transit operators.
    - Seek dedicated funding to offset costs when new regulatory requirements are proposed.
  - Oppose legislation that adversely limits the use of eminent domain for public transportation projects.
  - Oppose efforts to eliminate or restrict transit exemption provisions in CEQA.



- Labor Relations
  - Monitor and respond to legislation relating to personnel matters.
  - Support legislation that protects the integrity of collective bargaining agreements.
    - Oppose efforts to mandate benefits or working conditions.
  - Monitor and respond to legislation designed to clarify provisions of the Public Employees' Pension Reform Act of 2012.
- Support legislative programs of other agencies or organizations



# Draft Federal Legislative Priorities

- Transit Funding
- Coronavirus (COVID-19) Pandemic
- Equity and Social Justice
- Homelessness
- Public Safety
- Regulatory Matters



# Federal Legislative Priorities

## Transit Funding

- Support legislation that would generate new revenue for transit projects and operating costs.
  - Support new long-term surface transportation reauthorization legislation that provides increased levels of funding for transportation programs.
  - Advocate for positive outcomes in any new infrastructure funding program.
- Coronavirus (COVID-19) Pandemic
  - Support new federal emergency and economic stimulus measures that include direct funding for public transit agencies via Federal Transit Administration Formula Grants.



## Federal Legislative Priorities

### Equity and Social Justice

 Support equity and social justice measures that encourage inclusivity in public engagement and outreach efforts in order to better serve and deliver equitable transportation options.

#### Homelessness

• Seek funding and resources to implement a program that helps persons experiencing homelessness throughout the MTS system.

## Public Safety

- Oppose attempts to create duplicative state rail safety regulatory agencies.
- Support legislation that provides reimbursement to transit operators for lost employee work hours due to emergency preparedness and antiterrorism training.



## Federal Legislative Priorities

- Regulatory Matters
  - Monitor and respond to legislation in the areas of finance, employment, and safety that could affect agency governance or operations, including issues related to contractors.
  - Seek approval for the operation of cross border rail freight. Work with Customs and Border Protection to seek approval for a new Customs Inspection Facility to serve cross border rail freight.
- Support legislative programs of other agencies or organizations



## Draft Legislative Proposals to MTS Enabling Legislation

 Seek changes to MTS enabling statutes that would allow MTS to regulate for-hire vehicle transportation services for the County of San Diego or any City within the County of San Diego.

 Seek changes to MTS enabling statutes that would allow Ordinance summaries to be posted on the agency's public website.



## Draft Legislative Proposals to MTS Enabling Legislation

 Seek changes to MTS enabling statutes that would amend MTS contracting thresholds to align with the Federal Transit Administration.



## MTS Enabling Legislation – Contracting Thresholds

Goods and Non-construction	Current MTS thresholds	FTA simplified acquisition thresholds				
Competitive bid threshold	\$100,000	\$250,000				
Small purchase range threshold*	\$5,000 - \$100,000	\$10,000 - \$250,000				

Construction	Current MTS threshold	FTA simplified acquisition threshold
Competitive bid threshold	\$50,000	\$250,000
Small purchase threshold *	< \$50,000	< \$250,000

<sup>\*</sup>Small purchases require at least three quotes from qualified sources.



## Draft Legislative Proposals - State

 In partnership with interested cities, seek changes to Surplus Land Act statutes that would allow MTS development and joint development projects to be planned and designed in a way that benefits and achieves the region's important housing, climate action, and economic development goals.



## Draft Legislative Proposals – State/Federal

 Seek changes to Medi-Cal Benefits Program statute clarifying that transit operators shall be reimbursed for Medi-Cal eligible paratransit trips.

 Seek a legislative fix to ensure that transit operators will be reimbursed for paratransit services for Medicaid eligible trips.



## Next Steps / Recommendation

Seek feedback from Executive Committee.

 Forward a recommendation to the Board of Directors to approve staff recommendations for the 2021 State and Federal Legislative Program.





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

### Agenda Item No. 6

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

November 5, 2020

#### SUBJECT:

AUTHORIZATION TO NEGOTIATE AND CONDUCT DUE DILIGENCE FOR POTENTIAL REAL PROPERTY PURCHASE (1346-1394 PIONEER WAY, EL CAJON) (TIM ALLISON)

#### RECOMMENDATION:

That the Executive Committee authorize staff to conduct due diligence and commence negotiations with Walter E. Fiedler, Inc. concerning the potential purchase of property located at 1346 and 1394 Pioneer Way in El Cajon, California.

#### **Budget Impact**

To be determined. Potential price and terms and of payment will be discussed with the Executive Committee in Closed Session under agenda item no. 7. Additional due diligence and negotiations are necessary before a final budget impact estimate is prepared.

#### DISCUSSION:

The San Diego Metropolitan Transit System (MTS), through its contracted service provider, Transdev, operates its East County bus division out of property owned by MTS at 544 Vernon Way in El Cajon, California. The bus division property, known as the East County Bus Maintenance Facility (ECBMF) is owned by MTS and consists of 5.5 acres. The ECBMF is the base for providing bus services for urbanized areas along Interstate 8, as well as rural and unincorporated parts of the county.

Between 2014 and 2017, MTS and SANDAG re-constructed and expanded the ECBMF. The ECBMF project consisted of building a new compressed natural gas (CNG) fueling station which allowed MTS to replace diesel buses with clean-burning CNG vehicles; demolishing outdated buildings and constructing new administrative offices, a bus maintenance building, and a bus wash facility; and reconfiguring bus and staff parking to









maximize efficiency. The CNG fueling station, a 34,500-square-foot maintenance building, and a 10,275-square-foot administrative building opened for service in October 2016 with the remainder of the project completed the fall of 2017. The new LEED (Leadership in Energy and Environmental Design) Silver facility is home to 120 CNG buses. The total project cost was \$45 million, including environmental clearance, design, engineering, and construction. SANDAG, MTS, a Federal Transit Administration competitive grant, and state funds (Transit Development Act and State Transit Assistance Program) helped pay for the project.

Recently, MTS staff was approached by a neighboring property owner, Walter E. Fiedler, Inc., about whether MTS is interested in purchasing a 3.5 acre property on Pioneer Way, directly adjoining the ECBMF site. In the aerial map below, the ECBMF property is generally outlined in green and the Pioneer Way property is outlined in red.



Staff believes it would be prudent to conduct due diligence and engage in preliminary negotiations regarding a potential purchase of the Pioneer Way property. Opportunities to assemble property with direct access connections to an existing facility are rare, especially through a voluntary transaction as opposed to a contentious condemnation process. Here, MTS anticipates needing additional property at all of its bus divisions to accommodate the additional infrastructure and bus quantities necessary to meet MTS's recently adopted Zero Emission Bus Plan, which aspires to convert all of MTS's bus fleet to zero emission by 2040, as required by a recent California Air Resources Board

mandate. If MTS acquires the Pioneer Way property, it would be held and operated as its existing use (short-term industrial warehouse leases to private tenants) until a future capital project is planned, designed, and funded.

Today's action seeks Executive Committee authorization to begin the due diligence process and engage in negotiations with Walter E. Fiedler, Inc. regarding a potential MTS purchase of the Pioneer Way property. Due diligence would include, but not be limited to:

- 1. Site assessment of property, including structural, hazardous materials, building code compliance, and generally condition.
- 2. Real property appraisal to determine fair market value.

A separate closed session will be held to discuss potential price and terms of payment in more detail, as authorized by Government Code section 54956.8.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>

## MTS Executive Committee 11/5/2020

Agenda Item No. 6

AUTHORIZATION TO NEGOTIATE AND CONDUCT DUE DILIGENCE FOR POTENTIAL REAL PROPERTY PURCHASE (1346-1394 PIONEER WAY, EL CAJON)



## MTS East County Bus Maintenance Facility

- 544 Vernon Way, El Cajon
- Operated by Contract Services (Transdev)
- Real Property and buses owned by MTS
  - 5.5 Acres
  - 120 buses
  - Fully Reconstructed 2014-2017 (\$45M Project)



## **Expansion Needs**

- All MTS Bus Divisions have space constraints
  - Limits ability to expand service in the future
- Zero Emission Bus Mandate intensifies need for additional space
  - Charging infrastructure requires additional space
  - Range issues may require additional buses at each division



## Pioneer Way Opportunity

MTS recently approached by neighboring property owner about potential sale of 3.5-acre property

- 1346 and 1394 Pioneer Way
- Industrial/ Warehouse use





# Authorization to Conduct Due Diligence and Engage in Negotiations

- Due diligence would include, but not be limited to:
  - Site assessment of property, including structural, hazardous materials, building code compliance, and generally condition.
  - Real property appraisal to determine fair market value.
- A separate closed session will be held to discuss potential price and terms of payment in more detail, as authorized by Government Code section 54956.8.



## RECOMMENDATION

 That the Executive Committee authorize staff to conduct due diligence and commence negotiations with Walter E. Fiedler, Inc. concerning the potential purchase of property located at 1346 and 1394 Pioneer Way in El Cajon, California.





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

November 12, 2020

9:00 a.m.

\*Meeting will be held via webinar\*

To request an agenda in an alternative format or to request accommodations to facilitate meeting participation, please call the Clerk of the Board at least two working days prior to the meeting. Meeting webinar/teleconference instructions can be accessed at the following link: <a href="https://www.sdmts.com/about-mts-meetings-and-agendas/board-meetings">https://www.sdmts.com/about-mts-meetings-and-agendas/board-meetings</a>

ACTION RECOMMENDED

- Roll Call
- 2. Approval of Minutes October 15, 2020

Approve

- 3. <u>Public Comments</u> 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.
- 4. Appointment of Ad Hoc Nominating Committee for Recommending Appointments to MTS Committees for 2021 (Sharon Cooney) Action would appoint an Ad Hoc Nominating Committee to make recommendations to the Board with respect to the appointment of the Vice Chair, Chair Pro-Tem as well as MTS and non-MTS committees for 2021.

**Appoint** 

Please SILENCE electronics during the meeting









#### CONSENT ITEMS

6. Federal Transit Administration (FTA) Section 5310 Grant Application, and Transnet Senior Mini-Grant Application, Apportioned Through San Diego Association of Governments (SANDAG) Approve

Action would 1) Adopt Resolution No. 20-20 agreeing to comply with all terms and conditions of A) the FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program as set forth by the FTA and SANDAG; B) the TransNet Senior Mini Grant Program as set forth by TransNet and SANDAG; 2) Authorize the Chief Executive Officer (CEO) to submit the following applications and execute any grant agreements awarded by SANDAG: A) \$600,000 in Federal Fiscal Year (FY) 2022 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program funding for Americans with Disabilities Act (ADA) Paratransit vehicle replacements; B) \$61,200 in the FY 2021 TransNet Senior Mini Grant funding for the MTS Access Travel Training Program. C) \$61,200 in the FY 2022 TransNet Senior Mini Grant funding for the MTS Access Travel Training Program; 3) Authorize the commitment of up to \$150,000 in local matching funds to fully fund the purchase of seven (7) ADA Paratransit vehicles if awarded. 4) Authorize the commitment of up to \$30,600 in local matching funds to fully fund the MTS Access Travel Training Program.

7. <u>Provision of Network Equipment for the Interstate 15 (I-15) Bus Rapid Transit (BRT) Stations - Purchase Order</u>

Approve

Action would authorize the Chief Executive Officer (CEO) to execute a Purchase Order to NetXperts Inc., a Small Business (SB), for the provision of Network Equipment for the I-15 BRT Stations in the amount of \$133,742.60.

8. <u>Beech Street Construction Management Services – Work Order Amendment</u>
Action would authorize the Chief Executive Officer (CEO) to execute Work
Order No. WOA2017-CM06 under MTS Doc. No. G2017.0-17 with CH2M Hill,
Inc. not to exceed \$185,775.60 for the Beech Street Double Crossover
Construction Management (CM) Services.

Approve

9. Investment Report – Quarter Ending September 30, 2020

Informational

10. Replacement of Damaged Conduit at 43rd Street – Award Work Order Under a Job Order Contract (JOC)

Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC275-16 to MTS Doc. No. PWG275.0-19 with ABC Construction, Inc. (ABC) for trenching and replacing the damaged conduits at 43rd Street in the amount of \$169,138.09 plus the payment of applicable JOC administrative fees of \$2,976.83, for a total cost of \$172,114.92.

11. Fare Validator Infrastructure Construction Management Services – Work Order Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA2019-CM06 under MTS Doc. No. G2019.0-17 with Kleinfelder – Simon Wong not exceed \$236,485.52 for the Fare Validator Infrastructure Construction Management (CM) Services.

Approve

Provision of Hewlett-Packard Enterprise (HPE) Configure to Order (CTO)
 Servers and Support for Closed-Circuit Television (CCTV) Network Video
 Recorders (NVR) for the Mid-Coast Trolley Extension Project—Purchase Order
 Action would authorize the Chief Executive Officer (CEO) to execute a
 Purchase Order to Nth Generation Computing Inc. for the provision of HPE
 CTO Servers and ongoing support services for CCTV NVR for the Mid-Coast
 Trolley Extension Project in the amount of \$201,439.15.
 Revisions to San Diego Metropolitan Transit System (MTS) Ordinance No. 11

Approve

13. Revisions to San Diego Metropolitan Transit System (MTS) Ordinance No. 11
Action would 1) Adopt the proposed amendments to MTS Ordinance No. 11,
"An Ordinance Providing for the Licensing and the Regulating of Transportation Services Within the City and County by the Adoption of a Uniform Paratransit Ordinance," and 2) Upon adoption of the proposed amendments, grant the Chief Executive Officer (CEO) the discretion to enforce MTS Ordinance No. 11 in its amended form.

Approve

14. <u>Provision of Media Converters for Next Generation (NextGen) Fare Collection System - Purchase Order</u>

Approve

Action would authorize the Chief Executive Officer (CEO) to execute a Purchase Order to Graybar Electric Co. Inc. for the provision of Media Network Converter for the NextGen Fare Collection System in the amount of \$118,069.85.

15. <u>Janitorial Services – Contract Amendment</u>
Action would 1) Ratify Amendment 17 to MTS Doc. No. G1931.0-16 with NMS Management Inc. (NMS), a Disadvantaged Business Enterprise (DBE), in the amount of \$472.34; and 2) Approve Amendment 18 to MTS Doc. No. G1931.0-16 (in substantially the same format as Attachment B) with NMS, for janitorial services, for a total of \$187,782.00.

Approve

16. <u>Digital Signage (DS) and Variable Message Sign (VMS) Maintenance and As-Needed Repairs - Contract Award</u>

Approve

Action would authorize the Chief Executive Officer (CEO) to:1) Execute MTS Doc. No. PWG318.0-20 (in substantially the same format as Attachment A), with Brault, Inc., dba Electro Specialty Systems (ESS), for the provision of DS and VMS maintenance and as-needed repair services for a period of five (5) years in the amount of \$803,346.25; and 2) Exercise two (2) optional one-year extensions in the amount of \$359,534.53 for a total contract value of \$1,162,880.78, at the CEO's discretion.

17. San Diego Metropolitan Transit System (MTS) Intranet & Internet Website:

Maintenance, Support and Development- Sole Source Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc.

No. G2424.0-21 with The Steer Group, for Intranet & Internet Website

Maintenance, Support and Development for three (3) years in the amount of
\$148,160.00.

Approve

18. <u>Blue Line Right of Way Fence Improvements – Award Work Order Under a Job Order Contract (JOC)</u>

Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC275-13 to MTS Doc. No. PWG275.0-19 with ABC Construction

Company, Inc. (ABC) for the replacement of a portion of the chain link fence along the Blue Line right-of-way in the amount of \$189,597.05 plus the payment of applicable JOC administrative fees of \$3,336.91, for a total cost of \$192,933.96.

19. <u>Design Services for the Green Line Imperial Avenue Main Terminal (IMT)</u> <u>Double Track Project – Work Order Amendment</u> Approve

Action would; 1) Ratify Work Order WOA1949-AE-31.01 under MTS Doc No. G1949.0-17 with Jacobs Engineering Group, Inc. (Jacobs) totaling \$269.46, for hourly rate increases for various classifications; 2) Ratify Work Order WOA1949-AE-31.03 under MTS Doc No. G1949.0-17 with Jacobs totaling \$20,142.01, to exercise the alternative design; 3) Ratify Work Order WOA1949-AE-31.04 under MTS Doc No. G1949.0-17 (Attachment C) with Jacobs totaling \$79,474.41, for additional Project Management, design, and bid support; and 4) Authorize the Chief Executive Officer (CEO) to execute Work Order WOA1949-AE-31.05 under MTS Doc. No. G1949.0-17 (in substantially the same format as Attachment D) with Jacobs in the amount of \$275,915.56 for design support during construction (DSDC) services for the Bayside Terminal Double Track project.

20. Declaration of Surplus Property Site

Approve

Action would declare the property located at 9805 Prospect Avenue and 8547 Cuyamaca Street in Santee, California as "surplus land" for purposes of Government Code sections 54220, et seq.

**CLOSED SESSION** 

24.

NOTICED PUBLIC HEARINGS

25. None.

**DISCUSSION ITEMS** 

30. None.

#### REPORT ITEMS

- 45. <u>Draft of Fiscal Year 2020 Comprehensive Annual Financial Report (CAFR) (Erin</u> Informational Dunn with Ken Pun and Coley Delaney of the Pun Group)
- 46. Women's Safety and Public Transportation (Angelica Rocha, Circulate SD) Informational
- 47. Operations Budget Status Report for September 2020 (Gordon Meyer) Informational

OTHER ITEMS

60.	<u>Chair Report</u>	Informational
61.	Chief Executive Officer's Report	Informational
62.	Board Member Communications	Informational

## 63. Additional Public Comments Not on the Agenda 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.

- 64. Next Meeting Date: December 10, 2020.
- 65. Adjournment



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## Agenda Item No. 6

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

November 12, 2020

Executive Committee
Review Date: 11/05/2020

SUBJECT:

FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 GRANT APPLICATION, AND TRANSNET SENIOR MINI-GRANT APPLICATION, APPORTIONED THROUGH SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG)

#### RECOMMENDATION:

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

- 1) Adopt Resolution No. 20-20 agreeing to comply with all terms and conditions of;
  - A. the FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program as set forth by the FTA and SANDAG;
  - B. the TransNet Senior Mini Grant Program as set forth by TransNet and SANDAG and
- 2) Authorize the Chief Executive Officer (CEO) to submit the following applications and execute any grant agreements awarded by SANDAG:
  - A. \$600,000 in Federal Fiscal Year (FY) 2022 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program funding for Americans with Disabilities Act (ADA) Paratransit vehicle replacements:
  - B. \$61,200 in the FY 2021 TransNet Senior Mini Grant funding for the MTS Access Travel Training Program.
  - C. \$61,200 in the FY 2022 TransNet Senior Mini Grant funding for the MTS Access Travel Training Program
- 3) Authorize the commitment of up to \$150,000 in local matching funds to fully fund the purchase of seven (7) ADA Paratransit vehicles if awarded; and









4) Authorize the commitment of up to \$30,600 in local matching funds to fully fund the MTS Access Travel Training Program.

#### **Budget Impact**

Section 5310 and the TransNet Mini Grant require that at least 20% of the total project cost is funded by local matching funds. SANDAG has set a maximum Section 5310 and Mini Grant request amount per year at \$600,000. Based on vehicle pricing estimates, the project will require \$150,000 in local matching funds for the replacement of seven (7) ADA Paratransit vehicles, and \$30,600 in local matching funds for the MTS Access Travel Training Program for a total local match of \$180,600 between the two programs.

#### **DISCUSSION:**

The FTA provides capital and operating assistance to agencies providing transportation through the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program. TransNet provides mobility management, and operating assistance for enhancing transportation for seniors through the TransNet Senior Mini Grant. These funds are apportioned by SANDAG through a competitive grant application process.

Based on the requirements of this funding opportunity, MTS typically applies for ADA Paratransit vehicles, up to the maximum funding availability, which is also sonsistent with MTS's long term fleet plan. MTS has also requested funding through the TransNet Senior Mini Grant to provide training for seniors to use the MTS Access Program.

SANDAG is currently accepting applications for the available funding for Federal FY 2021 and FY 2022. 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 and the TransNet Program, authorizing the CEO to submit applications and execute any grant agreements, and authorizing the commitment of local matching funds to the project.

Therefore, staff recommends that the Board of Directors:

- 1) Adopt Resolution No. 20-20 agreeing to comply with all terms and conditions of;
  - A. the FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program as set forth by the FTA and SANDAG;
  - B. the TransNet Senior Mini Grant Program as set forth by TransNet and SANDAG:
- 2) Authorize the Chief Executive Officer (CEO) to submit the following applications and execute any grant agreements awarded by SANDAG:
  - A. \$600,000 in Federal FY 2022 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for ADA Paratransit vehicle replacements;

- B. \$61,200 in FY 2021 TransNet Senior Mini Grant funding for the MTS Access Travel Training Program.
- C. \$61,200 in FY 2022 TransNet Senior Mini Grant funding for the MTS Access Travel Training Program
- 3) Authorize the commitment of up to \$150,000 in local matching funds to fully fund the purchase of 7 ADA paratransit vehicles if awarded; and
- 4) Authorize the commitment of up to \$30,600 in local matching funds to fully fund the MTS Access Travel Training Program.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, Sharon.Cooney@sdmts.com

Attachment: A. Resolution No. 20-20

#### SAN DIEGO METROPOLITAN TRANSIT SYSTEM

#### **RESOLUTION NO. 20-20**

Resolution Authorizing the Filing of an Application for Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds for MTS Access Fleet Replacement, and the TransNet Senior Mini-Grant program for the MTS Access Travel Training Program, both apportioned together through the San Diego Association of Governments (SANDAG), 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, SANDAG is making available funds for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, and the TransNet Senior Mini-Grant Program through a competitive process for Federal Fiscal Year (FY) 2021 and 2022 funding; and

WHEREAS, San Diego Metropolitan Transit System (MTS) wishes to receive up to \$600,000 in Section 5310 Program funds for the following project(s): MTS Access Fleet Replacement, and \$122,400 in TransNet Senior Mini Grant funds for the MTS Access Travel Training Program; and

WHEREAS, MTS understands that the Section 5310 Program funding and the TransNet Senior Mini Grant Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded through the Section 5310 Program or TransNet 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, and TransNet Senior Mini Grant 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 \$600,000 for MTS Access Fleet Replacement, and \$122,400 for TransNet Senior Mini Grant Program funding for the MTS Access Travel Training Program; 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 \$150,000 of matching funds which is not less than the required amount of \$150,000 based on the required proportion to the grant request amount for Section 5310, 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; and

BE IT FURTHER RESOLVED that if an award is made by SANDAG to fund the MTS Access Travel Training, the Board of Directors commits to providing up to \$30,600 of matching funds which is not less than the required amount of \$30,600 based on the required proportion to the grant request amount for the TransNet Senior Mini Grant Program, 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 Travel Training Project.

followir	PASSED AND ADOPTED, by the Board of Director ng vote:	rs this <u>12th</u> day of <u>November</u> 2020 by the
	AYES:	
	NAYS:	
	ABSENT:	
	ABSTAINING:	
	Chairperson San Diego Metropolitan Transit System	
	Filed by:	Approved as to form:
	Clerk of the Board San Diego Metropolitan Transit System	Office of the General Counsel San Diego Metropolitan Transit System

Resolution No. 20-20

## MTS Executive Committee 11/5/2020

Agenda Item No. 6

AUTHORIZATION TO NEGOTIATE AND CONDUCT DUE DILIGENCE FOR POTENTIAL REAL PROPERTY PURCHASE (1346-1394 PIONEER WAY, EL CAJON)



## MTS East County Bus Maintenance Facility

- 544 Vernon Way, El Cajon
- Operated by Contract Services (Transdev)
- Real Property and buses owned by MTS
  - 5.5 Acres
  - 120 buses
  - Fully Reconstructed 2014-2017 (\$45M Project)



## **Expansion Needs**

- All MTS Bus Divisions have space constraints
  - Limits ability to expand service in the future
- Zero Emission Bus Mandate intensifies need for additional space
  - Charging infrastructure requires additional space
  - Range issues may require additional buses at each division



## Pioneer Way Opportunity

MTS recently approached by neighboring property owner about potential sale of 3.5-acre property

- 1346 and 1394 Pioneer Way
- Industrial/ Warehouse use





# Authorization to Conduct Due Diligence and Engage in Negotiations

- Due diligence would include, but not be limited to:
  - Site assessment of property, including structural, hazardous materials, building code compliance, and generally condition.
  - Real property appraisal to determine fair market value.
- A separate closed session will be held to discuss potential price and terms of payment in more detail, as authorized by Government Code section 54956.8.



## RECOMMENDATION

 That the Executive Committee authorize staff to conduct due diligence and commence negotiations with Walter E. Fiedler, Inc. concerning the potential purchase of property located at 1346 and 1394
 Pioneer Way in El Cajon, California.





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## Agenda Item No. $\frac{7}{}$

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

**Draft for** 

November 12, 2020

**Executive Committee** 

**Review Date: 11/05/2020** 

SUBJECT:

PROVISION OF NETWORK EQUIPMENT FOR THE INTERSTATE 15 (I-15) BUS RAPID TRANSIT (BRT) STATIONS - PURCHASE ORDER

#### **RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute a Purchase Order to NetXperts Inc., a Small Business (SB), for the provision of Network Equipment for the I-15 BRT Stations in the amount of \$133,742.60.

#### **Budget Impact**

The total budget for this project shall not exceed \$133,742.60 (inclusive of CA 7.75% Sales Tax). This project is funded by the MTS Capital Improvement Program (CIP) 1009103601 – Fiscal Year (FY) 2018 Miscellaneous Capital.

#### **DISCUSSION:**

In 2014 I-15 Express Lanes began supporting a new BRT service called Rapid, the first of its kind in San Diego County. The Express Lanes are connected to Direct Access Ramps (DARs) that allow transit services to be a reliable, timely, and a predictable way to travel. Rapid vehicles were designed to make the ride more comfortable, accessible, and convenient for passengers.

The scope of this project is to purchase network equipment for the I-15 BRT stations network connectivity. These stations are located in Del Lago, Rancho Bernardo, Sabre Springs, Miramar, Escondido, and I-15 Centerline Station / University Avenue. The network devices will support the core communication components for video systems and bus signs.



On September 18, 2020, MTS issued a Request for Quote (RFQ) for the provision of Cisco Network Equipment with License and Service Support. Six (6) bids were received on the due date of October 8, 2020 as follows:

Company	Bid Total				
NetXperts Inc. (SB)	\$133,742.60				
AAA Network Solutions	\$157,537.96				
Howard Technology	\$165,708.00				
Kambrian Corporation (SB, WBE, MBE)	\$174,739.05				
Tech Masters LLC (SB)	\$208,414.58				
Wireless Investors dba Ensemble Solutions Group	\$265,456.64				

After the review of bids received, staff determined that NetXperts Inc. was the lowest responsive and responsible bidder.

NetXperts Inc. California Multiple Award Schedule (CMAS) reference number 3-17-70-0622S was utilized for this pricing. The CMAS is an established California agreement that provides the same products and services available under the General Services Administration (GSA) Authorized Federal Supply Service Schedule.

The CMAS pricing is equal to or has lower prices to that of GSA Schedules. The network communication devices and services are one of such items available in CMAS. The submitted pricing was determined to be a fair and reasonable price in comparison to the Independent Cost Estimate (ICE) and Manufacturer Bill of Material (BOM) price estimate.

Therefore, the staff recommends that the MTS Board of Directors authorize the CEO to execute a Purchase Order with NetXperts Inc. for the provision of Network Equipment for the I-15 BRT Station in the amount of \$133,742.60.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

Attachment: A. Bid Price Form

#### SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) BID FORM I-15 BUS RAPID TRANSIT (BRT) STATION NETWORK EQUIPMENT MTS DOC NO. G2427.0-21

Cooperative Purchasing Program reference number: (e.g.GSA, NASPO, CMAS, OMNI reference): 3-17-70-0622S \*Please specify the reference number of the Cooperative Purchasing Agreement used as the basis of your bid.

Line Item#	Part Number	Description	Quantity Requested	Unit of Measure	Taxable Yes or No	Ur	Unit Price		Extended Price	
1	C9300-48P-A	Catalyst 9300 48-port PoE+, Network Advantage	6	EA	yes	\$	4,107.43	\$	24,644.58	
2	CON-SSSNT-C93004PA	SOLN SUPP 8X5XNBD Catalyst 9300 48-port PoE+, Network Adva (60 months)	6	EA	no	\$	3,050.10	\$	18,300.60	
3	C9300-NW-A-48	C9300 Network Advantage, 48-port license (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
4	S9300UK9-1612	Cisco Catalyst 9300 XE 16.12 UNIVERSAL (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
5	PWR-C1-715WAC-P	715W AC 80+ platinum Config 1 Power Supply (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
6	PWR-C1-715WAC-P/2	715W AC 80+ platinum Config 1 SecondaryPower Supply	6	EA	ves	\$	511.99	\$	3.071.94	
7	CAB-TA-NA	North America AC Type A Power Cable (must be included as part of the Bill of Materials at no cost)	12	EA		\$	0.00	\$	0.00	
8		No SSD Card Selected (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
9	C9300-STACK-NONE	No Stack Cable Selected (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
10	C9300-SPWR-NONE	No Stack Power Cable Selected (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
11	C9300-DNA-P-48	C9300 48-Port DNA-Premier License (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
12	C9300-DNA-P-48-5Y	C9300 DNA Premier, 48-Port, 5 Year Term License (60 months)	6	EA	no	\$	3.153.86	\$	18,923.16	
13		SOLN SUPP SW SUBC9300 48Port DNAPr (60 months)	6	EA	no	\$	669.45	\$	4,016.70	
14	ISE-BASE-T	ISE BASE Term License (must be included as part of the Bill of Materials at no cost)	300	EA		\$	0.00	\$	0.00	
15	ISE-BASE-TRK-5Y	ISE BASE Tracker Term 5Y or 60 mos (must be included as part of the Bill of Materials at no cost)	300	EA		\$	0.00	\$	0.00	
16		ISE PLS Term License (must be included as part of the Bill of Materials at no cost)	300	EA		\$	0.00	\$	0.00	
17		ISE PLS Tracker Term 5Y or 60 mos (must be included as part of the Bill of Materials at no cost)	300	EA		\$	0.00	\$	0.00	
18	SWATCH-T	StealthWatch 1 FPS Term License (must be included as part of the Bill of Materials at no cost)	600	EA		\$	0.00	\$	0.00	
19	SWATCH-TRK-5Y	ISE BASE Tracker Term 5Y or 60 mos (must be included as part of the Bill of Materials at no cost)	600	EA		\$	0.00	\$	0.00	
20	CAT-DNA-P-ADD	Catalyst DNA Premier Add-On, Term Licenses (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
21	CAT-DNA-P-ADD-5Y	DNA Premier Catalyst Add-on, 5 Year Term License (60 months)	6	EA	no	\$	507.90	\$	3,047.40	
22	CON-SSTCM-CATPADD	SOLN SUPP SW SUBCatalyst DNA Premier (60 months)	6	EA	no	\$	121.75	\$	730.50	
23	ISE-BASE-T	ISE BASE Term License (must be included as part of the Bill of Materials at no cost)	300	EA		\$	0.00	\$	0.00	
24	ISE-BASE-TRK-5Y	ISE BASE Tracker Term 5Y or 60 mos (must be included as part of the Bill of Materials at no cost)	300	EA		\$	0.00	\$	0.00	
25	ISE-PLS-T	ISE PLS Term License (must be included as part of the Bill of Materials at no cost)	300	EA		\$	0.00	\$	0.00	
26	ISE-PLS-TRK-5Y	ISE PLS Tracker Term 5Y or 60 mos (must be included as part of the Bill of Materials at no cost)	300	EA		\$	0.00	\$	0.00	
27	SWATCH-T	StealthWatch 1 FPS Term License (must be included as part of the Bill of Materials at no cost)	600	EA		\$	0.00	\$	0.00	
28	SWATCH-TRK-5Y	ISE BASE Tracker Term 5Y or 60 mos (must be included as part of the Bill of Materials at no cost)	600	EA		\$	0.00	\$	0.00	
29	PI-LFAS-T	Prime Infrastructure Lifecycle & Assurance Term - Smart Lic (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
30	PI-LFAS-AP-T-5Y	PI Dev Lic for Lifecycle & Assurance Term 5Y or 60 mos (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
31		Catalyst 9300 2 x 40GE Network Module	6	EA	yes	\$	1,044.46	\$	6,266.76	
32	NETWORK-PNP-LIC	Network Plug-n-Play Connect for zero-touch device deployment (must be included as part of the Bill of Materials at no cost)	6	EA		\$	0.00	\$	0.00	
33	QSFP-40G-LR4-S=	QSFP 40GBASE-LR4 Trnscvr Mod, LC, 10km, Enterprise-Class	12	EA	yes	\$	4,029.95	\$	48,359.40	
							Subtotal:	\$	127,361.0	

SHIPPING AND HANDLING/ FREIGHT (NO COST):   \$	-
SAN DIEGO, CALIFORNIA SALES TAX (7.75%): \$	6,381.56
(BASIS OF AWARD) GRAND TOTAL (All Inclusive of all charges e.g Tax etc.): \$	133.742.60

#### BIDDER ACCEPTS RESPONSIBILITY FOR ACCURACY AND PRESENTATION OF THE ABOVE NUMBERS.

Read attached Request for Quote (RFQ) carefully. They are a part of your bid/ proposal. Unit prices will prevail regardless of extensions submitted by the Proposer. Proposal must be firm and valid for a minimum of 120 days from proposal due date. The following Addenda have been noted and attached hereto:

FOB POINT:	100 16th Street San Diego, California 92101	
Bidder to check one:	All parts shall be delivered within thirty (30) calendar days after Purchase Order issuance.	
	x Yes, I can meet the 30 calendar day delivery time	
	No, I cannot meet the 30 calendar day delivery time	
DATE:	<u>30-Sep-20</u>	
FIRM:	NETXPERTS, INC	
SIGNATURE:	Nicole Grethowski	
TYPE OR PRINT NAME:	Nicole Gretkowski	
TITLE:	<u>Inside Sales</u>	
ADDRESS:	1777 BOTELHO DRIVE	
CITY, STATE & ZIP:	WALNUT CREEK, CA 94596	
PHONE NUMBER:	<u>732-600-4705</u>	FAX NO.:
E-MAIL ADDRESS:	ngretkowski@netxperts.com	

RETURN THIS FORM WITH YOUR BID, RETAIN OTHER PAGES FOR YOUR RECORDS



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## Agenda Item No. 8

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

SUBJECT:

BEECH STREET CONSTRUCTION MANAGEMENT SERVICES – WORK ORDER AMENDMENT

### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA2017-CM06 under MTS Doc. No. G2017.0-17 (in substantially the same format as Attachment A) with CH2M Hill, Inc. not to exceed \$185,775.60 for the Beech Street Double Crossover Construction Management (CM) Services.

### **Budget Impact**

The total budget for this contract is \$185,775.60. This contract is funded by MTS Capital Improvement Project (CIP) 2005107901 – Beech Street Double Crossover.

### **DISCUSSION:**

The construction services contract for the Beech Street Double Crossover Construction Project was approved by the MTS Board of Directors on October 15, 2020 (Agenda Item 13). The project consists of the following:

- Upgrade the manual switches to power operated switches at the existing double crossover between Beech Street and Ash Street
- Extend the Centralized Train Control signaling system from Cedar Street to Santa Fe Depot
- Realign the mainline track south of Sassafras Street to Middletown Station
- Extend the signal fiber from Broadway Wye to Cedar Street
- Modify the Overhead Catenary System (OCS) to facilitate single tracking









MTS requires CM services for the overall planning, coordination, and control of this project from beginning through completion (collectively "CM Services"), and the proposed Work Order for CM Services include the following:

- Resident Engineer
- Field Inspector

The San Diego Association of Governments (SANDAG) issued a Request for Statement of Qualifications (RFSQ) for CM Services on October 17, 2014 and MTS was assigned the right to utilize this contract through an assignment agreement on June 7, 2017. The RFSQ resulted in the approval of eight firms qualified to perform CM services. One of the options MTS has to assign work orders is through a direct award based on qualifications. CH2M Hill, Inc. was selected as the most qualified firm for Work Order WOA2017-CM06.

The price proposal prepared by CH2M Hill, Inc. was determined to be fair and reasonable as compared to the Independent Cost Estimate.

Therefore, staff recommends that the Board of Directors authorize the CEO to execute Work Order WOA2017-CM06 under MTS Doc. G2017.0-17 (in substantially the same format as Attachment A) with CH2M Hill, Inc. not to exceed \$185,775.60 for the Beech Street Double Crossover CM Services.

/S/ Sharon Cooney

Sharon Cooney Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>

Attachments: A. Draft MTS Doc. No. G2017.0-17 WOA WOA2017-CM06

B. WOA2017-CM06, Cost Proposal

C. Scope of Work MTS Doc. No. G2017.0-17 WOA WOA2017-CM06



1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466

November 17, 2020

MTS Doc. No. G2017.0-17 Work Order No. WOA2017-CM06

Allan Tanjuaquio, PE Vice President CH2M Hill, Inc. 402 West Broadway, Suite 1450 San Diego, CA 92101

Dear Mr. Tanjuaquio:

Subject: MTS DOC. NO. G2017.0-17, WOA2017-CM006, BEECH ST. CONSTRUCTION MANAGEMENT SERVICES – WORK ORDER AGREEMENT.

This letter shall serve as our agreement, MTS Doc. No. G2017.0-17, WOA2017-CM006, for Construction Management services under the Construction Management Consultant Agreement, as further described below.

### SCOPE OF SERVICES

Provide Inspection Services in accordance with MTS and SANDAG policies and procedures. Please see Attachment A, Scope of Services, for a detailed summary of the services to be provided.

### **SCHEDULE**

See project schedule for PWL315.0-20.

### **PAYMENT**

Payment shall be based on actual costs in the amount not to exceed without prior authorization of \$185,775.60.

Sincerely,	Accepted:
Sharon Cooney Chief Executive Officer	Allan Tanjuaquio CH2M Hill, Inc.
	Date:

Attachments: A - Scope of Services

B - Negotiated Fee Proposal









# Work Order Estimate Summary

MTS Doc. No.

G2017.0-17

Work Order No.

WOA2017-CM06

Attachment:

В

### Work Order Title: CM & Track Inspection Services for Beach Street Construction

**Project No:** 

CHMTSCM6

### Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1	0100	PROJECT MANAGEMENT	\$85,522.20
2	0255	INSPECTION	\$100,253.40

Totals = \$185,775.60

### Table 2 - TASKS/WBS Summary (Costs & Hours)

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	ADMIN	PM & COORDINATION	720.00	\$85,522.20
2.1	ENGINEERING	INSPECTION	544.00	\$100,253.40

Totals = 1,264.00 \$185,775.60

### Table 3 - Consultant/Subconsultant Summary (Costs & Hours)

(If App	licable,	Select	One)				
DBE	DVBE	SBE	Other	Consultant	Labor Hrs	Total Costs	
			Х	Jacobs	1,104.00	\$145,665.12	
Х		Х		Destination Enterprises	160.00	\$40,110.48	

Totals = 1,264.00 \$185,775.60



Contract No.: G0217.0-17
Work Order No WOA2017-CM06
Attachment A

### WORK ORDER TITLE: Inspection Service MTS Doc. No. WOA2017-CM06

### I. PROJECT DESCRIPTION

This task order is for construction management and inspection services for the Beech Street Construction project.

### II. EXPECTED RESULTS

The contractor will provide construction management services.

### III. SCOPE OF WORK

The scope of work shall consist of the following tasks and deliverables:

### 1.1 Project Management:

Provide weekly progress reports (via email) that follow MTS format and includes a summary of the work during the billing period, anticipated work in the following period, and identification of any issues. Provide monthly invoices that follow the standard MTS format for on-call task order invoices. Maintain and update a project schedule

### 1.2 CM Services:

The Contractor will provide a Resident Engineer (RE) to handle submittals, RFI's, schedule, etc., a track inspector and a signal/electrical inspector for the work order. The approximate hours are shown in the table below:

### IV. PERIOD OF PERFORMANCE

January 4, 2021 to July 30, 2021.

### V. DELIVERABLES

Contractor shall provide MTS with hard copy or electronic versions of reports and/or other material as requested by MTS.

### VI. SCHEDULE OF SERVICES/MILESTONES/DELIVERABLES

A. Tasks Schedule

Task	Begin/End Dates			
CM & Inspection Services	January 4, 2021 to July 30, 2021			

Page 1 of 6 MTS Doc No. W0A2017-CH06 C-1

Contract No.: 462,71,11/12/2020

Work Order No.: WOA2017-CH06
Attachment A

B.	Milestones	/Deliverables	Schedule
----	------------	---------------	----------

Milestone/Deliverable	Due Date
N/A	N/A

### VII. MATERIALS TO BE PROVIDED BY MTS AND/OR THE OTHER AGENCY

Not Applicable.

### VIII. SPECIAL CONDITIONS

Not Applicable.

### IX. MTS ACCEPTANCE OF SERVICES:

Firm shall not be compensated at any time for unauthorized work outside of this Work Order. Firm shall provide notice to MTS' Project Manager upon 100% completion of this Work Order. Within five (5) business days from receipt of notice of Work Order completion, MTS' Project Manager shall review, for acceptance, the 100% completion notice. If Firm provides final service(s) or final work product(s) which are found to be unacceptable due to Firms and/or Firms subcontractors negligence and thus not 100% complete by MTS' Project Manager, Firm shall be required to make revisions to said service(s) and/or work product(s) within the Not to Exceed (NTE) Budget. MTS reserves the right to withhold payment associated with this Work Order until the Project Manager provides written acceptance for the 100% final completion notice. Moreover, 100% acceptance and final completion will be based on resolution of comments received to the draft documents and delivery of final documentation which shall incorporate all MTS revisions and comments.

Monthly progress payments shall be based on hours performed for each person/classification identified in the attached Fee Schedule and shall at no time exceed the NTE. Firm shall only be compensated for actual performance of services and at no time shall be compensated for services for which MTS does not have an accepted deliverable or written proof and MTS acceptance of services performed.

### X. DEFICIENT WORK PRODUCT:

Throughout the design and/or implementation phases associated with the services rendered by the Firm, if MTS finds any work product provided by Firm to be deficient and the deficiently delays any portion of the project, Firm shall bear the full burden of their deficient work and shall be responsible for taking all corrective actions to remedy their deficient work product including but not limited to the following:

- Paying applicable delay fees,
- Revising provided documents,

At no time will MTS be required to correct any portion of the Firms deficient work product and shall bear no costs or burden associated with Firms deficient performance and/or work product.

Contract 16: 462,7.11/12/2020

Work Order No.: WOA2017-CH06
Attachment A

### XI. <u>DELIVERABLE REQUIREMENTS</u>

Firm will be required to submit any and all documentation required by the Scope of Work. The deliverables furnished shall be of a quality acceptable to MTS. The criteria for acceptance shall be a product of neat appearance, well-organized, and procedurally, technically and grammatically correct. MTS reserves the right to request a change in the format if it doesn't satisfy MTS's needs. All work products will become the property of MTS. MTS reserves the right to disclose any reports or material provided by the Firm to any third party.

Firm shall provide with each task, a work plan showing the deliverables schedule as well as other relevant date needed for Firm's work control, when and as requested by MTS.

Firm's computer data processing and work processing capabilities and data storage should be compatible with Windows compatible PC's, text files readable in Microsoft Word, and standard and customary electronic storage. Firm shall maintain backup copies of all data conveyed to MTS.

Firm shall provide MTS with hard copy or electronic versions of reports and/or other material as requested by MTS.

### XII. ADDITIONAL INFORMATION

Prevailing wage rates apply to the field inspector.

Work Order No.: WOA2017-CH06
Attachment A

# Work Order Estimate Summary

MTS Doc. No.

G2017.0-17

Work Order No.

WOA2017-CM06

Attachment:

ment: B

Work Order Title: CM Inspection Services for Beech Street Construction

Project No:

CHMTSCM6

Table

Item	Cost Codes	Cost Codes Description	Total Costs
1	0100	PROJECT MANAGEMENT	\$87,511.70
2	0255	INSPECTION	\$98,263.90

Totals =

\$185,775.60

Table

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1.1	ADMIN	INVOICING / SCHEDULING / PROGRESS REPORTING / ADMIN	540.00	60,304.30
1.2	ADMIN	COORDINATION W/MTS, BUS OPERATORS, MTS PROCUREMENT	40.00	5,869.00
1.3	ADMIN	COORDINATION/OVERSIGHT OF SUBS DESIGN WORK	30.00	4,625.20
1.4	ADMIN	QA/QC ON DELIVERABLES	120.00	16,713.20
2.1	ENGINEERING	TRACK INSPECTION	384.00	60,142.92
2.2	ENGINEERING	SIGNAL INSPECTION	100.00	24,029.25
2.3	ENGINEERING	OCS INSPECTION	50.00	14,091.73

Totals = 1,264

1,264.00

\$185,775.60

Table

(If App	licable,	Select	One)				
DBE	DVBE	SBE	Other	Consultant	Labor Hrs	Total Costs	
			Х	Jacobs	1,104.00	\$145,665.12	
Χ		Χ		Destination Enterprises	160.00	\$40,110.48	

Totals =

1,264.00

\$185,775.60

Work Order No.: WOA2017-CH06
Attachment A

### Work Order Estimate Summary

					CH2M HILL	INC. (Jac	obs Proje	ct					MTO Dec. No	00047.0.47
					<u>Manageme</u>	nt Co.)							MTS Doc. No	
	Total Hours = Total Costs =	1,10 \$145,60			CM Inspect	ion Servi	ces for Be	ech Street C	onstru	uction			Work Order No Attachmen	
				,										
				ODCs	Michael Albar	nese J	ean Shin	Sean Kearns	. <del></del>	an Kearns spector 1	Sean Kearns Inspector 1	Sheryl Estey	Total Hours	Totals
				(See Attachmen			ent Engineer	Inspector 1 (PW	, (c	OT-Sat)	(DT-Sun/holiday)	Admin 3	Total Hours	iotais
Item	TASKS/WBS	TASKS/WBS	Description		\$ 21:	3.76 \$	124.38	\$ 128.5° 90.39 Non PW		176.89	\$ 225.27	\$ 75.19		
1	ADMIN	PM & COORDINA INVOICING / SCHEDU												
1.1	0100	PROGRESS REPOR	TING / ADMIN		80		150					300	53	
1.2	0100	OPERATORS, MTS F	PROCUREMENT		10		30							0 \$5,869.00
1.3	0100	DESIGN WORK	ERSIGHT OF SUBS		10		20						3	0 \$4,625.20
1.4	0100	QA/QC ON DELIVER.			20		100						12	
			ototals (Hours) = btotals (Costs) =	720	120 \$25,651.2	20 \$3	300 7,314.00					300 \$22,557.00	72	
2	ENGINEERING	INSPECTION								•				
2.1	0255	TRACK INSPECTION		\$34	5.00			240	T	72	72		38	4 \$60,142.92
			ototals (Hours) =	384				240		72	72		38	
		Su	btotals (Costs) =	\$345.00				\$30,842.40	\$12	2,736.08	\$16,219.44		38	4 \$60,142.92
		Totals (Summary) Total (Hours) =	) =	1 :	104	120	300	24	n	72	72	300	1,10	\$145,665.12
		Total (Costs) =			5.00 \$25,65		\$37,314.00	\$30,842.4		\$12,736.08	\$16,219.44	\$22,557.00		
		Percentage of Tot	al (Hours) =	0.7	76%	11%	27%	229	6	7%	7%	27%	100%	
		Percentage of Tot	al (Costs) =	0.2	24%	18%	26%	219	6	9%	11%	15%		100%
	Consultant/ Subco	onsultant: CH2M HILL	INC. (Jacobs Projec	t Managemen	t Co.)							Та		2017.0-17 A2017-CM06
	Work Or	der Title: CM Inspecti	on Services for Be	ech Street Cor	nstruction								Attachment:	В
						TASK	S/WBS (1-5)							
ODC				T:	ask 1		Task 2		Task	k 3	т	ask 4	Task	5
Item	Description	Unit	Unit Cost	Quantity	Total	Quantity	Total	Quant	ity	Total	Quantity	Total	Quantity	Total
1	TRAVEL EXPENSE	S NTE	\$345.00			1	\$3	45.00						
2														
3														
4 5														
5													<u> </u>	
				Subtotal =		Subtotal =	\$3	45.00 Subto	tal =		Subtotal =		Subtotal =	
						TACK	S/WBS (6-10)							
ODC			Task 6	т	ask 7		Task 8	,	Task	k 9	Ta	ask 10	Total	
Item	Description	Quantity	Total	Quantity		Quantity	Total	Quant		Total	Quantity	Total	Quantity	Total
1	TRAVEL EXPENSES												1	\$345.00
2														
3														
4														
5														
		Subtotal =	:	Subtotal =		Subtotal =		Subto	tal =		Subtotal =		Totals =	\$345.00

## Contract No.: 462,7.11/12/2020

Work Order No.: WOA2017-CH06 Attachment A

			(	Consultant/Su	bconsultant:	Destination	Enterprises				MT	S Doc. No.:	G2017.0-17
	Total Hours =	160									Work	Order No.:	WOA2017-CM06
	Total Costs =	\$40,110.48		Work	Order Title:	CM Inspecti	on Services	for Beech S	Street Constru	uction	At	tachment:	В
				Marcy Szarama	Wes Mays	Wes Mays	Wes Mays	George Flowers	George Flowers	George Flowers			
			ODCs	Task Manager	Senior Inspector (PW-ST)	Senior Inspector (PW-OT)	Senior Inspector (PW-DT)	Senior Inspector (PW-ST)	Senior Inspector (PW-OT)	Senior Inspector (PW-DT)		Total Hours	Totals
Item	TASKS/WBS	TASKS/WBS Description		\$ 198.95	\$ 160.20	\$ 240.29	\$ 320.39	\$ 187.89	\$ 281.83	\$ 375.78	\$ -	11	j
1	Admin	Work Order Management		1									
1.1	0100	INVOICING / SCHEDULING / PROGRESS REPORTING / ADMIN		10								10	\$1,989.50
		Subtotals (Hours) =	10	10 \$1.989.50								10 <b>10</b>	\$1,989.50
		Subtotals (Costs) =		\$1,989.50								10	\$1,989.50
2	Engineering	Field Survey					,,		p		,		
2.2	0255	SIGNAL INSPECTION			25	50	25					100	\$24,029.25
2.3	0255	OCS INSPECTION						10	30	10		50	\$14,091.73
		Subtotals (Hours) =	150		25	50	25	10	30	10		150	\$38,120.98
		Subtotals (Costs) =		L	\$4,005.00	\$12,014.50	\$8,009.75	\$1,878.90	\$8,455.04	\$3,757.80		150	\$38,120.98
		Totals (Summary) =									Totals =	160	\$40,110.48
		Total (Hours) =	160			50		10				160	
		Total (Costs) =		\$1,989.50	\$4,005.00	\$12,014.50	\$8,009.75	\$1,878.90	\$8,455.04	\$3,757.80		j	\$40,110.48
		Percentage of Total (Hours) =	0.40%	6%	16%	31%	16%	6%	19%	6%		100%	
		Percentage of Total (Costs) =	0.1070	5%	10%	30%	20%	5%	21%			,	100%
												••	



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

## Agenda Item No. 9

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

November 12, 2020

Draft for
Executive Committee
Review Date: 11/05/2020

SUBJECT:

INVESTMENT REPORT – QUARTER ENDING SEPTEMBER 30, 2020

INFORMATIONAL ONLY

**Budget Impact** 

None.

### DISCUSSION:

Attachment A comprises a report of the San Diego Metropolitan Transit System (MTS) investments as of September 30, 2020. The combined total of all investments has increased quarter to quarter from \$124.2 million to \$173.9 million. This \$49.7 million increase is attributable to \$62.5 million in Federal Transit Administration (FTA) revenue, \$22.9 million in Transit and Intercity Rail Capital Program (TIRCP) revenue, and \$11.6 million in capital expenditures subsidy reimbursement from SANDAG relating to the light-rail vehicle procurement, partially offset by \$38.5 million in capital expenditures, 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.

MTS remains in compliance with Board Policy 30 and is able to meet expenditure requirements for a minimum of the next six months as required.

/S/ Sharon Cooney

Sharon Cooney Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, julia.tuer@sdmts.com

Attachment: A. Investment Report for the Quarter Ending September 30, 2020.









### San Diego Metropolitan Transit System Investment Report September 30, 2020

Institution / Issuer	Function	Investment Type	Restricted	Unrestricted	Total	Avg. Rate of Return	_	Benchmark
J.P. Morgan Chase	Operating Funds	Depository Bank	-	96,228,501	96,228,501	0.04%	*	0.190% WSJ Money Market
U.S. Bank - Retention Trust Account	Restricted for Capital Support	Depository Bank	8,323,317	-	8,323,317	N/A	**	-
San Diego County Treasurer's Office	Prop 1B TSGP Grant Funds	Investment Pool	18,267,578	-	18,267,578	1.721%		0.794% S&P US T-Bill 0-3 Mth Index
Subtotal: Restricted for Capital Support			26,590,895	-	26,590,895			
Local Agency Investment Fund (LAIF)	Investment of Surplus Funds	Investment Pool	-	36,593,461	36,593,461	0.685%		0.794% S&P US T-Bill 0-3 Mth Index
San Diego County Treasurer's Office	Investment of Surplus Funds	Investment Pool	-	14,521,026	14,521,026	1.721%		0.794% S&P US T-Bill 0-3 Mth Index
Subtotal: Investment Surplus Funds				51,114,487	51,114,487			
<b>Grand Total Cash and Investments</b>			\$ 26,590,895	\$ 147,342,988	\$ 173,933,882			

<sup>\*-</sup>The .04% is an annual percentage yield on the average daily balance that exceeds \$30 million

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



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## Agenda Item No. 10

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

SUBJECT:

REPLACEMENT OF DAMAGED CONDUIT AT  $43^{\rm RD}$  STREET – AWARD WORK ORDER UNDER A JOB ORDER CONTRACT (JOC)

### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC275-16 to MTS Doc. No. PWG275.0-19 (in substantially the same format as Attachment A) with ABC Construction, Inc. (ABC) for trenching and replacing the damaged conduits at 43<sup>rd</sup> Street in the amount of \$169,138.09 plus the payment of applicable JOC administrative fees of \$2,976.83, for a total cost of \$172,114.92.

### **Budget Impact**

The total budget for this project shall not exceed \$172,114.92 inclusive of a direct cost of \$169,138.09 and the administrative fees totaling \$2,976.83. This project is funded by MTS Capital Improvement Project (CIP) 2006106701 – Low Voltage Power Upgrade.

### **DISCUSSION:**

During a recent inspection, MTS Maintenance of Wayside (MOW) staff discovered a section of conduits and vaults near the 43<sup>rd</sup> Street traction power substation were damaged and required replacement. In order to prevent further breakage of the conduits, and a potential short circuit of the signaling system, the conduits and wirings/vaults will need to be replaced as soon as possible. A short circuit could interrupt the signaling indication, negatively impacting train operations within this area.

On April 12, 2019, MTS issued an Invitation for Bids (IFB) seeking a contractor to provide on-call JOC General Civil Construction services that primarily consists of repair, remodeling, or other repetitive work for general civil and site improvements, including









earthwork, utilities, paving, concrete, drainage, landscaping mitigation, site clearing, and all required incidental professional and technical services.

JOC is a procurement method under which public agencies may accomplish frequently encountered repairs, maintenance, and construction projects through a single, competitively procured long-term agreement.

The JOC program includes a catalog of pricing for a variety of potential tasks to be performed under the contract that have been pre-priced by the contractor, the Gordian Group. All potential contractors are subject to the pricing within this catalog. Each contractor then includes an adjustment factor, escalating their proposed price from the catalog price, to determine the total cost of the task order. The adjustment factor represents an average percentage increase over the catalog price (i.e. 1.25 adjustment factor represents 25% above the catalog price) for that respective task within the project. In order to select the lowest responsive and responsible bidder, MTS staff compares each contractor's proposed adjustment factor.

Three (3) bids were received and MTS determined that ABC was the lowest responsive and responsible bidder. On June 13, 2019, the MTS Board of Directors authorized the CEO to execute MTS Doc. No. PWG275.0-19 with ABC for Civil Construction Services.

Today's proposed action would issue a work order to ABC under this JOC master agreement. Pricing for this repair work order was reviewed and determined to be fair and reasonable. ABC will be providing all materials, labor, equipment for trenching and replacing the damaged conduits. Work is expected to be completed by January 2021.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute Work Order MTSJOC275-16 to MTS Doc. No. PWG275.0-19 (in substantially the same format as Attachment A) with ABC for trenching and replacing the damaged conduits at 43<sup>rd</sup> Street in the amount of \$169,138.09 plus the payment of applicable JOC administrative fees of \$2,976.83, for a total cost of \$172,114.92.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

Attachment: A. Draft Work Order Contract MTSJOC275-16



1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

### JOB ORDER CONTRACT WORK ORDER

WORKO	NDLIN	
		PWG275.0-19
		CONTRACT NUMBER
		MTO 100075 40
		MTSJOC275-16
		WORK ORDER NUMBER
THIS AGREEMENT is entered into this day or California by and between San Diego Metropolitan Tra and the following, hereinafter referred to as "Contractor	ansit System ("N	2020, in the state of //ITS"), a California public agency,
Name: ABC Construction Co., Inc.	Address: 312	0 National Avenue
Form of Business: Corporation	Sa	an Diego, CA 92113
(Corporation, partnership, sole proprietor, etc.)		2.030, 0020
	Telephone: _	(619) 239-3428
Authorized person to sign contracts: Wayne	Czubernat	Project Manager
Name		Title
Ivanic	•	Tiuc
Pursuant to the existing Job Order Contract (MTS Do to Contractor to complete the detailed Scope of Work the Scope of Work (attached as Exhibit B.), and the Order (attached as Exhibit C.)  TOTAL PAYMENTS TO CONTRACTOR SHALL NOT	(attached as E subcontractor li	xhibit A.), the Cost Breakdown for string form applicable to this Work
TOTAL TATMENTO TO CONTRACTOR CHALENCE	LXOLLD \$103	<u>, 100.00</u>
SAN DIEGO METROPOLITAN TRANSIT SYSTEM	ABC C	ONSTRUCTION CO., INC.
By:	Firm:	
Sharon Cooney, Chief Executive Officer		
Approved as to form:	By:	ignatura
	J	ignature
Ву:	Title:	
By: Karen Landers, General Counsel		
	i e	



# EXHIBIT A (Scope of Work)

### San Diego Metropolitan Transit System

1255 Imperial Ave San Diego, CA 92101



Date: 10/20/2020

**Job Order Contracting** 

### **Final Scope of Work**

To: From:

Contract No: PWG275.0-19

Job Order No: MTSJOC275-16

Job Order Title: Trenching at 43rd St

**Location:** Orange Line ROW

1255 Imperial Ave San Diego, CA 92101

**Brief Scope:** This Section specifies the work required to modify the 43rd Street Substation site

on the San Diego Trolley, Inc. Orange line.

The Contractor shall complete the construction of this project in its entirety and shall provide all labor, materials, equipment, and traffic control, procuring all materials and performing all other work necessary to complete the work in accordance with the Detailed Scope of Work.

This work consists of the followings:

### The contractor shall:

- 1. Mark all underground Utilities and Signal lines around work area.
- 2. Grade and dig to install two new utility vaults (PB-3 and PB-5) (Vaults provided by MTS)
- 3. Verify depth and position of existing vault (PB-4), adjust as necessary.
- 4. Remove ~120 linear feet of perimeter fencing and relocate existing fence slightly north of current position. (Any Fencing needed for access purposes beyond this must be repaired as needed)
- 5. Trench along WB main for ~600 feet at a depth of ~3'7" and ~1'4" wide.
- 6. Trench under East and West mains at similar dimensions.
- 7. Trench from PB-4 ~20 ft to reach OCS Pole for Feeder Riser.
- 8. Trench from PB-5 ~20Ft to reach OCS pole for feeder Riser.
- install conduit between OCS Poles and new/existing vaults according to schematics provided by MTS for Feeder Risers. (Conduit provided by MTS)
- 10. Other than "spare" conduit leading to OCS poles will stub up and be capped off 4ft. above top of cement or at least to first conduit strap spot to avoid the need for a Power Down of OCS.
- 11. Install conduit between PB-1 and PB-3, PB-3 to PB-4 and PB-4 to PB-5 per duct bank detail section in prints (All vaults other than existing vault PB-1 should be of knockout design, PB-1 vault might be stubbed up 90 degree sweeps under rim of vault)
- 12. All conduits shall have fish pull line installed from location to location.
- 13. Hand excavating must be done where required near the substation due to Fiber, 12kv, signal lines. Etc.
- 14. Red Cement over conduit, backfill with excavated native material, and grade.
- 15. Most materials to be supplied by MTS, a list of available materials will be made in the near future, missing materials will be acquired by contractor.
- 16. Directional boring of track, soils conditions that are free of rock, cobble, rip rap and/or and

manmade or natural condition. If we discover conditions that are deemed obstructive and extra costs may be occur

- 17. Minor tree trimming for access to trench line
- 18. Include RFI #1

### San Diego Trolley Responsibilities:

- 1. MOW/ project manager overseeing project.
- 2. MOW will power down and isolate 43rd Street substation. Grounding will be conducted on the transformer and feeder cables will be removed from OCS. With 43rd Street isolated, contractor can access PB-1 vault for connecting conduit for day time access. 43rd Street should remain isolated and tied through for ~2 weeks or as needed for work.
- 3. Track department will make site visit to oversee under track trenching.

### Flagging:

Flagging is required when working within the San Diego Trolley, Inc. Right of Way The contractor shall give 48-hour notice and submit the flagging request to the Operations Department.

### **Additional Instructions:**

Scheduling of any portion of the job will be done with San Diego Trolley Assistant Training Supervisor of Maintenance. Mark Soberg who can be reached at 858-333-1531 (Cell).

### Submittals:

Work Schedule, materials submittal

### Work Windows

Monday Friday from 6 AM to 4 PM

Thang Nguyen, Systems Engineer	Date

# EXHIBIT B (Cost Breakdown)



By Division Report Version: 2.0

Approved 10/02/2020 04:17:13 PM PST

JOC Name (Contractor): ABC Construction Co., Inc.

Contract Name: 2019 - General Civil - ABC

**Contract Number:** PWG275.0-19 **Job Order Number:** MTSJOC275-16

Job Order Title: Trenching at 43rd St Location: Orange Line ROW

October 2, 2020

**Proposal Value:** \$169,138.09

**Cost Proposal Date:** 

**Division Division Totals** 01 General Requirements \$64,113.97 03 \$12,668.48 Concrete 26 \$29,489.87 Electrical 31 \$26,981.21 Earthwork 32 \$24,614.96 **Exterior Improvements** 33 Utilities \$11,269.60 Proposal Total(Filtered): \$169,138.09 The Percentage of Non Pre-Priced on this Proposal: 0.00%

Price Proposal Details Report Page 1 of 13



By Division Report

Version: 2.0 Approved 10/02/2020 04:17:13 PM PST

JOC Name (Contractor): ABC Construction Co., Inc.

Contract Name: 2019 - General Civil - ABC

Contract Number: PWG275.0-19

Job Order Number MTSJOC275-16

Job Order Title Trenching at 43rd St

**Location:** Orange Line ROW

Cost Proposal Date: October 2, 2020

**Proposal Value:** \$169,138.09

Record #	CSI Number	MOD	UOM	Descriptio	n		<b>Unit Price</b>		Factor		Total
01 Genera	I Requirements										
1	012216000004		EA	Reimbursab	le Fees						
	Accepted	•		1	Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	EA		1,500.00	Х	\$1.00	Х	1.0000	=	\$1,500.00
											\$1,500.00
	User Note	: PW set up fee PW truck fee 2		truck x 5 truck	<						
	item Note	\$1.00. Insert t 125 = \$125.00 a comment in	he appr ) Reimb the "no ded wa	opriate quanti oursable Fee). te" block to ide	ty to adjust If there are entify the R	the mu eim	base cost to tultiple Reimbur bursable Fee	he ac sable (e.g. :	ctual Reimbui e Fees, list ea sidewalk clos	rsable Fee ach one se sure, road (	mbursable Fee is (e.g. quantity of parately and add cut, various submitted with the
2	012216000004		EA	Reimbursab	le Fees						
	Accepted	•		1	Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	EA		1,080.00	Х	\$1.00	Х	1.0000	=	\$1,080.00
											\$1,080.00
	User Note	RWP class fee	e 8 x 13	5 =1080							
	Item Note	\$1.00. Insert t 125 = \$125.00 a comment in	he appr ) Reimb the "no ded wa	opriate quanti oursable Fee). te" block to ide	ty to adjust If there are entify the R	the mu eim	base cost to t ultiple Reimbur bursable Fee	he ac sable (e.g. :	ctual Reimbui e Fees, list ea sidewalk clos	rsable Fee ach one se sure, road (	mbursable Fee is (e.g. quantity of parately and add cut, various submitted with the
3	012220000017		HR	Laborer							
	Accepted	•			Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	HR		48.00	Х	\$68.23	Х	1.1363	=	\$3,721.43
											\$3,721.43
	User Note	for training cla tc plan from ci	iss 8 gu ty 16 hi	ys x 4 hrs							
	Item Note	: For tasks not i	nclude	d in the Constr	uction Tasl	ς C	atalog® and a	s dire	cted by owne	er only.	

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## **By Division Report**

Version: 2.0

Approved 10/02/2020 04:17:13 PM PST

4	012223000278		DAY	3,000 LB Capacity, 78"	Wi	de Tracked S	kid-Ste	er Loader W	/ith Full-Tin	ne Operator
•	Accepted		<i>D</i> , ( )	Quantity		Unit Price	x	Factor	=	LineTota
	Accepted	Installation	DAY	2.00		\$1,198.46	X	1.1918	=	\$2,856.6
		mstanation	DAT	2.00	^	ψ1,150.40	^	1.1310		\$2,856.6
	User Note:									φ2,030.0
	Item Note:									
5	012223000279		WK	3,000 LB Capacity, 78"	Wi	de, Tracked S	kid-Ste	eer Loader W	/ith Full-Tin	ne Operator
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	WK	4.00	х	\$5,086.31	Х	1.1918	=	\$24,247.4
									-	\$24,247.4
	User Note:	1 to knock down	vn piles	at dump site x 2 weeks						
	Item Note:	i to load into i	TUCKS X	2 weeks						
6	012223001313		DAY	6 CY Rear Dump Truck	Wi	ith Full-Time T	ruck D	river		
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
	•	Installation	DAY	2.00	х	\$997.92	Х	1.1918	=	\$2,378.6
										\$2,378.6
	User Note:									
	Item Note:									
7	012223001314		WK	6 CY Rear Dump Truck	Wi	ith Full-Time T	ruck D	river		
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	WK	4.00	х	\$4,003.78	Х	1.1918	=	\$19,086.8
										\$19,086.8
	User Note:	2 trucks to ha	ul dirt to	dump site x 2 weeks						
	Item Note:									
8	012223001347		DAY	500 To 600 Gallon War	er 7	Γrailer With Pu	mp			
									=	LineTota
	Accepted	•		Quantity	Х	Unit Price	Х	Factor	_	
	Accepted	Installation	DAY	Quantity 1.00		<b>Unit Price</b> \$117.05	x x	<b>Factor</b> 1.1918	=	\$139.5
	Accepted	Installation	DAY	-						
	Accepted  User Note:	Installation	DAY	-						
		Installation	DAY	1.00	х	\$117.05	х			
9	User Note:	Installation	DAY	-	х	\$117.05	х			\$139.5
9	User Note:		WK	1.00 500 To 600 Gallon Wat	x er 7	\$117.05  Frailer With Pu  Unit Price	х			\$139.5
9	User Note:  Item Note: 012223001348	Installation		1.00 500 To 600 Gallon Wat	x er 7	\$117.05 Frailer With Pu	mp	1.1918	=	\$139.5
9	User Note:  Item Note: 012223001348		WK	1.00 500 To 600 Gallon Wat	x er 7	\$117.05  Frailer With Pu  Unit Price	mp x	1.1918 Factor	=	\$139.5 \$139.5 LineTota \$715.6

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## **By Division Report**

Version: 2.0

Approved 10/02/2020 04:17:13 PM PST

10	015526000028		DAY	28" Cone With Reflecti	ve (	Collar				
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
	•	Installation	DAY	50.00	х	\$0.47	Х	1.1918	=	\$28.0
										\$28.0
	User Note:									
	Item Note:									
11	015526000029		WK	28" Cone With Reflecti	ve (	Collar				
	Accepted	•		Quantity	х	Unit Price	Х	Factor	=	LineTota
		Installation	WK	100.00	Х	\$1.42	Х	1.1918	=	\$169.2
										\$169.24
	User Note:	50 cones for 2	weeks							
	Item Note:									
12	015526000052		DAY	Up To 10' Wide A Fran	ne E	Barricade				
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	DAY	50.00	Х	\$2.58	Х	1.1918	=	\$153.7
										\$153.7
	User Note:	25 no parking	sign fo	r 2 days						
	Item Note:									
13	015526000053		WK	Up To 10' Wide A Fran	ne E	Barricade				
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	WK	50.00	Х	\$7.75	Х	1.1918	=	\$461.83
										\$461.82
	User Note:	25 no parking	signs							
	Item Note:									
14	015526000084		DAY	Mesh Or Vinyl Roll-up	Sigr	n With Stand				
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	DAY	10.00	Х	\$4.58	Х	1.1918	=	\$54.58
										\$54.58
	User Note:									
	Item Note:									
15	015526000085		WK	Mesh Or Vinyl Roll-up	Sigr	With Stand				
	Accepted	•		Quantity	х	Unit Price	Х	Factor	=	LineTota
		Installation	WK	20.00	Х	\$13.75	Х	1.1918	=	\$327.7
										\$327.7
	User Note:	10 constructio	n signs	x 2 weeks						
	Item Note:									

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## **By Division Report**

Version: 2.0

Approved 10/02/2020 04:17:13 PM PST

16	015526000103		EΑ	Place And Remove Up		230 001163 03	arig ri			
	Accepted	-		Quantity	х	Unit Price	x	Factor		LineTota
	носериса	Installation	EA	250.00		\$3.66	Х	1.1918	=	\$1,090.5
		otalialio	_, ,	200.00		ψ0.00			_	\$1,090.5
	User Note:	25 cones x 10	days =	250						
	Item Note:									
17	015526000107		EA	Place And Remove Up	То	250 Barricade	s Usin	g Truck		
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	EA	100.00	х	\$7.33	Х	1.1918	=	\$873.5
										\$873.5
	User Note:	25 no parking 10 construction								
	Item Note:		ii sigii z	C TO days						
18	017113000002		EA	First 25 Miles, Equipme Rollback Flatbed Truck		Delivery, Picku	p, Mo	bilization And	d Demobiliz	ation Using A
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	EA	2.00	х	\$236.94	Х	1.1918	=	\$564.7
										\$564.7
	User Note:	2 bobcats								
					~ · ·	lattarm lifta ta	10000	ina and artic		
19	017113000004	up to 40' boom		First 25 Miles, Equipme	ent [	Delivery, Picku				
19			n length	s, etc.	ent I	Delivery, Picku				ration Using A
19	017113000004  Accepted		n length	ns, etc. First 25 Miles, Equipme Tractor Trailer With Up	ent I To	Delivery, Picku 53' Bed	p, Mo	bilization And	d Demobiliz	cation Using A
19		up to 40' boom	ength EA	ns, etc. First 25 Miles, Equipme Tractor Trailer With Up  Quantity	ent I To	Delivery, Picku 53' Bed Unit Price	p, Mol	bilization And	d Demobiliz	cation Using A  LineTota \$875.1
19		up to 40' boom	ength EA	ns, etc. First 25 Miles, Equipme Tractor Trailer With Up  Quantity	ent I To	Delivery, Picku 53' Bed Unit Price	p, Mol	bilization And	d Demobiliz	cation Using A  LineTota \$875.1
19	Accepted  User Note:	Installation  1 backhoe Includes loadin	EA EA	First 25 Miles, Equipme Tractor Trailer With Up Quantity 1.00	ent I To X X	Delivery, Picku 53' Bed Unit Price \$734.34	x x	Factor 1.1918 ding on site,	d Demobiliz  =  =  rigging, dis	LineTota \$875.1 \$875.1
19	Accepted  User Note:	Installation  1 backhoe Includes loadin loading for retuexcavators, grrollers, bridge	EA  EA  EA  ang, tie-curn and adalls, finisher	First 25 Miles, Equipme Tractor Trailer With Up Quantity 1.00 down of equipment, delived transporting away. For expression of the construction of	x x x ery equi	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as les, heavy duty of forklifts, teles	x x off loas bulldy cons	Factor 1.1918  ding on site, ozers, motor truction load to boom rough	d Demobiliz  =  rigging, dis scrapers, hers, tractors	LineTota \$875.1 \$875.1 smantling, nydraulic s, pavers,
19	Accepted  User Note:	Installation  1 backhoe Includes loadin loading for retuexcavators, grrollers, bridge	EA  EA  EA  and tie-curn and adalls, finisher oping a	rist 25 Miles, Equipme Tractor Trailer With Up Quantity 1.00 down of equipment, delivitransporting away. For eroad graders, loader-bac	x x ery equickhootionnlifts	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as less, heavy duty, forklifts, teles s with >40' book	x x off loas s bulldy cons coping	Factor 1.1918  ding on site, ozers, motor truction load to boom rough	d Demobiliz  =  rigging, dis scrapers, hers, tractors	LineTota \$875.1 \$875.1 smantling, nydraulic s, pavers,
	User Note:	Installation  1 backhoe Includes loadin loading for retuexcavators, grrollers, bridge	EA  EA  EA  and tie-curn and adalls, finisher oping a	ractor Trailer With Up  Quantity  1.00  down of equipment, delive transporting away. For earned graders, loader-backs, straight mast constructed and articulating boom marked transporting away.	ery eequiikhootion	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as less, heavy duty, forklifts, teles s with >40' book	x x off loas s bulldy cons coping	Factor 1.1918  ding on site, ozers, motor truction load to boom rough	d Demobiliz  =  rigging, dis scrapers, hers, tractors	LineTota \$875.1 \$875.1 smantling, nydraulic s, pavers, nstruction
	Accepted  User Note:	Installation  1 backhoe Includes loadin loading for retuexcavators, grrollers, bridge	EA  EA  EA  Ang, tie-ourn and adalls, finisher oping a ACR	rist 25 Miles, Equipme Tractor Trailer With Up  Quantity  1.00  down of equipment, delively transporting away. For expression of the construction	x x x ery equilibrium nlift:	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as les, heavy duty of forklifts, teles is with >40' booderground Utili	x x off loas bulldy conscopingom len	Factor 1.1918  ding on site, ozers, motor truction load boom rough gths, etc.	d Demobiliz  =  rigging, dis scrapers, hers, tractors terrain con	sation Using A  LineTota \$875.1  \$875.1  Smantling, hydraulic s, pavers, histruction
	User Note:	Installation  1 backhoe Includes loadir loading for retrexcavators, grrollers, bridge forklifts, telesco	EA  EA  EA  Ang, tie-ourn and adalls, finisher oping a ACR	ractor Trailer With Up  Quantity  1.00  down of equipment, delivit transporting away. For example, straight mast constructed articulating boom materials Survey Clear Area For Quantity	x x x ery equilibrium nlift:	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as less, heavy duty of forklifts, teles s with >40' booderground Utili	x x off loas bulldy conscoping om lenties x	Factor 1.1918  ding on site, ozers, motor truction load boom rough gths, etc.	rigging, dis scrapers, hers, tractors terrain con	LineTota \$875.1 \$875.1 smantling, nydraulic s, pavers, nstruction LineTota \$3,127.0
	User Note:	Installation  1 backhoe  Includes loadir loading for rette excavators, gr rollers, bridge forklifts, telesco	EA  EA  EA  Ang, tie-ourn and adalls, finisher oping a ACR	ractor Trailer With Up  Quantity  1.00  down of equipment, delivit transporting away. For example, straight mast constructed articulating boom materials Survey Clear Area For Quantity	x x x ery equilibrium nlift:	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as less, heavy duty of forklifts, teles s with >40' booderground Utili	x x off loas bulldy conscoping om lenties x	Factor 1.1918  ding on site, ozers, motor truction load boom rough gths, etc.	rigging, dis scrapers, hers, tractors terrain con	LineTota \$875.1 \$875.1 smantling, nydraulic s, pavers, nstruction LineTota \$3,127.0
	User Note:  Item Note:  017123160019  Accepted	Installation  1 backhoe  Includes loadin loading for retuexcavators, grollers, bridge forklifts, telesco	EA  EA  EA  Ang, tie-ourn and adalls, finisher oping a ACR	ractor Trailer With Up  Quantity  1.00  down of equipment, delivit transporting away. For example, straight mast constructed articulating boom materials Survey Clear Area For Quantity	x x x ery equilibrium nlift:	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as less, heavy duty of forklifts, teles s with >40' booderground Utili	x x off loas bulldy conscoping om lenties x	Factor 1.1918  ding on site, ozers, motor truction load boom rough gths, etc.	rigging, dis scrapers, hers, tractors terrain con	sation Using A  LineTota \$875.19 \$875.19  smantling, hydraulic s, pavers, histruction  LineTota \$3,127.00
	User Note:  Item Note:  017123160019  Accepted  User Note:  Item Note:	Installation  1 backhoe  Includes loadin loading for retuexcavators, grollers, bridge forklifts, telesco	EA  EA  EA  Ang, tie-ourn and adalls, finisher oping a ACR	down of equipment, delive transporting away. For eroad graders, loader-backs, straight mast construct and articulating boom mass Survey Clear Area For Quantity  0.50	ery equiickhoottion	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as bes, heavy duty in forklifts, teles s with >40' box derground Utili  Unit Price \$5,247.63	x x off loas bulldy conscoping om lenties x	Factor 1.1918  ding on site, ozers, motor truction load boom rough gths, etc.	rigging, dis scrapers, hers, tractors terrain con	LineTota \$875.1 \$875.1 smantling, nydraulic s, pavers, nstruction LineTota \$3,127.0
20	User Note:  Item Note:  017123160019  Accepted  User Note:  Item Note:  017419000021	Installation  1 backhoe  Includes loadin loading for retuexcavators, grollers, bridge forklifts, telesco	EA  EA  EA  ACR	rist 25 Miles, Equipme Tractor Trailer With Up Quantity 1.00  down of equipment, delively transporting away. For expending and erroad graders, loader-backs, straight mast constructed and articulating boom material Survey Clear Area For Quantity 0.50  Rampless Concrete With the Construction of the Construc	ery equilibrium x x x	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as les, heavy duty forklifts, teles s with >40' boo derground Utili  Unit Price \$5,247.63	off loads bulldy conscioning om lenties	bilization And Factor 1.1918  ding on site, ozers, motor truction load of boom rough gths, etc.  Factor 1.1918	rigging, dis scrapers, hers, tractors terrain con	LineTota \$875.1 \$875.1 smantling, nydraulic s, pavers, nstruction LineTota \$3,127.0
20	User Note:  Item Note:  017123160019  Accepted  User Note:  Item Note:	Installation  1 backhoe  Includes loadin loading for retuexcavators, grollers, bridge forklifts, telesco	EA  EA  EA  ACR	down of equipment, delive transporting away. For eroad graders, loader-backs, straight mast construct and articulating boom mass Survey Clear Area For Quantity  0.50	ery equilibrium x x x	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as bes, heavy duty of forklifts, teles s with >40' borderground Utili  Unit Price \$5,247.63	x x off loas bulldy conscoping om lenties x	Factor 1.1918  ding on site, ozers, motor truction load boom rough gths, etc.  Factor 1.1918	rigging, dis scrapers, hers, tractors terrain con	LineTota \$875.1 \$875.1  smantling, hydraulic s, pavers, histruction  LineTota \$3,127.0
20	User Note:  Item Note:  017123160019  Accepted  User Note:  Item Note:  017419000021	Installation  I backhoe  Includes loadir loadirg for retuexcavators, grrollers, bridge forklifts, telesco	EA  EA  EA  ACR  MO	down of equipment, deliver transporting away. For earned articulating boom massurvey Clear Area For Quantity  Rampless Concrete W.  Pirst 25 Miles, Equipment and Tractor Trailer With Up Quantity  1.00  down of equipment, deliver are a for the construction of graders, loader-backs, straight mast construction articulating boom massurvey Clear Area For Quantity  Quantity	ery equilibrium x x x	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as les, heavy duty forklifts, teles s with >40' boo derground Utili  Unit Price \$5,247.63	off loads bulld conscoping om lenties	bilization And Factor 1.1918  ding on site, ozers, motor truction load of boom rough gths, etc.  Factor 1.1918	rigging, dis scrapers, hers, tractors nerrain con	sation Using A  LineTota \$875.19  Smantling, hydraulic s, pavers, histruction  LineTota \$3,127.00  \$3,127.00
20	User Note:  Item Note:  017123160019  Accepted  User Note:  Item Note:  017419000021	Installation  I backhoe  Includes loadin loading for retuexcavators, grollers, bridge forklifts, telesconstallation  Installation	EA  EA  EA  ACR  MO	down of equipment, deliver transporting away. For earned articulating boom massurvey Clear Area For Quantity  Rampless Concrete W.  Pirst 25 Miles, Equipment and Tractor Trailer With Up Quantity  1.00  down of equipment, deliver are a for the construction of graders, loader-backs, straight mast construction articulating boom massurvey Clear Area For Quantity  Quantity	ery equilibrium x x x	Delivery, Picku 53' Bed  Unit Price \$734.34  of equipment, pment such as bes, heavy duty of forklifts, teles s with >40' borderground Utili  Unit Price \$5,247.63	off loads bulld conscoping om lenties	Factor 1.1918  ding on site, ozers, motor truction load boom rough gths, etc.  Factor 1.1918	rigging, dis scrapers, hers, tractors nerrain con	LineTota \$875.19 \$875.19 smantling, nydraulic s, pavers,

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**By Division Report** 

Version: 2.0

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Reco	rd#	CSI Number	MOD	UOM	Description		<b>Unit Price</b>		Factor		Tota
03 C	oncrete	•									
22	2	030500000021		CY	Premium Color (See Da	avis	Colors Color	Card),	Concrete A	dmixture	
		Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	CY	50.00	х	\$74.01	Х	1.1918	=	\$4,410.2
											\$4,410.2
		User Note:									
		Item Note:									
23	3	033113000102		HR	35 CY/HR, 66 HP Traile	er N	ounted Concr	ete Pu	ımp		
		Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	HR	60.00	х	\$113.96	Х	1.1918	=	\$8,149.0
											\$8,149.0
		User Note:									
		Item Note:	Includes hose	S							
24	ļ	033113000111		CY	Delivery Fee For Concr	ete	Purchases Pe	er CY	For Each CY	Less Than	9 CY
		Accepted			Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	CY	5.00	х	\$18.32	Х	1.1918	=	\$109.17
											\$109.17
		User Note:									
				ntity is 9	minus the number of CY	's d	elivered. For e	examp	le, the delive	ery fee for 20	CY's is: (9-2) =
			7.								

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## **By Division Report**

Version: 2.0

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. =	CSI Number	MOD	UOM	Description		Unit Price		Factor		Total
26 Electri	cal									
25	260529000211		EA	4" Conduit, Clamp Back	Sp	acer				
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	EA	250.00 >	Х	\$1.81	Х	1.1918	=	\$539.29
										\$539.29
	User Note:									
	Item Note:									
26	260533131448		LF	4" Schedule 40 Polyvinyl	l C	hloride (PVC)	Cond	luit With Cou	pled End	
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	1,800.00	Х	\$10.68	Х	1.1918	=	\$22,911.16
										\$22,911.16
	User Note:	install conduit	provide	ed by MTS						
	Item Note:									
27	260533131448		LF	4" Schedule 40 Polyvinyl	l C	hloride (PVC)	Cond	luit With Cou	pled End	
	Accepted	•		Quantity	x	Unit Price	х	Factor	=	LineTota
		Installation	LF	300.00	Х	\$12.98	Х	1.1918	=	\$4,640.87
										\$4,640.87
	User Note:	install conduit	purcha	se by contractor						\$4,640.87
	User Note:	install conduit	purcha	se by contractor						\$4,640.87
28		install conduit	purcha:	se by contractor  4" Polyvinyl Chloride (PV	/C)	) Conduit Bell	End A	And Plug, Dire	ect Burial	\$4,640.87
28	Item Note:	install conduit		· · · · · · · · · · · · · · · · · · ·		) Conduit Bell Unit Price	End A	And Plug, Dire	ect Burial	
28	Item Note: 260533131832	install conduit		4" Polyvinyl Chloride (PV	x	<u> </u>		<u> </u>		LineTotal
28	Item Note: 260533131832		EA	4" Polyvinyl Chloride (PV	x	Unit Price	х	Factor	=	LineTotal \$539.17
28	Item Note: 260533131832		EA	4" Polyvinyl Chloride (PV	x	Unit Price	х	Factor	=	LineTotal \$539.17
28	Item Note: 260533131832  Accepted		EA	4" Polyvinyl Chloride (PV	x	Unit Price	х	Factor	=	LineTotal \$539.17
28	Item Note: 260533131832 Accepted User Note:		EA	4" Polyvinyl Chloride (PV	×	Unit Price \$37.70	х	Factor	=	LineTotal \$539.17
	Item Note: 260533131832 Accepted  User Note: Item Note:		EA EA	4" Polyvinyl Chloride (PV  Quantity > 12.00 >	x x Bei	Unit Price \$37.70	х	Factor	=	<b>LineTota</b> l \$539.17 \$539.17
	Item Note:   260533131832   Accepted   User Note:   Item Note:   260533132237		EA EA	4" Polyvinyl Chloride (PV  Quantity > 12.00 > 4" Plastic Conduit Field E	x x Bei	Unit Price \$37.70	x	<b>Factor</b> 1.1918	=	LineTotal \$539.17 \$539.17 LineTotal
	Item Note:   260533131832   Accepted   User Note:   Item Note:   260533132237	Installation	EA EA	4" Polyvinyl Chloride (PV  Quantity > 12.00 > 4" Plastic Conduit Field E	x x Bei	Unit Price \$37.70	x x	Factor 1.1918 Factor	=	LineTotal \$539.17 \$539.17 LineTotal \$859.38
	Item Note:   260533131832   Accepted   User Note:   Item Note:   260533132237	Installation	EA EA	4" Polyvinyl Chloride (PV  Quantity > 12.00 > 4" Plastic Conduit Field E	x x Bei	Unit Price \$37.70	x x	Factor 1.1918 Factor	=	\$4,640.87  LineTotal  \$539.17  \$539.17  LineTotal  \$859.38

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## **By Division Report**

Version: 2.0

Approved 10/02/2020 04:17:13 PM PST

Record #	CSI Number	MOD	UOM	Description		Unit Price		Factor		Tota
31 Earth	work									
30	310516000015		CY	#10 Stone Aggregate Fill	l (#	<sup>‡</sup> 8 To 3/4)				
	Accepted	•		Quantity x	x	Unit Price	х	Factor	=	LineTota
		Installation	CY	10.00 x	X	\$61.39	Х	1.1918	=	\$731.6
										\$731.65
	User Note:	rock under va	ults							
	Item Note:									
31	310516000015	0053	CY	For Up To 10, Add						
	Accepted	•		Quantity x	x	Unit Price	х	Factor	=	LineTota
	•	Installation	CY	10.00 x	X	\$17.79	Х	1.1918	=	\$212.02
										\$212.02
	User Note:									
	Item Note:									
32	311316000003		LF	Tree Trimming, Medium	Cu	ıtting >6" To 1	2" Dia	meter For P	ole Line Co	nstruction
	Accepted	•		Quantity x	x	Unit Price	х	Factor	=	LineTota
		Installation	LF	100.00 x	X	\$2.33	Х	1.1918	=	\$277.69
										\$277.69
	User Note:									
	Item Note:									
33	Item Note: 312316130005		CY	Over 12" Wide, Excavation	on	for Trenching	by M	achine in Lo	ose Rock	
33			CY	Over 12" Wide, Excavation		for Trenching Unit Price	by M	achine in Loc	ose Rock	LineTota
33	312316130005	Installation	CY		X					
33	312316130005	Installation		Quantity x	X	Unit Price	х	Factor	=	\$1,350.0
33	312316130005	100 cy excava	CY	Quantity x 115.00 x	X	Unit Price	х	Factor	=	\$1,350.01
33	312316130005  Accepted  User Note:		CY	Quantity x 115.00 x	X	Unit Price	х	Factor	=	\$1,350.0
	312316130005  Accepted  User Note:  Item Note:	100 cy excava	CY ation of t	Quantity x 115.00 x grench vaults	×	Unit Price \$9.85	x x	<b>Factor</b> 1.1918	=	\$1,350.01
33	312316130005  Accepted  User Note:  Item Note:  312316130005	100 cy excava	CY	Quantity x 115.00 x strench vaults  Over 12" Wide, Excavation	x x on	Unit Price \$9.85 for Trenching	x x	Factor 1.1918 achine in Loc	= = = ose Rock	\$1,350.0°
	312316130005  Accepted  User Note:  Item Note:	100 cy excava 15 cy excava	CY ation of tion for t	Quantity x 115.00 x trench vaults  Over 12" Wide, Excavation Quantity x	x x	Unit Price \$9.85 for Trenching Unit Price	x x by Ma	Factor 1.1918 achine in Loc	= = ose Rock	\$1,350.0° \$1,350.0° LineTota
	312316130005  Accepted  User Note:  Item Note:  312316130005	100 cy excava	CY ation of t	Quantity x 115.00 x strench vaults  Over 12" Wide, Excavation	x x	Unit Price \$9.85 for Trenching	x x	Factor 1.1918 achine in Loc	= = = ose Rock	\$1,350.01 \$1,350.01 LineTota \$117.38
	312316130005  Accepted  User Note:  Item Note:  312316130005  Accepted	100 cy excava 15 cy excava Installation	CY ation of tion for t	Quantity x 115.00 x trench vaults  Over 12" Wide, Excavation Quantity x	x x	Unit Price \$9.85 for Trenching Unit Price	x x by Ma	Factor 1.1918 achine in Loc	= = ose Rock	\$1,350.01 \$1,350.01 LineTota \$117.38
	312316130005  Accepted  User Note:  Item Note:  312316130005  Accepted  User Note:	100 cy excava 15 cy excava Installation	CY ation of tion for t	Quantity x 115.00 x trench vaults  Over 12" Wide, Excavation Quantity x	x x	Unit Price \$9.85 for Trenching Unit Price	x x by Ma	Factor 1.1918 achine in Loc	= = ose Rock	\$1,350.01 \$1,350.01 LineTota \$117.38
	312316130005  Accepted  User Note:  Item Note:  312316130005  Accepted  User Note:  Item Note:	100 cy excava 15 cy excava Installation	CY ation of tion for t	Quantity x 115.00 x trench vaults  Over 12" Wide, Excavation  Quantity x 10.00 x	x x	Unit Price \$9.85 for Trenching Unit Price	x x by Ma	Factor 1.1918 achine in Loc	= = ose Rock	\$1,350.0° \$1,350.0° LineTota \$117.38
34	312316130005  Accepted  User Note:  Item Note:  312316130005  Accepted  User Note:  Item Note:  312316130005	100 cy excava 15 cy excava Installation	CY ation of to	Quantity x 115.00 x trench vaults  Over 12" Wide, Excavation Quantity x 10.00 x	on x	Unit Price \$9.85 for Trenching Unit Price \$9.85	x x x by M:	Factor 1.1918  achine in Loc Factor 1.1918	= = ose Rock = =	\$1,350.0° \$1,350.0° LineTota \$117.39 \$117.39
34	312316130005  Accepted  User Note:  Item Note:  312316130005  Accepted  User Note:  Item Note:	100 cy excava 15 cy excava Installation boring pit	CY ation of to	Quantity x 115.00 x trench vaults  Over 12" Wide, Excavation  Quantity x 10.00 x	on x x	Unit Price \$9.85  for Trenching Unit Price \$9.85	x x by Ma	Factor 1.1918  achine in Loc Factor 1.1918  Factor	= = ose Rock	\$1,350.0° \$1,350.0°  LineTota \$117.39  \$117.39
34	312316130005  Accepted  User Note:  Item Note:  312316130005  Accepted  User Note:  Item Note:  312316130005	100 cy excava 15 cy excava Installation	CY ation of to tion for to CY CY	Quantity x 115.00 x trench vaults  Over 12" Wide, Excavation Quantity x 10.00 x	on x x	Unit Price \$9.85 for Trenching Unit Price \$9.85	x x x by M: x x x	Factor 1.1918  achine in Loc Factor 1.1918	= =	\$1,350.0° \$1,350.0° \$1,350.0°  LineTota \$117.39  \$117.39
34	312316130005  Accepted  User Note:  Item Note:  312316130005  Accepted  User Note:  Item Note:  312316130005	100 cy excava 15 cy excava Installation boring pit	CY ation of to tion for to CY CY	Quantity x 115.00 x trench vaults  Over 12" Wide, Excavation  Quantity x 10.00 x	on x x	Unit Price \$9.85  for Trenching Unit Price \$9.85	x x x by M: x x x	Factor 1.1918  achine in Loc Factor 1.1918  Factor	= =	LineTota \$1,350.01 \$1,350.01 \$1,350.01 LineTota \$117.39 LineTota \$337.16

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36	312316130008		CY	Excavation For Trench	ina	By Hand In Lo	ose Ro	nck		
00	Accepted	-		Quantity		Unit Price	x	Factor		LineTota
	Accepted	Installation	CY	30.00		\$176.35	Х	1.1918	=	\$6,305.2
		o.aa	0.	00.00		<b>4.7.0.00</b>	,			\$6,305.2
	User Note:									ψο,οσο
	Item Note:	Includes stock	piling e	excess materials and trim	min	g sides and bo	ottom o	of trench.		
37	312316130010		CY	Backfilling or Placing S Machine	ubb	ase for Trench	nes wit	h Imported o	or Stockpiled	d Materials by
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTot
		Installation	CY	10.00	Х	\$3.11	Х	1.1918	=	\$37.0
										\$37.0
	User Note:	boring pits								
	Item Note:									
38	312316130011	_	CY	Backfilling or Placing S Hand	ubb	ase for Trench	nes wit	h Imported o	or Stockpiled	d Materials by
	Accepted			Quantity	X	Unit Price	x	Factor	=	LineTot
		Installation	CY	114.00	Х	\$28.56	х	1.1918	=	\$3,880.3
										\$3,880.3
	User Note:	80 cy x 1.42 sł	hrinkaç	je =114 cy						
	Item Note:									
39	312316130014		CY	Compaction of Fill or S	ubb	ase for Trench	nes by	Hand		
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	CY	134.00	Х	\$32.21	Х	1.1918	=	\$5,143.9
										\$5,143.9
	User Note:	20 cy subgrad 114 cy backfill								
	Item Note:	114 Cy Dackiiii								
40	312316130014		CY	Compaction of Fill or S	ubb	ase for Trench	nes by	Hand		
	Accepted	-		Quantity		Unit Price	x	Factor	=	LineTota
	•	Installation	CY	10.00	Х	\$32.21	х	1.1918	=	\$383.8
										\$383.8
	User Note:	boring pits								
	Item Note:									
41	312316130016		CY	Load Excess Material b	y N	lachine for Re	moval	from Excava	ation for Tre	nching
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
	•	Installation	CY	114.00	х	\$5.41	Х	1.1918	=	\$735.0
										\$735.0
	User Note:									

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42	312316130016	0074	CY							
	Accepted	-		For >50 To 250, Add  Quantity	х	Unit Price	x	Factor		LineTota
	Accepted	Installation	CY	99.00		\$1.36	Х	1.1918	=	\$160.4
		o.aa	٠.	00.00	,	ψσσ	^			\$160.4
	User Note:									φ100.40
	Item Note:	,								
43	312316360024		SY	Rough Grading For Bu	ldin	g Foundations	And	Other Structu	ures by Mad	hine
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	SY	93.00	х	\$0.96	Х	1.1918	=	\$106.4
										\$106.40
	User Note:	top of trench								
	Item Note:	,								
44	312316360026		SY	Finish Grading For Bui	din	Foundations	And C	Other Structu	res by Hand	d
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	SY	93.00	Χ	\$9.52	Х	1.1918	=	\$1,055.1
		Installation	SY	93.00	Х	\$9.52	Х	1.1918	=	
	User Note:	Installation bottom of trend		93.00	Х	\$9.52	Х	1.1918	=	
	User Note:			93.00	X	\$9.52	Х	1.1918	=	
45				93.00 Spread Excess Or Imp					=	
45	Item Note:		ch		orte				=	\$1,055.1
45	Item Note: 312316360032		ch	Spread Excess Or Imp	orte	d Material On	Site B	y Hand		\$1,055.1° LineTota
45	Item Note: 312316360032	bottom of trend	CY	Spread Excess Or Imp	orte	d Material On Unit Price	Site B	y Hand Factor	=	\$1,055.17 <b>LineTota</b> \$5,651.99
45	Item Note: 312316360032	bottom of trend	CY	Spread Excess Or Imp	orte	d Material On Unit Price	Site B	y Hand Factor	=	\$1,055.17 <b>LineTota</b> \$5,651.99
45	Item Note: 312316360032 Accepted	bottom of trend	CY	Spread Excess Or Imp	orte	d Material On Unit Price	Site B	y Hand Factor	=	\$1,055.17 <b>LineTota</b> \$5,651.99
45	Item Note: 312316360032  Accepted  User Note:	bottom of trend	CY	Spread Excess Or Imp	x x	d Material On Unit Price \$41.60	Site B	y Hand Factor 1.1918	=	\$1,055.11 LineTota \$5,651.99
	Item Note: 312316360032 Accepted  User Note: Item Note:	bottom of trend	CY CY	Spread Excess Or Imp  Quantity  114.00	x x	d Material On Unit Price \$41.60	Site B	y Hand Factor 1.1918	=	\$1,055.11 <b>LineTota</b> \$5,651.99 \$5,651.99
	Item Note: 312316360032  Accepted  User Note: Item Note: 312316360032	bottom of trend	CY CY	Spread Excess Or Imp  Quantity  114.00  Spread Excess Or Imp	x x	d Material On Unit Price \$41.60	Site B  x  x	y Hand Factor 1.1918	= =	\$1,055.11 LineTota \$5,651.99 \$5,651.99
	Item Note: 312316360032  Accepted  User Note: Item Note: 312316360032	bottom of trend	CY CY	Spread Excess Or Imp  Quantity  114.00  Spread Excess Or Imp  Quantity	x x	d Material On Unit Price \$41.60  d Material On Unit Price	Site B	y Hand Factor 1.1918  y Hand Factor	=	\$1,055.11  LineTota \$5,651.99  \$5,651.99
	Item Note: 312316360032  Accepted  User Note: Item Note: 312316360032	Installation	CY CY	Spread Excess Or Imp  Quantity  114.00  Spread Excess Or Imp  Quantity	x x	d Material On Unit Price \$41.60  d Material On Unit Price	Site B	y Hand Factor 1.1918  y Hand Factor	=	\$1,055.17 \$1,055.17 \$1,055.17 LineTota \$5,651.99 \$5,651.99 LineTota \$495.79

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Re	cord #	CSI Number	MOD	UOM	Description		Unit Price		Factor		Tota
32	Exterior	Improvements									
	47	321313330011		SY	15" 4,500 PSI Concrete	Pa	ving Assembl	у			
		Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	SY	100.00	Х	\$141.78	Χ	1.1918	=	\$16,897.34
											\$16,897.34
		User Note:	conduit encas	ement							
		Item Note:									
	48	321313330011	0022	SY	For 3,500 PSI Concrete	, D	educt				
		Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	SY	100.00	Х	-\$4.19	Х	1.1918	=	-\$499.36
											-\$499.36
		User Note:									
		Item Note:									
	49	321313330011	0031	SY	For >100 To 250, Add						
		Accepted			Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	SY	100.00	Х	\$32.05	Х	1.1918	=	\$3,819.72
											\$3,819.72
		User Note:									
		Item Note:									
	50	323113130004		VLF	2-1/2" Diameter Hole, A	uge	er By Machine	Fenc	e Post Hole I	n Soil	
		Accepted			Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	VLF	36.00	Х	\$8.41	Х	1.1918	=	\$360.83
											\$360.83
		User Note:									
		Item Note:									
	51	323113130021		VLF	2-1/2" Diameter, Concre	ete	Fill For Post H	lole			
		Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	VLF	36.00	Х	\$5.59	Х	1.1918	=	\$239.84
											\$239.84
		User Note:									
		Item Note:									
	52	323113130069		LF	1-5/8" Outside Diameter	r G	alvanized Stee	el Pos	t, 7' To 10' In	Length	
		Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	LF	96.00	Х	\$7.16	Х	1.1918	=	\$819.20
			Demo	LF	96.00	Х	\$1.80	Х	1.1918	=	\$205.94
											\$1,025.14
		User Note:									• •
		USEI NOIE.									

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53	323113130118		EA	26" Driven Post Suppo	rt Fo	or 1-5/8" Roun	d Cha	in Link Fenc	e Post	
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	EA	12.00	х	\$49.14	Х	1.1250	=	\$663.3
										\$663.3
	User Note	for temporary f	ence							
	Item Note	: OZ-Post GB-7	00.							
54	323113130176		LF	6' Full Height Fabric Ga	alva	nized Chain L	ink #9	Gauge, 1.2	Oz Coating	, 2" Mesh
54	323113130176  Accepted	_	LF	6' Full Height Fabric Ga		nized Chain L Unit Price	ink #9	Gauge, 1.2	Oz Coating	
54		- Installation	LF LF		х					LineTota
54		Installation		Quantity	х	Unit Price	х	Factor	=	LineTota \$2,108.06
54	Accepted		LF	Quantity	X X	Unit Price \$7.37	х	Factor	=	<b>LineTota</b> \$2,108.06

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	CSI Number	MOD	UOM	Description		<b>Unit Price</b>		Factor		Total
33 Utilities	S									
55	330507130026		LF	4" Diameter Directional	Во	ring For Horize	ontal F	Pipe, Underg	round	
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	LF	70.00	х	\$32.98	Х	1.2322	=	\$2,844.66
										\$2,844.66
	User Note:									
	Item Note:									
56	330507130036		EA	Up To 6" Horizontal Dire	ecti	onal Boring M	inimur	m Set-up Ch	arge	
	Accepted	-		Quantity	х	Unit Price	Х	Factor	=	LineTotal
		Installation	EA	1.00	х	\$2,852.46	Х	1.2322	=	\$3,514.80
									_	<b>#</b> 0 544.00
										\$3,514.80
	User Note:									\$3,514.80
				e total horizontal directior This task should not be u						t-up charge, use
57					sec	in conjunction	n with	any other ta		t-up charge, use
57	Item Note:		sively.	This task should not be us	sec	in conjunction	n with	any other ta		t-up charge, use
57	Item Note: 330563000024		sively.	This task should not be us	sec cret	in conjunction e Undergroun	n with d Utilit	any other ta y Vault	sks in this	t-up charge, use section.
57	Item Note: 330563000024	this task exclu	sively. <sup>-</sup> EA	This task should not be us 6' x 6' x 7' Precast Cond Quantity	sec cret	e Undergroun Unit Price	n with d Utilit	any other ta y Vault Factor	sks in this	t-up charge, use section.
57	Item Note: 330563000024  Accepted	this task exclu	EA EA	This task should not be us 6' x 6' x 7' Precast Cond Quantity 2.00	sec cret	e Undergroun Unit Price	n with d Utilit	any other ta y Vault Factor	sks in this	t-up charge, use section.  LineTotal \$4,910.14
57	Item Note: 330563000024 Accepted User Note:	this task exclu	EA  EA  EA  Oy MTS	This task should not be use 6' x 6' x 7' Precast Cond Quantity 2.00	sec cret	e Undergroun Unit Price	n with d Utilit	any other ta y Vault Factor	sks in this	t-up charge, use section.  LineTotal \$4,910.14
57	Item Note: 330563000024 Accepted User Note:	Installation vaults supply b	EA  EA  EA  Oy MTS	This task should not be use 6' x 6' x 7' Precast Cond Quantity 2.00	sec cret	e Undergroun Unit Price	n with d Utilit	any other ta y Vault Factor 1.2322	sks in this	t-up charge, use section.  LineTotal \$4,910.14
57	Item Note: 330563000024 Accepted User Note:	Installation vaults supply b	EA  EA  EA  Oy MTS	This task should not be use 6' x 6' x 7' Precast Cond Quantity 2.00	sec cret	e Undergroun Unit Price \$1,992.43	n with d Utilit x x	any other ta y Vault Factor 1.2322	sks in this  =  =  Total:	LineTotal \$4,910.14

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# EXHIBIT C (Subcontractor Listing)

## Att. A, Al 10, 11/12/2025

## San Diego Metropolitan Transit System

1255 Imperial Ave San Diego, CA 92101

**Subcontractor Report** 

Date: 10/20/2020

**Job Order Contracting** 

Contract #: PWG275.0-19

Job Order #: MTSJOC275-16

Job Order Title: Trenching at 43rd St Location: Orange Line ROW

**Contractor:** ABC Construction Co., Inc.

Subcontractor: ACE ELECTRIC

Subcontractor Name	License Number	Describe Nature of Work (Trade)	Certifications	Subcontractor Total	%
ACE ELECTRIC 6061 FAIRMOUNT AVE, San Diego, CA 92120	935109	install conduit		\$104,903.00	62.02%



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

## Agenda Item No. 11

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

SUBJECT:

FARE VALIDATOR INFRASTRUCTURE CONSTRUCTION MANAGEMENT SERVICES – WORK ORDER

### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA2019-CM06 under MTS Doc. No. G2019.0-17 (in substantially the same format as Attachment A) with Kleinfelder – Simon Wong in an amount not to exceed \$236,485.52 for the Fare Validator Infrastructure Construction Management (CM) Services.

### **Budget Impact**

The total budget for this contract shall not exceed \$236,485.52. This project is funded by the MTS Capital Improvement Project (CIP) 1009004902 – Fare System Upgrades.

### DISCUSSION:

As part of the new Fare System Upgrade project, MTS is looking to provide our customers with increased payment flexibility via an Account- based fare system and installing new INIT fare validators at each of our stations. On October 15, 2020 (agenda item 12), the MTS Board approved the Fare Validator Infrastructure construction service contract with Chula Vista Electric Co. To ensure on-time completion of the construction work, MTS requires CM services for the overall planning, coordination, and control of this project from beginning through completion (collectively "CM Services"), and the proposed Work Order for CM Services include the following:

- Resident Engineer
- Field Inspector









The San Diego Association of Governments (SANDAG) issued a Request for Statement of Qualifications (RFSQ) for CM Services on October 17, 2014 and MTS was assigned the right to utilize this contract through an assignment agreement on June 7, 2017. The RFSQ resulted in the approval of eight firms qualified to perform CM services. Tasks are assigned to the firms through a work order process, and MTS selects the most qualified firm based on the scope of work to be performed.

On August 12, 2020, MTS issued a Request for Proposal (RFP) for the Validator Infrastructure Construction CM and Inspection Services to the CM services panel. MTS evaluation team committee reviewed three (3) proposals and awarded Kleinfelder – Simon Wong the highest score based on their technical and pricing score shown below;

Ranking	Proposer Name	Total Score
1	KLEINFELDER	95.00
2	PGH WONG	71.00
3	ANSER	60.00

Therefore, staff recommends that the Board of Directors authorize the CEO to execute Work Order WOA2019-CM06 to MTS Doc. G2019.0-20 (in substantially the same format as Attachment A) with Kleinfelder – Simon Wong not exceed \$236,485.52 for the Fare Validator Infrastructure Construction Management Services.

/S/ Sharon Cooney Sharon Cooney

Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

Attachments: A. Draft MTS Doc. No. G2019.0-20 WOA2019-CM06

B. Work Order Estimate Summary



1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

November 17, 2020

MTS Doc. No. G2019.0-17 Work Order No. WOA2019-CM06

Mr. Hank Gentile Project/Task Order Manager Kleinfelder | Simon Wong Engineering, Inc. 5761 Copley Drive Suite 100 San Diego, CA 92111

Dear Mr. Gentile:

Subject: MTS DOC. NO. G2019.0-17, WOA2019-CM06, FARE VALIDATOR INFRASTRUCTURE CONSTRUCTION MANAGEMENT SERVICES - WORK ORDER AGREEMENT

This letter shall serve as our agreement MTS Doc. No. G2019.0-17 WOA2019-CM06, for Construction Management services under the Construction Management Consultant Agreement, as further described below.

### SCOPE OF SERVICES

Provide construction management and inspection staff for the Traction Power Substations Installation for Blue Line Trolley, Schedule A work, in accordance with MTS and SANDAG policies and procedures. Please see Attachment A, Scope of Services, for a detailed summary of the services to be provided.

### **SCHEDULE**

Aligned with Validator Infrastructure Project (PWG316.0-20)

### **PAYMENT**

Payment shall be based on actual costs in the amount not to exceed without prior authorization of \$236,485.52.

Sincerely,	Accepted:
Sharon Cooney Chief Executive Officer	Hank Gentile Kleinfelder   Simon Wong Engineering
	Date:









Attachments: A - Schedule A Scope of Services
B - Schedule A Negotiated Fee Proposal



### ATTACHMENT A

# SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS)

### **SCOPE OF WORK**

# WORK ORDER TITLE: VALIDATOR INFRASTRUCTURE CONSTRUCTION CM AND INSPECTION SERVICES

### I. PROJECT DESCRIPTION

This project consists of upgrading new fare validators at 10 existing trolley stations.

# II. EXPECTED RESULTS

Provide quality assurance inspection services to verify compliance with the plans and specifications on a daily basis during demolition and construction of the new fare validators at various trolley stations.

# III. SCOPE OF WORK

The scope of work shall be conducted in accordance with the Master On-call Agreement, the SANDAG Construction Manual, this scope of work, and the contract documents.

### 1.0 Project/Task Order Manager

# Project/Task Order Manager

Project/Task Order Manager shall review and monitor the Consultant's personnel and closely monitor the task order authorization and expiration date versus actual progress to ensure the task order authorization and expiration date are not exceeded.

- 1. Ensure that the field team is trained in the skills that are needed to manage each particular task
- 2. Assign personnel to complete the required task order as specified
- 3. Administer personnel action, coordinate personnel matters with MTS' Contract Manager
- 4. Review monthly invoices prior to submission to MTS.

### 2.0 Quality Assurance Inspection Services

Inspection tasks consist of the following:

- 1. Attend conference calls and or site meetings with the Contractor and related subcontractors;
- 2. Provide technical support if needed to MTS
- 3. Provide monitoring and inspections for compliance with plans and specifications on a daily basis
- 4. Provide code compliant direction on issues that arise within established authority levels of the field services
- 5. Provide other related services as requested by MTS regarding new fare validators project
- 6. Track and monitor drawings and markups for producing as-built drawings.

### IV. PERIOD OF PERFORMANCE

6 Months

# V. <u>DELIVERABLES</u>

Deliverables will consist of the daily work products produced under direct supervision by MTS management which include:

- a. Inspector's daily reports and photographs
- b. Construction Managers weekly status reports and updates, if required
- c. Two sets of 11x17 size prints of the field copy, hand marked-up red-line plans
- d. Associated correspondence files
- e. Testing submittal reviews and inspection
- f. Request for Information (RFIs) and responses

### VI. SCHEDULE OF SERVICES/MILESTONES/DELIVERABLES

Tasks Schedule

Task	Begin/End Dates				
Construction Management Services	See Construction schedule for project PWG316.0-29				

### VII. MATERIALS TO BE PROVIDED BY MTS AND/OR THE OTHER AGENCY

- 1. Project plans, special provisions, and standard specifications;
- 2. Applicable permits;
- 3. Flagging personnel for work alongside MTS right-of-way;
- 4. MTS Roadway Worker training (if necessary) for personnel working alongside MTS right-of-way;

### VIII. SPECIAL CONDITIONS

None

# IX. MTS ACCEPTANCE OF SERVICES:

Firm shall not be compensated at any time for unauthorized work outside of this Work Order. Firm shall provide notice to MTS' Project Manager upon 100% completion of this Work Order. Within five (5) business days from receipt of notice of Work Order completion, MTS' Project Manager shall review, for acceptance, the 100% completion notice. If Firm provides final service(s) or final work product(s) which are found to be unacceptable due to Firms and/or Firms subcontractors negligence and thus not 100% complete by MTS' Project Manager,

Firm shall be required to make revisions to said service(s) and/or work product(s) within the Not to Exceed (NTE) Budget. MTS reserves the right to withhold payment associated with this Work Order until the Project Manager provides written acceptance for the 100% final completion notice. Moreover, 100% acceptance and final completion will be based on resolution of comments received to the draft documents and delivery of final documentation which shall incorporate all MTS revisions and comments.

Monthly progress payments shall be based on hours performed for each person/classification identified in the attached Fee Schedule and shall at no time exceed the NTE. Firm shall only be compensated for actual performance of services and at no time shall be compensated for services for which MTS does not have an accepted deliverable or written proof and MTS acceptance of services performed.

# X. DEFICIENT WORK PRODUCT:

Throughout the design and/or implementation phases associated with the services rendered by the Firm, if MTS finds any work product provided by Firm to be deficient and the deficiently delays any portion of the project, Firm shall bear the full burden of their deficient work and shall be responsible for taking all corrective actions to remedy their deficient work product including but not limited to the following:

- 1. Paying applicable delay fees,
- 2. Revising provided documents,

At no time will MTS be required to correct any portion of the Firms deficient work product and shall bear no costs or burden associated with Firms deficient performance and/or work product.

### XI. <u>DELIVERABLE REQUIREMENTS</u>

Firm will be required to submit any and all documentation required by the Scope of Work. The deliverables furnished shall be of a quality acceptable to MTS. The criteria for acceptance shall be a product of neat appearance, well-organized, and procedurally, technically and grammatically correct. MTS reserves the right to request a change in the format if it doesn't satisfy MTS's needs. All work products will become the property of MTS. MTS reserves the right to disclose any reports or material provided by the Firm to any third party.

Firm shall provide with each task, a work plan showing the deliverables schedule as well as other relevant date needed for Firm's work control, when and as requested by MTS.

Firm's computer data processing and work processing capabilities and data storage should be compatible with Windows compatible PC's, text files readable in Microsoft Word, and standard and customary electronic storage. Firm shall maintain backup copies of all data conveyed to MTS.

M15.	
XII.	PREVAILING WAGE
Prevaili	ng wage rates apply to certain personnel for these services? ☑ Yes ☐ No

Firm shall provide MTS with hard copy or electronic versions of reports and/or other material as requested by

revailing wage rates apply to certain personner or these services? In res in No	
If yes, please list classification subject to prevailing wage rates:	

# Att. B, AI 11, 11/12/2020

# **Work Order Estimate Summary**

MTS Doc. No. **TBD** Work Order No. 09 В Attachment:

**Work Order Title:** 

MTS Validator Infrastructure Construction Management and Inspection Services

**Project No:** 

### Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1	0270	Construction Management and Inspection Services	\$236,485.52

Totals \$236,485.52

### Table 2 - TASKS/WBS Summary (Costs & Hours)

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	1	Project Task Order Management	14.0	\$1,686.25
2	2	Engineering and Inspection Services	1,540.0	\$234,799.26

Totals = 1,554.0 \$236,485.52

# Table 3 - Consultant/Subconsultant Summary (Costs & Hours)

(If Applicable, Select One)			t One)				
DBE	DVBE	SBE	Other	Consultant	Labor Hrs	Total Costs	
			Х	Kleinfelder Construction Services*	494.0	\$70,764.07	
		Х		CA Wehsener Engineering	1,060.0	\$165,721.44	

Totals = 1,554.0 \$236,485.52

# **NOTES**

- 1. \*Kleinfelder Construction Services (KCS), formerly known as Simon Wong Engineering (SWE) is a wholly-owned subsidiary of Kleinfelder (KLF) and maintains an independent tax i.d. number and overhead rate.
- 2. Field inspection rates have been adjusted as necessary to comply with prevailing wage DIR Determination SD-23-63-3-2016-1D which included a predetermined increase on 7/1/17.
- 3. Billing rates included in this cost proposal are based upon the base rates, overhead rates, profit, escalation, other direct costs (ODCs) and other terms included in the Fee and Payment Schedule incorporated into Contract 5007804 between SANDAG and KCS.



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# Agenda Item No. 12

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

SUBJECT:

PROVISION OF HEWLETT-PACKARD ENTERPRISE (HPE) CONFIGURE TO ORDER (CTO) SERVERS AND SUPPORT FOR CLOSED-CIRCUIT TELEVISION (CCTV) NETWORK VIDEO RECORDERS (NVR) FOR THE MID-COAST TROLLEY EXTENSION PROJECT- PURCHASE ORDER

### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute a Purchase Order to Nth Generation Computing Inc. for the provision of HPE CTO Servers and ongoing support services for CCTV NVR for the Mid-Coast Trolley Extension Project in the amount of \$201,439.15.

### **Budget Impact**

The total budget for this purchase order is \$201,439.15 (inclusive of CA 7.75% Sales Tax). This project is funded by the MTS Capital Improvement Project (CIP) 2002010601 – Mid-Coast CCTV Equipment, which will be reimbursed by the SANDAG Mid-Coast Light Rail Transit Project #1257001.

#### DISCUSSION:

The Mid-Coast Trolley Extension Project will extend the UC San Diego Blue Line service from Santa Fe Depot in Downtown San Diego to the University City community, serving major activity centers such as Old Town, Mission Bay, UC San Diego and Westfield UTC.

The route begins just north of the Old Town Transit Center, travels in existing railroad right-of-way, and alongside Interstate 5, to serve UC San Diego and University City. The extension will serve nine new stations: Tecolote Road, Clairemont Drive, Balboa Avenue, Nobel Drive, VA Medical Center, Pepper Canyon (serving the UC San Diego west campus), Voigt Drive (serving the UC San Diego east campus), Executive Drive, and the terminus station at the Westfield UTC transit center.









To keep MTS passengers, employees, equipment and infrastructure safe and secure, MTS has video surveillance cameras and Network Video Recorders throughout the system. For this project, the MTS IT department will procure and build the NVRs inhouse to save cost for the new Mid Coast Trolley Extension and ensure the new system is compatible with the current MTS video surveillance system platform. Beyond security, video surveillance also helps MTS improve efficiency and enhance the overall passenger experience. Video surveillance is considered essential to monitor and capture clear incident images from the MTS Operation Control Center and keep operations running smoothly.

On September 25, 2020, MTS issued a Request for Quotation (RFQ) to procure twelve (12) HPE CTO Servers for CCTV NVRs for the Mid-Coast Trolley Extension Project. The servers were to include a 36-month support license with call center troubleshooting. Five (5) bids were received on the due date of October 15, 2020 from the following bidders.

The overall total amounts, including delivery charges and CA sales tax is as follows:

Proposer Name	Overall Total Amount
NTH GENERATION COMPUTING INC.	\$201,439.15
GOLDEN STAR TECHNOLOGY	\$210,969.35
PLANET CELLULAR	\$229,194.33
HYPERTEC USA	\$229,894.56
DATEL SYSTEM	\$234,893.29

MTS staff has deemed Nth Generation Computing Inc. the lowest bidder, to be responsive and responsible, and the bid submitted has been determined to be fair and reasonable by comparison of bids received and MTS's Independent Cost Estimate.

Nth Generation Computing Inc. California Multiple Award Schedule (CMAS) reference number 3-17-70-2784E was utilized for this pricing. The General Services Administration (GSA) and CMAS awards contracts for multiple services at a significantly lower rate than the national average, and the network communication devices and service is one of such items available on the schedule.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute a Purchase Order to Nth Generation Computing Inc. for the provision of HPE CTO Servers and ongoing support services for CCTV NVR for the Mid-Coast Trolley Extension Project in the amount of \$201,439.15.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

Attachment: A. Nth Generation Computing Inc.- Bid Price Form

# SECTION 7.0 – MTS BID PRICING FORM MID COAST CCTV HPE CONFIGURE TO ORDER (CTO) SERVER

ITEM#	PRODUCT NUMBER	PRODUCT DESCRIPTION	QTY	TAXABLE Y(YES) or N(NO)	UNIT PRICE (USD)	EXTENDED PRICE (USD)
1	P19718-B21	HPE ProLiant DL380 Gen10 12LFF NC Configure-to-order Server	12	Y	\$ 1,274.00	\$ 15,288.00
2	P19718-B21 ABA	HPE DL380 G10 CTO Mod-X 12LFF WO NIC	12	Y	\$ -	\$ -
3	P23549-L21	Intel Xeon-Silver 4210R (2.4GHz/10-core/100W) FIO Processor Kit for HPE ProLiant DL380 Gen10	12	Y	\$ 711.00	\$ 8,532.00
4	P00920-B21	HPE 16GB (1x16GB) Single Rank x4 DDR4-2933 CAS-21-21-21 Registered Smart Memory Kit	24	Y	\$ 223.00	\$ 5,352.00
5	P00920-B21 0D1	Factory Integrated	24	Y	\$ -	\$ -
6	826687-B21	HPE DL38X Gen10 2SFF Premium HDD Front NVMe or Front/Rear SAS/SATA Kit	12	Y	\$ 183.00	\$ 2,196.00
7	826687-B21 0D1	Factory Integrated	12	Y	\$ -	\$ -
8	P18422-B21	HPE 480GB SATA 6G Read Intensive SFF (2.5in) SC 3yr Wty Multi Vendor SSD	24	Y	\$ 175.00	\$ 4,200.00
9	P18422-B21 0D1	Factory Integrated	24	Y	\$ -	\$ -
10	819201-B21	HPE 8TB SAS 12G Midline 7.2K LFF (3.5in) SC 1yr Wty 512e Digitally Signed Firmware HDD	98	Y	\$ 647.00	\$ 63,406.00
11	819201-B21 0D1	Factory Integrated	98	Y	\$ -	\$ -
12	R2U55C	NVIDIA Quadro P2200 Graphics Accelerator for HPE	12	Y	\$ 613.00	\$ 7,356.00
13	R2U55C 0D1	Factory Integrated	12	Y	\$ -	\$ -
14	P01366-B21	HPE 96W Smart Storage Lithium-ion Battery with 145mm Cable Kit	12	Y	\$ 66.00	\$ 792.00
15	P01366-B21 0D1	Factory Integrated	12	Y	\$ -	\$ -
16	804338-B21	HPE Smart Array P816i-a SR Gen10 (16 Internal Lanes/4GB Cache/SmartCache) 12G SAS Modular Controller	12	Y	\$ 533.00	\$ 6,396.00
17	804338-B21 0D1	Factory Integrated	12	Y	\$ -	\$ -
18	629135-B22	HPE Ethernet 1Gb 4-port FLR-T BCM5719 Adapter	12	Y	\$ 174.00	\$ 2,088.00
19	629135-B22 0D1	Factory Integrated	12	Y	s -	\$ -
20	865414-B21	HPE 800W Flex Slot Platinum Hot Plug Low Halogen Power Supply Kit	24	Y	\$ 177.00	\$ 4,248.00
21	865414-B21 0D1	Factory Integrated	24	Y	\$ -	\$ -
22	E5Y43A	HPE OneView for ProLiant DL Server including 3yr 24x7 Support FIO Bundle Physical 1-server LTU	12	Y	\$ 615.00	\$ 7,380.00
23	867809-B21	HPE Gen10 2U Bezel Kit	12	Y	\$ 61.00	\$ 732.00
24	867809-B21 0D1	Factory Integrated	12	Y	\$ -	\$ -
25	733662-B21	HPE 2U Large Form Factor Easy Install Rail Kit	12	Y	\$ 44.00	\$ 528.00
26	733662-B21 0D1	Factory Integrated	12	Y	\$ -	\$ -
27	826706-B21	HPE DL380 Gen10 High Performance Heat Sink Kit	12	Y	\$ 102.00	\$ 1,224.00
28	826706-B21 0D1	Factory Integrated	12	Y	s -	\$ -
29		HPE One View w/llo Support	12	N	\$ 193.00	\$ 2,316.00
30	H7J34A5 WAH	HPE DL38x Gen10 Support	12	N	\$ 4,946.00	\$ 59,352.00
					Subtotal:	
		San Diego, California Sales Tax	(7.75%)	for Taxable		
		Freight Charges/ Shipping FOE				
					asis of Award):	

#### RETURN THIS FORM WITH YOUR BID

### **BID FORM**

### Refer to Attachment: ATT 1 Bid Form

Bidder shall submit pricing for all the work described in the Scope of Work section. In preparing a cost bid, Bidders are requested to provide a total all-inclusive cost for each productor services. Estimated quantities are for bid purposes only. The quantities do not reflect guaranteed usage by MTS and may be more or less than indicated.

Read attached General Provisions carefully. **They are a part of your bid.** Unit prices will prevail regardless of extensions submitted by the Bidder.

All bidders must complete bid forms as provided, failure to do so will deem the bid non-responsive.

Bidder accepts responsibility for accuracy and presentation of the numbers included in the cost/price form under Section 3.

Submit the bid following instructions as specified in Submission Requirements section.

All parts shall be delivered within thirty (30) calendar days after Purchase Order issuance.

F.O.B. POINT: SDMTS-IADP.

100 16th Street,

San Diego, California 92101,

### Bidder to check one:

Yes, I can meet the 30 calendar day delivery time						
No, I cannot meet the 30 calendar day delivery time						
DATE:	10/15/2020					
FIRM:	Nth Generation Computing, Inc.					
SIGNATURE:	Joyne & Russell					
TYPE OR PRINT NAME:	Joyce Russell					
TITLE:	EVP/CFO					
ADDRESS:	17055 Camino San Bernardo					
CITY, STATE & ZIP:	San Diego, CA 92127					
PHONE NUMBER:	858-451-2383					
FAX NUMBER:	858-673-8431					
E-MAIL ADDRESS:	bids@nth.com					

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MTS Doc No: G2432.0-21 MID-COAST CCTV HPE CONFIGURE TO ORDER (CTO) SERVER



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# Agenda Item No. 13

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

SUBJECT:

REVISIONS TO SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) ORDINANCE NO. 11

### RECOMMENDATION:

That the MTS Board of Directors:

- Adopt the proposed amendments to MTS Ordinance No. 11, "An Ordinance Providing for the Licensing and the Regulating of Transportation Services Within the City and County by the Adoption of a Uniform Paratransit Ordinance" (Attachment A); and
- 2) Upon adoption of the proposed amendments, grant the Chief Executive Officer (CEO) the discretion to enforce MTS Ordinance No. 11 in its amended form.

### Taxicab Advisory Committee (TAC) Recommendation:

On October 14, 2020, the following proposed revisions were provided to TAC as an informational item. Positive feedback was received.

# **Budget Impact**

None with this action.

### **DISCUSSION:**

The MTS For-Hire Vehicle Administration regulates for-hire vehicles that operate in the following cities: San Diego, Imperial Beach, Chula Vista, National City, El Cajon, La Mesa, Lemon Grove, Santee and Poway. Responsibilities include: determining permit eligibility; inspecting vehicles; monitoring compliance with administrative and operational safety regulations; and investigating passenger complaints. All oversight activities by the MTS For-Hire Vehicle Administration must be full cost-recovery. Permit and









regulatory fees, which are adopted annually by MTS, fund the MTS For-Hire Vehicle Administration operations.

The taxicab industry has requested the MTS For-Hire Vehicle Administration remove and/or reduce regulations in order to maintain the economic viability of the taxicab market. Increased competition from transportation network companies and increased operating costs may be the likely reasons for the decline in number of taxicab businesses. As shown in Figure 1, in Calendar Year (CY) 2016 there were 1,249 taxicab permits. As of October 16 2020, there were only 683 taxicab permits for CY 2020. This represents a 45% decline in the number of taxicab permits since CY 2016.

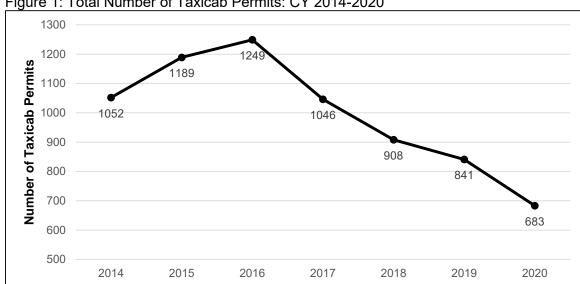


Figure 1: Total Number of Taxicab Permits: CY 2014-2020

Per agreement with the City of San Diego (the City), the City retains the right to make decisions or provide recommendations to MTS regarding fundamental policy for taxicabs. San Diego City Council Policy No. 500-02 (Policy No. 500-02) sets forth the overall policy framework for taxicab permits. MTS Ordinance No. 11, which sets forth the various minimum safety and vehicle inspection standards, enforces the policy framework described within Policy No. 500-02. In order to remove and/or reduce regulations, a review of Policy No. 500-02 was necessary.

Several proposed revisions of Policy No. 500-02 were identified that would address the concerns from the taxicab industry while also meeting MTS's goals of ensuring public safety and consumer protections. The revisions were discussed with TAC on July 15, 2020 and the Workshop on Regulatory Matters (WORM) Subcommittee on July 29, 2020. WORM approved the proposed revisions and recommended approval by the City. On October 27, 2020, the City Council approved the proposed revisions (as shown in Attachment B).

In order to implement the changes to Policy No. 500-02, as well as to remove other unnecessary administrative barriers to operating a for-hire vehicle business and applying for a new permit, MTS recommends the Board of Directors approve the MTS Ordinance No. 11 revisions detailed below.

Policy No. 500-02 Revisions: Various Sections of MTS Ordinance No. 11 The following proposed revisions in MTS Ordinance No. 11 relate to requirements removed or revised in Policy No. 500-02:

- <u>6 months driving experience:</u> Remove the requirement that permit applicants have 6 months of commercial driving experience, as it is an unnecessary barrier to employment.
- Dispatch service: Removing the requirement that dispatch staff be physically on duty at its storefront 24 hours a day, so long as dispatch service storefront is open and staffed for lost and found pick-ups and drop-offs during reasonable hours or by appointment, and that the dispatch service can respond (i.e. via telephone) to service requests and operational questions, 24 hours a day.
- <u>Business Address:</u> Allow permit holders to use a Post Office Box or Dispatch Service as their business address. Previously permit holders could only use home or office address as their business address.
- <u>Off-street vehicle parking:</u> Remove prohibition that taxicab vehicles cannot park on residential streets when not in operation and instead rely on existing City parking regulations (i.e. 72-hour parking requirement).
- Global Positioning System (GPS): Allow taxicab drivers to use their phone's GPS for wayfinding purposes. Previously Policy No. 500-02 required the taxicab vehicle itself be equipped with GPS functionality.
- <u>Model Age and Vehicle Title:</u> Remove prohibition that taxicabs cannot be older than 10 years and cannot have a salvage title. The required 49-point vehicle safety inspections ensure the vehicle is safe to operate.
- Permits Held by a Corporation or Limited Liability Company (LLC): Remove deadline for existing taxicab permit holders held as a corporation or LLC to comply with Policy No. 500-02 by February 12, 2020 (extended administratively by MTS to January 1, 2021). Since the revised Policy No. 500-02 removed the model age and vehicle title requirements, this deadline is no longer necessary to ensure existing permit holders come into compliance. Now, all existing taxicab permit holders comply with the revised Policy No. 500-02 as it is written.
- Security Cameras: Although Policy No. 500-02 originally required security cameras, MTS never enforced under MTS Ordinance No. 11 due to a conflicting legal statute. Policy No. 500-02 has removed the requirement to install security cameras. After further legal review and recent technological advances, MTS will allow security camera installation as an optional security measure if a permit holder chooses to install this equipment.
- Wheelchair Accessible Taxicabs: Remove requirement that taxicab permit holders with two or more vehicles purchase wheelchair accessible vehicles for 50% of those vehicles, since permit holders avoid purchasing more

vehicles so as not to fall under this requirement. MTS will instead work with industry and community stakeholders to develop a Wheelchair Accessible Taxicab Policy to incentivize the purchase of accessible vehicles.

Customer Service Plan: Currently, new permit applicants are required to provide a Customer Service Plan that address such areas as: customer service complaints, administrative functions, vehicle maintenance, and financial ability to operate taxicab business. With many of these requirements now removed from Policy No. 500-02, MTS will no longer require a Customer Service Plan and instead provide applicants an overview of estimated costs and overall requirements to operate taxicabs, leading to a reduction of paperwork and streamlining of the application process.

### Certified Repair Facility: MTS Ordinance No. 11, Section 1.8 (e)

MTS currently performs annual vehicle inspection directly at its Inspection Facility. To save on rental lease costs, MTS will be vacating the Inspection Facility in the coming months. Once vacated, Permit Holders will be required to take their vehicles to a certified repair facility to perform the annual and any other MTS required mechanical inspection. This model of having a certified mechanic, instead of MTS Regulatory Inspector, perform the mechanical inspection is already implemented by all other For-Hire Vehicle Regulators in California, and will comply with the requirements set forth at Government Code Section 53075.5 regarding mechanical inspections being performed at a certified repair facility.

# Pull-Notice Program: MTS Ordinance No. 11, Section 1.8 (d)

Per the requirements at Government Code Section 53075.5, permit holders must participate in the pull-notice program and regularly check the driving records of all taxicab drivers, whether employees or contractors. The proposed revisions will require permit holders who fall under one or more of the following categories to enroll its drivers in the DMV pull-notice program: if registered with the State of California as a Corporation and or LLC; if own more than one (1) vehicle; employs or contracts a lease driver(s); and/or vehicle is otherwise driven by more than one (1) driver.

### Jitneys: MTS Ordinance No. 11, Section 1.1 (g)(2), 6.2 (h)

Currently, jitney vehicles may only operate along a fixed-route as approved by MTS. This method of operation has become restrictive and hinders the ability of Jitneys to provide transportation service that could benefit passengers and businesses located in the communities were Jitneys operate. The proposed revisions would allow Jitneys to operate flexible routes within a geographic boundary and specific timeframes as approved by MTS, and require permit holders to provide relevant and reasonable information associated with the operation of the flexible route.

Notice of Fee Schedule Changes: MTS Ordinance No. 11, Section 1.5 (1), (2) Currently, any changes in fee schedules affecting permits are required to be mailed to permit holders. The propose revisions would allow MTS to post changes in fee schedules on the MTS website. In lieu of mailing notice of the changes in fee schedules, notice of the posting will be sent to the permit holder's e-mail address.

County of San Diego Taxicab Regulation: MTS Ordinance No. 11, Section 1.1 (f)

In 2018, County of San Diego was planning to transfer taxicab oversight to MTS in order to comply with state law that allowed only public transit operators or joint powers agencies to perform taxicab regulation. However, changes in state law later permitted counties to continue to perform taxicab regulation in the unincorporated area. The proposed revisions would accurately reflect this within MTS Ordinance No. 11.

All other proposed revisions (as shown in Attachment A) to MTS Ordinance No. 11 that are not described here are minor and not substantive.

/S/ Sharon Cooney

Sharon Cooney Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>

Attachment: A. Proposed Revisions to MTS Ordinance No. 11 (shown in track changes)

B. Policy No. 500-02 (as revised on October 27, 2020 at City Council Meeting)

# SAN DIEGO METROPOLITAN TRANSIT SYSTEM

CODIFIED ORDINANCE NO. 11 (as amended through December 12, 2019 November 12, 2020)

An Ordinance Providing for the Licensing and the Regulating of Transportation Services Within the City and County by the Adoption of a Uniform Paratransit Ordinance

# MTS CODIFIED ORDINANCE NO. 11

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#### SAN DIEGO METROPOLITAN TRANSIT SYSTEM

### CODIFIED ORDINANCE NO. 11

(as amended through December 12, 2019November 12, 2020)

An Ordinance Providing for the Licensing and the Regulating
of Transportation Services Within the City and County By the Adoption of
a Uniform Paratransit Ordinance

### **SECTION 1.0 - GENERAL REGULATIONS**

# Section 1.1 - Definitions

The following words and phrases, wherever used in this section, shall be construed as defined in this section, unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases.

- (a) "Board" shall mean the Board of Directors of the San Diego Metropolitan Transit System.
  - (b) "Charter vehicle" shall mean every vehicle which:
    - (1) Transports passengers or parcels or both over the public streets of the City;
    - (2) Is routed at the direction of the hiring passenger;
    - (3) Is prearranged in writing for hire;
    - (4) Is not made available through "cruising"; and
  - (5) Is hired by and at the service of a person for the benefit of himself or herself or a specified group.
- (c) "Chief Executive Officer" shall mean the Chief Executive Officer of MTS or his or her designated representative.
- (d) "City" and "Cities" shall mean the incorporated areas of the Cities of Chula Vista, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee and any other City that has entered into a contractual agreement with MTS for the licensing and regulation of transportation services.
- (e) "Compensation" shall mean any money, thing of value, payment, consideration, reward, tip, donation, gratuity or profit paid to, accepted, or received by the driver or owner of any vehicle in exchange for transportation of a person, or persons; whether paid upon solicitation, demand or contract, or voluntarily, or intended as a gratuity or donation.
- (f) "County" shall mean the unincorporated area of the County of San Diego located within MTS's jurisdictional boundaries. Only the sections of MTS Ordinance No. 11 that apply to taxicab permit holders and taxicab drivers shall be applicable to the County of San Diego. if entered into a contractual agreement with MTS for the licensing and regulation of transportation services.
- (g) "Cruising" shall mean the movement over the public streets of a taxicab or low-speed vehicle (LSV) in search of prospective passengers; except the term does not include either the

travel of a taxicab or LSV proceeding to answer a call for service received by telephone or radio from an intended passenger or the travel of such a vehicle, having discharged a passenger or passengers, returning to the owner's place of business or to its established point of departure.

- (h) "Days" shall mean working days, exclusive of weekends and holidays for which MTS offices are closed.
- (i) "Doing business" shall mean accepting, soliciting or transporting passengers for hire or compensation in a City or County.
  - (j) "Driver" shall mean every person operating any for-hire vehicle.
- (k) "Driver's identification card" shall mean license, issued pursuant to this Ordinance, which permits a person to drive a for-hire vehicle within the City or County.
- (I) "Employ" as used in this Ordinance includes any form of agreement or contract under which the driver may operate the permit holder's for-hire vehicle.
- (m) "Exclusive ride" shall mean exclusive use of a for-hire vehicle by one or more related passengers at a time.
- (n) "For-hire vehicle" shall mean every vehicle, other than public transit vehicles or vehicles involved in an organized carpool not available to the general public, which is operated for any fare for compensation and used for the transportation of passengers over public streets, irrespective of whether such operations extend beyond the boundary limits of said City or County. Such for-hire vehicles shall include taxicabs, vehicles for charter, jitneys, nonemergency medical vehicles, sightseeing vehicles, and LSVs.
- (o) "Group ride" shall mean shared use of a taxicab or LSV where a group of related passengers enter at the same point of origin and disembark at the same destination and pay a single fare for the trip.
- (p) "Hearing officer" shall mean any person or entity that meets the requirements of this Ordinance and that has been retained to conduct administrative hearings.
  - (q) "Jitney" shall mean every vehicle which:
  - (1) Transports passengers or parcels or both over the public streets of the City; and
  - (2) Follows a fixed route of travel between specified <u>locations along its route on a variable schedule points or operates a flexible route within a geographic boundary and specific timeframes as approved by MTS, with the fare based on a per capita charge established in its permit; and.</u>
  - (3) Is made available to boarding passengers at specified locations along its route on a variable schedule.
- (r) A "low-speed vehicle" or "LSV" is a motor vehicle, other than a motor truck, having four wheels on the ground and an unladen weight of 1,800 pounds or less, that is capable of propelling itself at a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour, on a paved level surface. It shall only operate within a geographic boundary as approved by

- MTS For the purposes of this section, a "low-speed vehicle" or "LSV" is not a golf cart, except when operated pursuant to California Vehicle Code Section 21115 or 21115.1.
- (s) "Medallion" shall mean the numbered plate, sticker, or decal issued by MTS to the permit holder which is displayed on a for-hire vehicle to indicate the authorized use or uses of that vehicle.
- (t) "MTS" shall mean the San Diego Metropolitan Transit System, a public agency created pursuant to Public Utilities Code Section 120050 et seq.
- (u) "MTS inspector" shall mean those individuals, regardless of job title, who are authorized by the Board, by ordinance, to enforce the provisions of this Ordinance.
- (v) "Nonemergency medical vehicle" shall mean every vehicle which: transports persons, regardless of whether specialized transportation equipment or assistance is needed, for primarily medical purposes, over the public streets of the City. Medical purposes is defined as providing transportation services to or from the following places: hospitals, convalescent homes, retirement homes, homes receiving funding for the board and care of residents living in those homes, medical or rehabilitation clinics, senior citizen centers, and any other like social service category, over the public streets of the City. It shall be the responsibility of the transportation provider to determine if the service is primarily for medical purposes.
- (w) "Operate" or "Operating" shall refer to the solicitation or acceptance of a fare within City or County for compensation or providing passenger transportation for compensation, regardless if such compensation is obtained from the passenger or a third party. It shall also include, as the context may require, the act of driving, managing or directing the utilization of one or more for-hire vehicles.
- (x) "Owner" shall mean the person, partnership, association, firm or corporation that is the registered owner of any for-hire vehicle and that holds the right to use the vehicle for its advantage.
  - (y) "Passenger" shall mean every occupant other than the driver of the for-hire vehicle.
- (z) "Permit" shall mean the authority under which a person, firm, partnership, association, or corporation may operate a for-hire vehicle as a business.
- (aa) "Permit holder" shall mean any person or approved entity operating a business under a for-hire vehicle permit.
- (bb) "Shared ride" shall mean nonexclusive use of a for-hire vehicle by two or more unrelated passengers traveling between different points of origins and/or destination, and traveling in the same general direction.
- (cc) "Shifts" shall mean the minimum number of hours a permit holder or driver operates a for-hire vehicle.
  - (dd) "Sightseeing vehicle" shall mean every vehicle which:
  - (1) Transports passengers for sightseeing purposes of showing points of interest over the public streets of the City; and

- (2) Charges a fee or compensation therefor; regardless of whether any fee or compensation is paid to the driver of such sightseeing vehicle, either by the passenger or by the owner or by the person who employs the driver or contracts with the driver or hires such sightseeing vehicle with a driver to transport or convey any passenger; and irrespective of whether or not such driver receives any fee or compensation for his or her services as driver.
- (ee) "Stands" shall mean public areas designated for specific use of for-hire vehicles.
- (ff) "Street" shall mean any place commonly used for the purpose of public travel.
- (gg) "Substantially Located" shall mean where the primary business address of the taxicab permit holder is located and/or the jurisdiction where the largest share of the taxicab permit holder's total number of prearranged and non-prearranged trips originate over the previous calendar year, as determined annually. Trip logs and/or other documentation shall be used to substantiate the jurisdiction where the largest share of taxicab permit holder's total number of originating trips occur over the applicable time period.
- (hh) "Taxicab" shall mean every vehicle other than a vehicle-for-charter, a jitney, a nonemergency medical vehicle, a sightseeing vehicle, or LSV which:
  - (1) Carries not more than eight (8) passengers excluding the driver;
  - (2) Transports passengers or parcels or both over City or County public streets;
  - (3) Is made available for hire on call or demand through "cruising," at taxi stands or by telephone or other communication devices to destination(s) specified by the hiring passenger; and
    - (4) Is Substantially Located within the jurisdiction of City and/or County.
- (ii) "Taximeter" shall mean any instrument, appliance, device, or machine by which the charge for hire of a passenger-carrying vehicle is calculated, either for distance traveled or time consumed, or a combination of both, and upon which such charge is indicated by figures. Includes both a Hard Meter and a Soft Meter.
  - (1) A Hard Meter is a Taximeter that has a prefixed fare with an external seal approved by the County of San Diego Agriculture, Weights and Measures and mileage is calculated based on distance and time.
  - (2) A Soft Meter is a Taximeter that is provided through a smartphone or tablet that uses GPS or other on-board diagnostics approved by the California Department of Food and Agriculture Division of Measurement Standards to calculate distance and rates.
- (jj) "Vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a street, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.
- (kk) "Vehicle for Developmentally Disabled Persons (VDDP) driver certificate" shall mean certificate issued by California Highway Patrol pursuant to Vehicle Code section 12523.6, which is required for any driver who primarily transports persons with developmental disabilities on a for-hire basis. A VDDP driver certificate with a commercial driver's license may be used in lieu of a driver identification card to drive a for-hire vehicle within the City or County, unless for a taxicab.

# (Section 1.1 amended 11/12/2020)

(Section 1.1 amended 10/10/2019)

(Section 1.1 amended 2/14/2019)

(Section 1.1 amended 11/8/2018, effective 1/1/2019)

(Section 1.1 amended 9/20/2018)

(Section 1.1 amended 12/14/2017)

(Section 1.1 amended 5/12/2016)

(Section 1.1 amended 8/7/2003)

(Section 1.1 amended 11/14/2002)

(Section 1.1 amended 6/24/1999)

(Sections 1.1(d), 1.1(R)(1) amended 6/22/1995)

(Section 1.1 amended 1/12/1995)

(Section 1.1 amended 6/27/1991; effective 7/27/1991)

(Section 1.1 amended 5/23/1991; effective 6/23/1991)

# Section 1.2 - Operating Permits

- (a) No person shall engage in the business of operating any for-hire vehicle or in the business of providing any vehicle for the operation of vehicle for-hire services within the Cities or County without first having obtained an operating permit from the Chief Executive Officer or designated representative, which permit has not been revoked, suspended or otherwise canceled or terminated by operation of law or otherwise. A separate permit is required for each for-hire vehicle operated or provided for operation.
- (b) An operating permit represents the granting of a privilege to operate a for-hire vehicle within the Cities, County or zones specified by the permit for the purpose of the public convenience and necessity. This privilege may be rescinded at any time by operation of law or otherwise.
- (c) A person who obtains an operating permit shall be responsible for the provision of vehicle-for-hire services in accordance with the provisions of this Ordinance and shall exercise due diligence to assure that drivers of the permitted vehicles adhere to all pertinent requirements of this ordinance.

(Section 1.2 amended 11/8/2018, effective 1/1/2019)

(Section 1.2 amended 12/14/2017)

(Section 1.2 amended 8/7/2003)

(Section 1.2 amended 11/14/2002)

(Section 1.2 amended 6/24/1999)

# Section 1.3 - Application for Permit

- (a) All persons applying to the Chief Executive Officer for new permit(s) for the operation of one or more for-hire vehicles shall file with the Chief Executive Officer a proposal to meet San Diego City Council Policy 500-02 requirements, and a sworn application—therefore on forms provided by the Chief Executive Officer, stating as follows:
  - (1) The applicant name, company name, doing business as ("DBA") name if different than company name, mailing and business address (a business address or mailing address <u>may include, but is not limited to,</u> a Post Office [PO] Box or dispatch service address), <u>e-mail address</u>, and <u>business</u> telephone number of the permit applicant. If a

taxicab permit applicant, the business address will also serve the purpose of establishing where Substantially Located;

- (2) The number of permitted vehicles actually owned and operated by such owner on the date of application, if any;
  - (23) The name and address of all legal and registered owner(s) of the vehicle(s);
- (4) The name and address of each person with a financial interest in the business which operates the vehicle;
  - (5) Data sufficient to establish the applicant's financial responsibility;
  - (36) The number of vehicle(s) for which a permit(s) is desired;
- (7) Proof that vehicle(s) meet California Air Resources Board criteria for zero emissions/low emissions, are ADA-compliant, are no older than 10 years of the model age and do not have a "salvage" title, and are equipped with a Global Positioning System (GPS);
- (84) The rates of fare which the applicant proposes to charge for vehicle-for-hire services. This requirement does not apply to taxicab permit applicants;
  - (9) A description of the proposed vehicle design;
- (10(5) Where If the application is for a limited permit jitney or LSV, a detailed description of the geographic area in which said permit shall be in existence; ; and
- (44(6)) Such other information as the Chief Executive Officer may in his or her discretion require;
- (12) Provide evidence of at least six-months' experience driving a taxicab, transportation network vehicle, charter party carrier services, or similar service oriented transportation or managing a demand responsive transportation service, or similar service oriented business;
  - (13) Provide a customer service and a customer complaint plan:
- (14) Provide a plan for administrative functions, vehicle maintenance, and offstreet storage for vehicle when not in use; and
- (15) Provide a dispatch service plan incorporating 24 hour staffing and computerized dispatch utilizing GPS technology, if a taxicab permit applicant.
- b) The applicant shall also submit, with the application, a nonrefundable application fee prior to the permit approval. Upon issuance of the permit, the applicant shall also pay an initial nonrefundable permit vehicle regulatory fee to be determined by the Chief Executive Officer in order to recover the cost of processing such applications.

### (Section 1.3 amended 11/12/2020)

(Section 1.3 amended 11/8/2018, effective 1/1/2019)

(Section 1.3 amended 12/14/2017)

(Section 1.3 amended 2/12/2015)

(Section 1.3 amended 11/15/2012)

(Section 1.3 amended 8/7/2003)

(Section 1.3 amended 11/14/2002)

# Section 1.4 - Issuance of Permit

- (a) Based on San Diego City Council Policy 500-02 requirements, the Chief Executive Officer shall determine the number of permits to be granted any applicant(s) and approve permits for any applicant(s) subject to such conditions as the Board and San Diego City Council Policy 500-02 may deem advisable or necessary in the public interest. Before a permit may be approved or renewed, the applicant shall pay an initial regulatory fee in an amount to be determined by the Chief Executive Officer.
- (b) The Chief Executive Officer shall deny the approval of a permit upon making a finding:
  - (1) That the applicant is under twenty-one (21) years of age; or
  - (2) That within the five (5) years immediately preceding the processing of the application, the applicant has been convicted of, or held by any final administrative determination to have been in violation of any statute, ordinance, or regulation reasonably and rationally pertaining to the same or similar business operation which would have resulted in suspension or revocation of the permit in accordance with Section 1.13 of this Ordinance. -For purposes of this section, a plea or verdict of guilty, a finding of guilty by a court, a plea of nolo contendere or a forfeiture of bail shall be deemed a conviction; or
  - (3) That the applicant provided false information of a material fact in an application within the past five (5) years.
- (c) All permits \_ No permit shall be approved or issued after April 1, 2015 shall be renewable annually upon renewed unless evidence San Diego City Council Policy 500-02 requirements are being met, that if a taxicab permit holder they are Substantially Located within City or County, and payment of a regulatory fee in an amount and on a date to be determined by the Chief Executive Officer evidence of compliance with applicable MTS regulations.
- (d) No permit issued after April 1, 2015 shall be approved or renewed for any person who has not fully complied with all of the requirements of this Ordinance, San Diego City Council Policy 500-02, and all other applicable laws and/or regulations necessary to be complied with before commencement of the operation of the proposed service.
- (e) Permits held prior to April 1, 2015 by corporations and LLCs shall meet all of the screening criteria included in San Diego City Council Policy 500-02 by February 12, 2020. However, upon issuance of any new permits to said corporation or LLC, or upon the transfer of a permit to said corporation or LLC, the corporation or LLC shall need to be in compliance with requirements of this Ordinance and San Diego City Council Policy 500-02 for the new permit(s).

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(d) When the permit has been approved and upon determination by the Chief Executive Officer- that the for-hire vehicle, after appropriate inspection, meets the requirements of this Ordinance, the Chief Executive Officer will issue a numbered medallion(s) to be affixed to the for-hire vehicle.

# (Section 1.4 amended 11/12/2020)

(Section 1.4 amended 11/8/2018, effective 1/1/2019)

(Section 1.4 amended 12/14/2017)

(Section 1.4 amended 2/12/2015)

(Section 1.4 amended 11/15/2012)

(Section 1.4 amended 11/14/2002)

# Section 1.5 - Transfer and Administration of Permits

- (a) Each permit issued pursuant to the provisions of this section is separate and distinct and shall be transferable from the permit holder to another person or entity only with the approval of the Chief Executive Officer, and upon meeting the requirements of this Ordinance-<u>and San Diego</u> City Council Policy 500-02 including, but not limited to:
  - (<u>b</u>(1) Provide evidence of at least six-months' experience driving a taxicab, transportation network vehicle, charter party carrier services, or similar service oriented transportation or managing a demand responsive transportation service, or similar service oriented business.
  - (2) Vehicle(s) must meet California Air Resources Board criteria for zero emissions/low emissions, be ADA compliant, be equipped with a Global Positioning System (GPS), be no older than 10 years of the model age and not have a "salvage" title, if a taxicab.
  - (3) Provide a customer service plan that demonstrates, a requirement for drivers to accept credit cards, detailed record keeping of all calls for service, trips provided, and a customer service complaint resolution plan.
  - (4) Provide a plan for administrative functions, vehicle maintenance, and offstreet storage for vehicle when not in use.
- (5) Provide a Dispatch service plan incorporating 24 hour staffing and computerized dispatch utilizing GPS technology, if a taxicab.
- (b) Permits held prior to April 1, 2015 shall be in compliance with San Diego City Council Policy 500-02 Screening Criteria by February 12, 2020. Whenever a corporation or LLC is issued any new permits, then it shall be in compliance with requirements of this Ordinance and San Diego City Council Policy 500-02.
- (c) The proposed transferee shall file with the Chief Executive Officer a sworn application for the transfer and shall comply with the requirements of Section 1.3. The permit holder shall certify in writing that the permit holder has notified the proposed transferee of the requirements of this section pertaining to the transfer of a permit. Whenever an application for a transfer of permit is filed, the Chief Executive Officer shall process the application for transfer in accordance with Section 1.4 of this Ordinance.

- (dc) The Chief Executive Officer shall charge regulatory fees to affect the full cost recovery of activities associated with the administration, regulation, issuance, or transfer of for-hire vehicle permits and associated records.
  - (1) Changes in fee schedules affecting permits shall be mailed to all permit holders.posted, at a minimum, on the MTS website and notice of such posting will be sent to all permit holders' email address. Changes shall be effective thirty (30) calendar days thereafter.
  - (2) Any person objecting to a particular fee or charge may file, within ten (10) <a href="mailing-posting">calendar</a> days of the mailing-posting of such changes, an appeal for review with the Chief Executive Officer who shall thereafter process it in accordance with Section 1.17; provided, however, that the sole issue to be determined on review is whether the fee or charge exceeds the reasonable costs for personnel salaries and administrative overhead associated with the particular administrative service or function.

# (Section 1.5 amended 11/12/2020)

(Section 1.5 amended 11/8/2018, effective 1/1/2019)

(Section 1.5 amended 12/14/2017)

(Section 1.5 amended 2/12/2015)

(Section 1.5 amended 8/7/2003)

(Section 1.5 amended 11/14/2002)

# Section 1.6 - Blank

The text of Section 1.6 is deleted in its entirety effective February 12, 2015.

(Section 1.6 deleted 2/12/2015) (Section 1.6 amended 11/14/2002)

### Section 1.7 - Blank

The text of Section 1.7 is deleted in its entirety effective October 24, 1998.

### (Section 1.7 was deleted 9/24/1998)

### Section 1.8 - Equipment and Operating Regulations

- (a) No medallion shall be issued for a vehicle unless the vehicle conforms to all the applicable provisions of this Ordinance.
- (b) The privilege of engaging in the business of operating a for-hire vehicle in a City or County granted in the permit is personal to the permit holder, who must be the owner of the for-hire vehicle. The rights, requirements, and responsibilities which attach to the permit remain with the holder at all times the for-hire vehicle is operated under the authority of the permit. These rights, requirements and responsibilities, which include, but are not limited to, the requirements of this Ordinance, will remain unaffected by any agreement or contractual arrangement between the permit holder and those persons who operate for-hire vehicles, irrespective of the form or characterization of the agreement under which the driver operates the for-hire vehicle.

- (c) The permit holder shall maintain <u>aan businessemail</u> address, a-mailing address where he or shethat can accept mail directed to his or her company, and a business telephone in which the permit holder can be reached in working order which must be answered during normal reasonable business hours, Monday through Friday, and during all hours of operation. A post office box or dispatch service address shall not be used for the business address or mailing address. The permit holder shall, in the case of any change in his or her <u>businessemail</u> address, mailing address, or business telephone, notify the Chief Executive Officer in writing of such change within forty-eight (48) hours of the effective date of this change.
- (d) If a taxicab, permit holders must participate in the pull-notice program pursuant to Section 1808.1 of the Vehicle Code and enroll all employed or contracted drivers who drive a vehicle for permit holder.

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- (d Upon the termination of the employee or contractor driver, the permit holder shall notify the DMV to discontinue the driver's enrollment in the pull notice system.
- (2) Permit holders shall present upon request, during regular business hours, to MTS and/or the Sheriff's Department, as well as during annual permit renewal, proof of enrollment and names of any and all drivers enrolled in the DMV driver pull-notice program pursuant to Section 1.8(d) of this Ordinance.
- (3) Permit holders who fall under one or more of the following categories must enroll in the DMV pull-notice program: if registered with the State of California as a Corporation and or LLC; if own more than one vehicle; employs or contracts a lease driver(s); and/or vehicle is otherwise driven by more than one driver.
- (e) Before a for-hire vehicle is placed in service and at least annually thereafter, the for-hire vehicle shall be delivered to a <u>certified Automotive Service Excellence or Bureau of Automotive Repair registered facility for mechanical inspections, or other place designated by the Chief Executive Officer for inspection. All new permit holders are required to observe at least one full vehicle inspection as part of the initial permit issuance. Certified mechanics and MTS inspectors shall inspect the for-hire vehicle and its equipment to ascertain whether the vehicle complies with the provisions of this Ordinance. -Failure to produce the vehicle for inspection <u>within a timeframe</u> determined by MTS shall be cause for suspension or revocation of the permit for such vehicle.</u>
- (e<u>f</u>) Any MTS inspector or peace officer, after displaying proper identification, may make reasonable and periodic inspections of any for-hire vehicle operating under an MTS permit for the purpose of determining whether the vehicle is in compliance with the provisions of this Ordinance.
- (fg) Any for-hire vehicle which fails to meet the requirements of the California Vehicle Code or this section after inspection shall be immediately ordered out-of-service by an MTS inspector or peace officer if it is unsafe for service. Ordering a vehicle out-of-service does not constitute a suspension or revocation of the permit. A vehicle is deemed unsafe for service when any of the following conditions exists:
  - (1) Tires fail to meet the requirements of the California Vehicle Code;
  - (2) Headlights, taillights or signal lights are inoperable during hours of darkness (sunset to sunrise);
    - (3) Windshield wipers are inoperable during rainy conditions;

- (4) Taximeter is not working, the Taximeter displays signs of tampering, the seal of a Hard Meter is broken, the County of San Diego seal of a Hard Meter is more than thirteen (13) months old from the date of issuance, a Service Agent's temporary seal of a Hard Meter is more than ninety (90) days old from the date of issuance, or a Soft Meter displays technology not approved by the California Department of Food and Agriculture Division of Measurement Standards or does not appear to be operating as is intended or approved;
- (5) Brakes, brake lights or brake system are inoperable or otherwise fail to meet the requirements of the California Vehicle Code;
  - (6) Excessive play in steering wheel exceeding three (3) inches;
  - (7) Windshield glass contains cracks or chips that interfere with driver's vision;
  - (8) Any door latch is inoperable from either the interior or exterior of the vehicle;
  - (9) Any seat is not securely fastened to the floor;
- (10) Seat belts, when required, fail to meet requirements of the California Vehicle Code;
  - (11) Either side or rearview mirrors are missing or defective;
  - (12) Any vehicle safety system light is activated; and
- (13) Any other condition which reasonably and rationally pertains to the operating safety of the vehicle or to passenger or pedestrian safety.
- (gh) If the vehicle is not unsafe but is unsuitable or otherwise in violation of this Ordinance or any vehicle condition/equipment section of the California Vehicle Code, the operator or permit holder, as appropriate, shall be subject to a seventy-two (72) hours correction notice.
  - (1) Failure to correct such violation within the seventy-two (72) hours shall then be cause to order the vehicle out-of-service. When a vehicle is ordered out-of-service, the medallion shall be immediately removed.
  - (2) Before the vehicle may again be placed in service, the violation shall be corrected and the vehicle shall be inspected by an <u>certified mechanics or MTS</u> inspector-
  - (3) The medallion shall be reaffixed when the MTS inspector finds that the vehicle meets prescribed standards.
- (hi) The interior and exterior of the for-hire vehicle shall be maintained in a safe and efficient operating condition, and meet California Vehicle Code requirements and the requirements of this Ordinance at all times when in operation. The following minimum vehicle standards must be maintained to comply with this section:
  - (1) <u>Wheels</u>. Hubcaps or wheel covers shall be on all wheels for which hubcaps or wheel covers are standard equipment.

- (2) <u>Body Condition</u>. There shall be no tears or rust holes in the vehicle body and no loose pieces hanging from the vehicle body. Fenders, bumpers, and light trim shall be securely fixed to the vehicle. No extensive unrepaired body damage shall be allowed and exterior paint shall be free from excessive fading. The vehicle shall be equipped with front and rear bumpers. The exterior of the vehicle shall be maintained in a reasonably clean condition so as not to obscure approved vehicle markings.
- (3) <u>Lights</u>. Headlights shall be operable on both high and low beam. Taillights, parking lights, signal lights, and interior lights shall all be operable.
- (4) <u>Wipers</u>. Each vehicle shall be equipped with adequate windshield wipers maintained in good operating condition.
- (5) <u>Brakes</u>. Both the parking and hydraulic or other brake system must be operable.
- (6) <u>Steering</u>. Excessive play in the steering mechanism shall not exceed three (3) inches free play in turning the steering wheel from side to side.
- (7) <u>Engine</u>. The engine compartment shall be reasonably clean and free of uncontained combustible materials.
  - (8) Mufflers. Mufflers shall be in good operating condition.
- (9) <u>Windows</u>. The windshield shall be without cracks or chips that could interfere with the driver's vision. All other windows shall be intact and able to be opened and closed as intended by the manufacturer. The windows and windshield shall be maintained in a reasonably clean condition so as not to obstruct visibility.
- (10) <u>Door Latches</u>. All door latches shall be operable from both the interior and exterior of the vehicle.
- (11) <u>Suspension</u>. The vehicle's suspension system shall be maintained so that there are no sags because of weak or broken springs or excessive motion when the vehicle is in operation because of weak or defective shock absorbers.
- (12) <u>Seats</u>. All seats shall be securely fastened. Seat belts, when required by the California Vehicle Code, shall be installed. The upholstery shall be free of grease, holes, rips, torn seams, and burns.
- (13) Interior. The interior of each vehicle and the trunk or luggage area shall be maintained in a reasonably clean condition, free of foreign matter, offensive odors, and litter. The seats shall be kept reasonably clean and without large wear spots. The door handles and doors shall be intact and clean. The trunk or luggage area shall be kept empty except for spare tire and personal container for the driver not exceeding one (1) cubic foot in volume and emergency equipment, to allow maximum space for passenger luggage and belongings.
- (ij) Each for-hire vehicle, except taxicabs and Low Speed Vehicles, shall contain:
- (1) A fire extinguisher of the dry chemical or carbon dioxide type with an aggregate rating of at least 5 B/C units and a current inspection card affixed to it.

- (2) A minimum of three (3) red emergency reflectors.
- (3) A first-aid kit containing medical items to adequately attend to minor medical problems.
- (jk) In the event that a for-hire vehicle for which a permit has been approved is taken out of service, by the permit holder for maintenance or any purpose, other than a violation of any provision of this Ordinance, a spare vehicle operating permit may be granted. The spare vehicle operating permit shall only be valid for the vehicle for which it was issued. The permit holder may only utilize a spare for-hire vehicle which has been duly inspected by an MTS inspector and approved prior to use. The permit holder must immediately inform an MTS inspector when a spare for-hire vehicle is in use and the location of the disabled vehicle. The spare vehicle will be issued a "spare vehicle" sticker which must be affixed to the left rear portion of the for-hire vehicle for which it is approved, in plain view from the rear of the for-hire vehicle. The permit holder may utilize one (1) spare for-hire vehicle for a period not to exceed thirty (30) calendar days from the date of issuance. This subsection shall not be construed, nor deemed to replace, those provisions in this Ordinance which apply to permanent replacement of a for-hire vehicle.
- (ki) The medallion issued to the permit holder must be affixed by an MTS inspector on the for-hire vehicle for which the permit is approved in plain view from the rear of the for-hire vehicle. The permit holder must immediately report the loss, destruction, or defacing of a medallion to the Chief Executive Officer. Except as provided in Subsection (ki), it shall be unlawful to operate a for-hire vehicle without the medallion affixed and visible.
- (1m) There shall be displayed in the passenger compartment of each for-hire vehicle between the sun visors, in full view of the passengers in the front and rear seats, a card not less than ten (10) inches wide by six (6) inches high in size. Posted on this card, utilizing "Universe" font in black ink on white background, shall be:
  - 1) The first line of the card, 3/4 inch in height, shall say one of the following according to permit type: TAXICAB, SIGHTSEEING, CHARTER, NONEMERGENCY, LOW-SPEED VEHICLE, OR JITNEY LOST AND FOUND.
  - 2) Below this, the card shall include the vehicle medallion number in three-inch numerals.
  - 3) Below the medallion number, the name, address, and phone number of the MTS Taxicab For-Hire Vehicle Administration and the permit holder and/or permit holder trade name shall be printed, 1/4-inch in height.
  - 4) Without approval from MTS, no other signs, markings, lettering, decals, or any type of information shall be displayed within 18 inches around the card.
- (mn) Advertisements, whether displayed on the inside or outside of the vehicle, shall be posted in accordance with MTS Board Policy No. 21, Revenue-Generating Display Advertising, Concessions, and Merchandise, any guidelines developed by the Chief Executive Officer, and the provisions of this Ordinance. Advertisements shall not be displayed without prior approval from MTS.
- (<u>no</u>) The driver of each for-hire vehicle may either carry: a map of the City or County, published within the past two (2) years; or an electronic device equipped with a GPS enabled map, which shall be displayed to any passenger upon request.

- (ep) The maximum rates of fare charged for for-hire vehicle services shall be clearly and conspicuously displayed in the passenger compartment, unless if a taxicab which shall be in compliance comply with Section 2.2(d) of this Ordinance.
- (pg) Each for-hire vehicle licensed to operate in the City or County shall have located on the passenger side dashboard area a driver identification card provided by the County of San Diego Sheriff or provide upon a request a valid VDDP driver certificate with a commercial driver's license. The driver identification card shall have no alterations or information covered. The driver identification card shall be visible to passengers, peace officers and MTS inspectors so they can easily view the driver identification card from either inside or outside the vehicle. The driver identification card issued by the Sheriff shall bear the following information:
  - (1) The number of the license of the driver;
  - (2) The name and business address of the driver;
  - (3) The name of the owner of the vehicle; and
  - (4) A small photograph of the driver.
- (qr) Each for-hire vehicle shall be equipped with a rearview mirror affixed to the right side of the vehicle, as an addition to those rearview mirrors otherwise required by the California Vehicle Code.
- (FS) The driver shall offer each passenger a printed receipt upon payment of the fare. The receipt shall accurately show the date, the amount of the fare, the driver's name and ID number, the taxicab number, the company (DBA) name, and the dispatch service name with phone number if a taxicab.
- (st) All disputes to fare shall be determined by the peace officer or MTS inspector most readily available where the dispute is had. It shall be unlawful for any person to fail or refuse to comply with such determination by the peace officer or MTS inspector.
- $(\underbrace{\iota_{\underline{u}}})$  It is unlawful for any person to refuse to pay the lawful fare of a for-hire vehicle after employing or hiring the same.
- $(\underbrace{u\underline{v}})$  The driver of any for-hire vehicle shall promptly obey all lawful orders or instructions of any peace officer, fire fighter, or MTS inspector.
- $(\underline{\forall w})$  No driver of any for-hire vehicle shall transport any greater number of persons, including the driver, than the manufacturer's rated seating capacity for the vehicle.
- (\w\_X) It shall be unlawful for any person to solicit business for a for-hire vehicle by making a contract or agreement with any owner of any hotel, apartment house, motel, inn, rental units, restaurant, or bar, or with the agent or employees of such owner, by which the owner, agent or employee receives any type of payment or commission for recommending or directing any passenger to a specific for-hire vehicle or company. It shall be unlawful for any permit holder, association, or driver to have or make a contract or agreement with any owner of any hotel, apartment house, motel, inn, rental units, restaurant, or bar, or with the agents or employees of such owner, by which the permit holder, association or driver receives any type of payment or commission for recommending or directing any passenger to an establishment operated by a specific owner.

- (xy) The driver of a for-hire vehicle shall wear, in a manner clearly visible on their person, an identification card approved by the Chief Executive Officer.
- (\y\z) The Board specifically finds that the dress, grooming, and conduct of for-hire vehicle drivers affect the public health and safety, particularly as it relates to visitors and the tourist industry. Therefore, while driving or operating a for-hire vehicle, drivers shall be hygienically clean, well-groomed, and neat and suitably dressed. Violations of this subsection are administrative in nature and shall not be the subject of criminal prosecution.
  - (1) The term "hygienically clean" shall refer to that state of personal hygiene, body cleanliness, and absence of offensive body odor normally associated with bathing or showering on a regular basis.
  - (2) The term "well-groomed" shall mean that male drivers shall be clean-shaven, except for those parts of the face where a beard or mustache is worn and their hair shall be neatly trimmed; beards or mustaches shall be groomed and neatly trimmed at all times in order not to present a ragged appearance. For all drivers, it shall mean that scalp or facial hair shall be combed or brushed and that all clothing is clean, free from soil, grease and dirt, and without unrepaired rips or tears.
  - (3) The term "neat and suitably dressed" shall be interpreted to require that a driver shall be fully covered by clothing at a minimum from a point not to exceed four (4) inches above the center of the kneecap to the base of the neck, excluding the arms. Drivers shall wear shoes. It shall not be permissible for any driver to wear as an outer garment any of the following: undershirt or underwear, tank tops, body shirts (see-through mesh), swim wear, jogging or warm-up suits or sweatshirts or similar attire, jogging or bathing shorts or trunks, or sandals. Trouser-type shorts that are no shorter than four inches above the center of the kneecap are permissible.
- (<u>zaa</u>) For-hire vehicles shall comply with the California Vehicle Code, e.g., not impede traffic, and, where applicable, not operate on streets where posted speed limits are above 35 miles per hour. For-hire vehicle drivers, including taxicab, shall not load or unload passengers in traffic lanes.
  - (aabb) Smoking is not permitted at any time inside a MTS-permitted vehicle.
- (bbcc) A driver or permit holder shall not prejudice, disadvantage, or require a different rates or provide different service to a person because of race, national origin, religion, color, ancestry, physical disability, medical condition, occupation, marital status or change in marital status, sex or any characteristic listed or defined in Section 11135 of the Government Code.
- (eedd) A driver shall not use rude or abusive language toward a passenger(s) or conduct any physical action that a reasonable person would construe as threatening or intimidating.
- (ddee) A driver may refuse a fare if it is readily apparent that the prospective or actual fare is a hazard to the driver or operator. A driver is not obligated to transport any person who is verbally or otherwise abusive to the driver. Such incidents shall also be noted on the trip log and notification shall be immediately sent to the dispatch service organization, if a taxicab, which shall record the incident and keep the record for the minimum of 6 months.
- (<u>eeff</u>) No driver shall stop, park, or otherwise leave standing any MTS permitted vehicle within fifteen (15) feet of any fire plug except as modified in Section 2.5 of this Ordinance.

- (ggff) No driver shall stop, park or otherwise leave standing any MTS permitted vehicle in a disabled parking zone except as authorized per California Vehicle Code section 22507.8.
- (hh) If a taxicab, proof that vehicle(s) meet California Air Resources Board criteria for zero emissions/low emissions.

# (Section 1.8 amended 11/12/2020)

(Section 1.8 amended 10/10/2019)

(Section 1.8 amended 11/8/2018, effective 1/1/2019)

(Section 1.8 amended 12/14/2017)

(Section 1.8 amended 10/13/2016)

(Section 1.8 amended 5/12/2016)

(Section 1.8 amended 2/12/2015)

(Section 1.8 amended 8/7/2003)

(Section 1.8 amended 11/14/2002)

(Section 1.8 amended 9/24/1998)

(Section 1.8 amended 2/13/1997)

(Section 1.8 amended 6/24/1993)

# Section 1.9 - Public Liability

- (a) It shall be unlawful to operate a for-hire vehicle unless the permit holder establishes and maintains in effect one of the forms of financial responsibility specified in this section.
  - (1) This requirement may be met by maintaining a valid policy of insurance executed and delivered by a company authorized to carry on an insurance business, the financial responsibility of which company has been approved by the Chief Executive Officer. The terms of the policy shall provide that the insurance company assumes financial responsibility for injuries to persons or property caused by the operation of the for-hire vehicle in an amount determined by the Chief Executive Officer.
  - (2) The permit holder may also meet this requirement by obtaining a certificate of self-insurance for a specified amount approved by the Board and pursuant to the applicable provisions of the California Vehicle Code.
- (b) A valid proof of insurance issued by the company providing the insurance policy required under Subsection (a) (1) of this section shall be filed with and approved by the Chief Executive Officer. This certificate shall provide that MTS is a named certificate holder and shall be placed in each vehicle, per California Vehicle Code Section 16020. It shall also provide that the insurer will notify MTS of any cancellation and that the cancellation notice shall be in writing and shall be sent by registered mailbe received at least thirty (30) days prior to cancellation of the policy. The certificate shall also state:
  - (1) The full name of the insurer;
  - (2) The name and address of the insured;
  - (3) The insurance policy number;
  - (4) The type and limits of coverage;
  - (5) The specific vehicle(s) insured;
  - (6) The effective dates of the certificate; and
  - (7) The certificate issue date.

# (Section 1.9 amended 11/12/2020)

## (Section 1.9 amended 9/17/2015) (Section 1.9 amended 11/14/2002)

#### Section 1.10 - Financial Ownership and Operating Records: -Reporting Requirements

- (a) Every person engaged in the business of operating a for-hire vehicle within the City under a permit granted by the Chief Executive Officer shall maintain:
  - (1) Financial records, including but not limited to the current executed taxicab driver lease agreement that includes all aspects of the business relationship between the permit holder and the lessee, and written receipts of all payments from lessee in accordance with good accounting practices;
    - (2) Ownership records; and
  - (3) Operating records in a form, and at intervals, which shall be determined from time to time by the Chief Executive Officer.
- (b) Ownership and operating records shall be made available to the Chief Executive Officer upon demand at any reasonable time. The permit holder shall retain operating records for a minimum of six (6) months from the date the records are created.
- (c) For purposes of this section, ownership records shall include, but are not limited to, the following:
  - (1) Copies of the Articles of Incorporation as filed with the Secretary of State of California;
  - (2) Records identifying all corporate officers and members of the corporation's Board of Directors. A corporation shall report any change in corporate officers or members of its Board of Directors to MTS within ten (10) days of the effective date.
  - (3) A stock register recording the issuance or transfer of any shares of the corporate stock; and
  - (4) The registration cards issued by the State of California Department of Motor Vehicles to the vehicle owner for all for-hire vehicles operated under the authority of an MTS for-hire vehicle permit. Valid proof of registration shall be maintained in the vehicle at all times.
- (d) For purposes of this section, operating records shall include, but are not limited to, the following:
  - (1) Typed or written dispatch records for taxicab companies which operate their own dispatch service;
  - (2) Any logs which a for-hire vehicle driver keeps describing the trips carried by a for-hire vehicle other than a taxicab;
  - (3) Copies of the daily trip log required by taxicab or LSV drivers under Section 2.4 (o); and
    - (4) Any other similar records.

- (e) Between January 1As a condition of permit renewal, and December 31 of each calendar year upon permit renewal, every permit holder shall file with the Chief Executive Officer a signed statement which shall report and attest to the accuracy of the following information:
  - (1) The individual name(s), business name, business <u>mailing address</u>, e-mail address, and telephone number of the permit holder(s);
  - (2) The name and address of all legal and registered owner(s) of the for-hire vehicle(s);
  - (3) The name and address of each person with a financial interest in the business which operates the vehicle(s); and
  - (4) The year, manufacturer, model, vehicle identification number, license plate, and medallion number affixed to the permitted vehicle(s):); and
  - (5) Proof of enrollment and names of any and all drivers enrolled in the DMV driver pull-notice program pursuant to Section 1.8(d) of this Ordinance.
- (f) If the permit holder is an individual, the permit holder must email, mail or appear in person in the offices of MTS to file the statement; if the permit holder is a partnership, one of the partners must email, mail or appear in person in the offices of MTS to file the statement; if the permit holder is a corporation or LLC, an officer of the corporation, or a member of the LLC, authorized to represent the company, must email, mail or appear in person in the offices of MTS to file the statement and provide evidence San Diego City Council Policy 500-02 requirements are being met. If email or mail is used, the email address or mailing address used by the permit holder must be an email address or mailing address that is on file with the Chief Executive Officer. Failure to produce the statement may result in permit suspension or denial of permit renewal.

#### (Section 1.10 amended 11/12/2020)

(Section 1.10 amended 11/8/2018, effective 1/1/2019)

(Section 1.10 amended 5/12/2016)

(Section 1.10 amended 2/12/2015)

(Section 1.10 amended 8/7/2003)

(Section 1.10 amended 11/14/2002)

(Section 1.10 amended 6/24/1993)

## <u>Section 1.11 - Destruction, Permanent Replacement, Retirement or Inactive Status of For-Hire Vehicles</u>

- (a) Whenever a for-hire vehicle is destroyed, rendered permanently inoperative, is sold, or the permit holder is no longer the owner of the for-hire vehicle, the permit holder shall notify the Chief Executive Officer in writing within forty-eight (48) hours.
- (b) If a taxicab permit holder plans to change where it is Substantially Located, the permit holder shall notify the Chief Executive Officer and the new jurisdiction in which it will become Substantially Located within six (6) months or as soon as practicable prior to making that change.
- (c) A permit holder may place a for-hire vehicle under inactive status after written permission is obtained from the Chief Executive Officer. The following guidelines are to be used in granting permission for a for-hire vehicle to be placed and kept on inactive status:

- (1) No laps in payment of annual regulatory fees during any time of inactive status;
- (2) Permit must be in good standing (e.g. no pending disciplinary or enforcement action); and
- (3) Annual statement must be filed in accordance with Section 1.10(e).
- (d) At any time a permit holder may bring a for-hire vehicle under inactive status back into service after written permission is obtained from the Chief Executive Officer. The following guidelines are to be used in granting permission to return a for hire vehicle under inactive status back to service:
  - (1) Permit holder must notify Chief Executive Officer in writing of their intent to place their vehicle back into service;
  - (2) Permit holder must show proof of a valid vehicle insurance policy as required by Section 1.9;
  - (3) Permit holder must show proof of current vehicle registration;
  - (4) Permit holder must show proof of current subscription to a dispatch service organization, if a taxicab; and
  - (5) Vehicle must pass MTS required inspection.
- (e) The Chief Executive Officer shall, as a matter of owner right, allow the replacement of a vehicle which is destroyed, rendered inoperative, sold or transferred, provided that the permit holder has complied with, and the for-hire vehicle is in conformance with, all applicable provisions of this Ordinance. An owner must remove the markings from the vehicle that indicate it is a taxicab or LSV before the owner disposes of it.

(Section 1.11 amended 2/14/2019) (Section 1.11 amended 10/13/2016) (Section 1.11 amended 8/7/2003) (Section 1.11 amended 11/14/2002) (Section 1.11 amended 2/13/1997)

#### Section 1.12 - Driver's Identification Cards

- (a) No person shall drive or operate any for-hire vehicle under the authority of a permit granted under this Ordinance unless such person: displays a valid driver's identification card obtained annually through the Sheriff of the County of San Diego; or provides upon request a VDDP driver certificate with a commercial driver's license.
- (b) No permit holder shall employ as a for-hire vehicle driver or operator any person who has not obtained a for-hire vehicle driver's identification card through the Sheriff of the County of San Diego or VDDP driver certificate with a commercial driver's license.

- (c) No permit holder shall employ as a driver or operator any person whose privilege to operate a for-hire vehicle within the City has expired, or has been revoked, denied or suspended or prohibited.
- (d) A driver may drive for more than one permit holder. The driver must, however, have on file with and accepted by the Sheriff of the County of San Diego, a separate application on forms provided by the Sheriff, for each permit holder with whom he has a current driving agreement. A driver may have on file with the Sheriff a maximum of four (4) such applications at any one time. It shall be unlawful for a driver to accept or solicit passengers for hire in the City or County while operating the taxicab or LSV of any permit holder for whom the driver does not have such an application on file with the Sheriff.
- (e) No person shall drive or operate any for-hire vehicle, under the authority of a permit granted under this Ordinance unless such person has successfully completed an MTS-approved driver safety training course concerning driver safety rules and regulations, map reading, crime prevention, courtesy and professionalism, <u>and</u> compliance with <u>the ADA, and.</u> As determined by <u>the Chief Executive Officer</u>, a corresponding qualification examination <u>may be required</u>.
- (f) No person who has received a notice of prohibition pursuant to Section 1.14, or whose privilege to operate a for-hire vehicle within the City has expired, or has been suspended, revoked or denied by the Sheriff, California Highway Patrol, or the Chief Executive Officer shall drive or operate a for-hire vehicle within the City.
- (g) No for-hire vehicle driver's identification card shall be issued or renewed by the Sheriff to any of the following persons:
  - (1) Any person under the age of twenty-one (21) years.
  - (2) Any person who has been convicted of a felony involving a crime of force or violence against any person, or the theft of property, unless five (5) years have elapsed since his or her discharge from a penal institution or satisfactory completion of probation for such conviction during which period of time his or her record is good.
  - (3) Any person who has been convicted of assault, battery, resisting arrest, solicitation of prostitution, any infraction, misdemeanor, or felony involving force and violence, or any crime reasonably and rationally related to the paratransit industry or any similar business operation which bears upon the integrity or ability of the driver to operate a for-hire vehicle business and transport passengers, unless five (5) years shall have elapsed from the date of discharge from a penal institution or the satisfactory completion of probation for such conviction.
  - (4) Any person who, within the five (5) years immediately preceding the processing of the application, has been convicted of or held by any final administrative determination to have been in violation of any statute, ordinance, or regulation reasonably and rationally related to the for-hire vehicle industry or any similar business operation which would have authorized the suspension or revocation of the driver's identification card in accordance with Section 1.14 of this Ordinance.
  - (5) Any person who is required to register as a sex offender pursuant to the California Penal Code.
  - (6) Any person who has provided false information of a material fact in their application within the past five (5) years.

- (7) No person shall obtain or renew a driver's identification card unless such person has successfully completed a driver safety training course approved by the Chief Executive Officer.
- (8) When a driver permanently no longer drives for an MTS <u>TaxicabFor-Hire</u> <u>Vehicle</u> Administration permit holder, the permit holder shall report this to the Sheriff's Department within ten (10) calendar days.
- (h) The Sheriff is authorized to issue temporary for-hire vehicle driver identification cards pending the approval or denial of an application for a regular for-hire vehicle driver identification card. No temporary for-hire vehicle driver identification card shall be issued without the satisfactory completion of a local law enforcement agency record check of the applicant. Any temporary identification card so issued shall be valid for a period not to exceed ninety (90) days or until the date of approval or denial of the application for a regular for-hire vehicle driver identification card, whichever shall occur first. The issuance of a temporary identification card hereunder shall not authorize the operation of a for-hire vehicle following the denial of the application while pending the resolution of any appeal otherwise provided for in Section 1.16 of this Ordinance. The Sheriff or the Chief Executive Officer shall establish nonrefundable filing fees to defray the costs of processing regular and temporary driver identification cards.

#### (Section 1.12 amended 10/10/201911/12/2020)

(Section 1.12 amended 10/10/2019)

(Section 1.12 amended 11/8/2018, effective 1/1/2019)

(Section 1.12 amended 12/14/2017)

(Section 1.12 amended 5/12/2016)

(Section 1.12 amended 11/15/2012)

(Section 1.12 amended 8/7/2003)

(Section 1.12 amended 11/14/2002)

(Section 1.12 amended 9/24/1998)

(Section 1.12 amended 10/30/1997)

(Section 1.12 amended 11/9/1995)

#### Section 1.13 - Suspension and Revocation of Permit

- (a) Permits may be suspended or revoked by the Chief Executive Officer at any time in case:
  - (1) The Chief Executive Officer finds the permit holder's past record to be unsatisfactory with respect to satisfying the provisions of this Ordinance.
  - (2) The permit holder fails to comply with the applicable provisions of this Ordinance.
  - (3) The drivers of the for-hire vehicle or vehicles fail to act in accordance with those provisions of this Ordinance which govern driver actions. The permit holder shall have strict liability in this regard; however, this provision shall not restrict the Chief Executive Officer's ability to penalize a driver for violations of those provisions of this Ordinance which govern driver actions.
  - (4) The owner ceases to operate a for hire vehicle without having obtained written permission from the Chief Executive Officer.

- (5) The permit holder is found to be operating a for-hire vehicle that is under inactive status.
- (6) The for-hire vehicle or vehicles, if operated as other than a taxicab, are operated at a rate of fare other than those fares on file with the Chief Executive Officer.
- (7) The for-hire vehicle or vehicles, if operated as a LSV, are operated at a rate of fare greater than those fares on file with the Chief Executive Officer or posted on the taxicab or LSV pursuant to Section 2.2 (b) of this Ordinance.
- (8) The for-hire vehicle or vehicles, if operated as a taxicab, are operated at a rate of fare greater than current maximum rate established by the Board pursuant to Section 2.2(a) of this Ordinance or the applicable rate provided to passenger pursuant to Section 2.4 (q) of this Ordinance.
- (9) The permit holder fails to begin operating the for-hire vehicle for which the permit is first approved within ninety (90) days after the approval date.
- (10) The permit holder has been convicted of assault, battery, resisting arrest, solicitation of prostitution, any infraction, misdemeanor, or felony involving force and violence, or any crime reasonably and rationally related to the paratransit industry or any similar business operation which bears upon the integrity or ability of the applicant or permit holder to operate a for-hire vehicle business and transport passengers, unless five (5) years shall have elapsed from the date of discharge from a penal institution or the satisfactory completion of probation for such conviction.
- (11) The permit holder has been convicted of a crime that would require a person to register as a sex offender under the California Penal Code. For purposes of this section, a plea or verdict of guilty, a finding of guilt by a court, a plea of nolo contendere or a forfeiture of bail shall be considered a conviction.
- (b) A permit holder shall be notified in writing within 10 working days when a credible complaint has been filed with the Chief Executive Officer by a member of the public where such complaint involves the permit holder, the driver of the permitted for-hire vehicle, or the dispatch service to which the permit holder is subscribed. It shall be the responsibility of the permit holder to investigate the complaint and report in writing to the Chief Executive Officer within 30 days the result of the investigation and any corrective action taken or proposed. Where the complainant has agreed to the sharing of their identity, the results of the investigation, findings, and actions shall be communicated to the complainant.
- (c) In the event the Chief Executive Officer finds a permit holder has failed to responsibly respond to notification of complaints or to initiate corrective action, the Chief Executive Officer shall issue a notice of proposed adverse action to the permit holder. If the circumstances of the complaint or subsequent investigation so warrant, the Chief Executive Officer may issue a notice of adverse action to a driver independently of or in conjunction with any adverse action proposed to the permit holder. The Chief Executive Officer shall refer to the Administrative Penalty Guidelines in determining a proposed adverse action.
- (d) The permit holder or driver in receipt of a notice of proposed adverse action shall be given the opportunity to appear for an informal hearing before the Chief Executive Officer or designated representative. Failure to appear will constitute waiver of the hearing. Following the

hearing or waiver thereof, the Chief Executive Officer shall issue the notice of adverse action if justified by the facts. If the Chief Executive Officer determines that the performance of the permit holder or driver involves criminal activity or constitutes a serious degradation of the public safety, convenience, or necessity, a notice of adverse action may be issued and the action effected without hearing.

(e) Upon a finding by the Chief Executive Officer that a permit holder falls within the provisions of this section, the permit holder or driver shall be notified that his or her permit has been subjected to an adverse action and that the matter is such that the action may be appealed. In lieu of an action provided for in the Administrative Penalty Guidelines, the Chief Executive Officer may impose a fine or a fine and a period of suspension for any violation(s) of this Ordinance.

(Section 1.13 amended 2/14/2019) (Section 1.13 amended 11/8/2018, effective 1/1/2019) (Section 1.13 amended 12/14/2017) (Section 1.13 amended 10/13/2016) (Section 1.13 amended 5/12/2016) (Section 1.13 amended 8/7/2003) (Section 1.13 amended 11/14/2002)

(Section 1.13 amended 6/24/1999)

#### Section 1.14 - Suspension and Revocation of Driver's Identification Cards

- (a) Driver's identification cards issued by the Sheriff may be suspended or revoked by the Chief Executive Officer at any time in case:
  - (1) The Chief Executive Officer finds the driver's past record to be unsatisfactory with respect to satisfying the provisions of this Ordinance; or
    - (2) The driver fails to comply with the applicable provisions of this Ordinance; or
  - (3) Circumstances furnish grounds for the denial, suspension, revocation or refusal to renew the driver's identification card by the Sheriff under the terms of the applicable Ordinance of the County of San Diego; or
    - (4) His/her California Driver's License is revoked or suspended; or
  - (5) The driver is convicted of reckless driving or driving while under the influence of intoxicating liquors and/or narcotics; or
  - (6) The driver has been convicted of assault, battery, resisting arrest, solicitation of prostitution, any crime involving force and violence, or reasonably and rationally is related to the ability or integrity of the driver to operate a for-hire vehicle or transport passengers; or
  - (7) The driver has ever been convicted of a crime that requires registration under the California Penal Code as a sex offender.
- (b) For purposes of Subsections (a) (1) through (a) (6) of this section, a plea of nolo contendere, or a forfeiture of bail shall be considered a conviction if it occurred within the five (5) years immediately preceding the date of application for a permit or identification card.
- (c) Notwithstanding a driver's possession of a valid taxicab or LSV driver identification card, the Chief Executive Officer may deny, suspend, revoke, or refuse to renew the driver's

privilege to operate a for-hire vehicle in the City if the driver falls within the provisions of this section. The Chief Executive Officer shall send a notice of prohibition the date postmarked to operate a taxicab or LSV to any holder of a Sheriff's driver identification card who is ineligible under Subsection (a) to operate a for- hire vehicle within the City limits. The notice of prohibition shall be appealable in accordance with Section 1.16.

(Section 1.14 amended 10/10/2019)

(Section 1.14 amended 5/12/2016)

(Section 1.14 amended 8/7/2003)

(Section 1.14 amended 11/14/2002)

(Section 1.14 amended 6/24/1999)

#### Section 1.15 - Surrender of Medallion

(a) When a permit has been suspended or revoked, the operation of any for-hire vehicle authorized by such permit shall cease, and its medallion surrendered immediately to the Chief Executive Officer.

#### (Section 1.15 amended 11/14/2002)

## <u>Section 1.16 - Right of Administrative Appeal from Denial, Suspension or Revocation of Permit or Driver's Identification Card or Related Adverse Action</u>

- (a) The permit holder or driver shall be notified that he or she may file with the Chief Executive Officer a written administrative appeal ten (10) days after delivery of the notice of revocation or suspension, or the denial of a license, permit, or driver's identification card issued by the Sheriff, the notice of prohibition to operate or the imposition of a fine. The permit holder or driver shall set forth in the appeal the reasons why such action is not proper.
- (b) If no administrative appeal is filed within the proper time, the permit or driver's identification card issued by the Sheriff shall be considered revoked, suspended or denied, and shall be surrendered, the fine be imposed, as applicable, or the notice of prohibition to operate take effect.
- (c) Except as provided in Subsection (d), once an administrative appeal is filed, the revocation or suspension of the permit or driver's identification card issued by the Sheriff, the effect of the notice of prohibition to operate, or the imposition of the fine shall be stayed pending the final determination of the administrative appeal.
- (d) If, in the Chief Executive Officer's opinion, the continued operation of a for-hire vehicle or possession of a driver's identification card issued by the Sheriff represents an unsafe condition for any passenger or pedestrian, the revocation or suspension of the related permit, driver's identification card, or the effect of any notice of prohibition to operate shall not be stayed. A revocation or suspension of a permit imposed for failure to comply with Section 1.8 (fg) or Section 1.9 is rebuttably presumed to represent an unsafe condition pending the determination of the appeal or the correction of the violation, whichever shall occur first. Notwithstanding, no medallion shall be reaffixed to a vehicle until the violation under Sections 1.8 (fg) or 1.9 has been corrected.

#### (Section 1.6 amended 11/12/2020)

(Section 1.16 amended 10/10/2019)

(Section 1.16 amended 8/7/2003)

(Section 1.16 amended 11/14/2002)

#### Section 1.17 - Procedure Upon Administrative Appeal

- (a) When an appeal is filed, the Chief Executive Officer shall review the appeal, and based on additional information provided therein, may revise the findings and penalty; in accordance with the additional information provided; or cause the appeal to be assigned to a Hearing Officer, who shall expeditiously schedule the hearing before him/her.
  - (1) The Chief Executive Officer shall use California Department of General Services, Office of Administrative Hearings Administrative Law Judges as Hearing Officers. The assignment of Administrative Law Judges as Hearing Officers shall be determined by the California Department of General Services, Office of Administrative Hearings.
  - (2) The Hearing Officer shall be a member of the California State Bar and shall not be an MTS employee.
- (b) The appellant and the Chief Executive Officer or designate shall each have the right to appear in person and be represented by legal counsel, to receive notice, to present evidence, to call and cross-examine witnesses under oath, and to present argument.
- (c) An appellant may select an individual to interpret for them. MTS will not pay any costs or be held responsible for any aspect of the interpreter's ability to accurately interpret the hearing.
  - (1) The Hearing Officer shall have the power to compel attendance of witnesses and documents by subpoena, in accordance with state law.
  - (2) The formal rules of evidence need not apply, and any relevant evidence that is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs shall be admissible. Hearsay evidence may be considered by the Hearing Officer, but no findings may be based solely on hearsay evidence unless supported or corroborated by other relevant and competent evidence. The formal exceptions to the hearsay rule shall apply.
- (d) The Chief Executive Officer shall promulgate supplementary rules and procedures for the conduct of the hearing, the forms of notice and proceedings, and the preparation and submission of the record.
- (e) The decision of the Hearing Officer shall be the final administrative remedy and shall be binding upon the parties to the appeal.
- (f) If the Hearing Officer decides to suspend or revoke a permit or driver's identification card, the appellant shall immediately surrender the medallion or driver's identification card to the Chief Executive Officer.

(Section 1.17 amended 5/12/2016) (Section 1.17 amended 11/15/2012)

#### Section 1.18 - Exceptions to Provisions

(a) The provisions of this Ordinance do not apply to:

- (1) a vehicle properly licensed under the jurisdiction of the California Public Utilities Commission (CPUC) unless such vehicle also provides transportation services regulated by MTS under this Ordinance;
- (2) public transit vehicles owned, operated, or contracted for by MTS and operators and drivers of such vehicles;
- (3) a vehicle properly licensed by the State or County as an ambulance, and its driver if properly licensed by the California Highway Patrol pursuant to Vehicle Code section 12527 (i.e. for-hire driver for an ambulance); or
- (4) a vehicle properly regulated by the California Highway Patrol pursuant to Vehicle Code sections 34500 et seq. (i.e. bus, schoolbuses, school pupil activity buses, or youth buses), and its driver if properly licensed by the California Highway Patrol pursuant to Vehicle Code sections 12523.6 (i.e. for-hire driver of vehicles for developmentally disabled) or 12517.3 (i.e. for-hire driver for a schoolbus, school pupil activity bus, or youth bus).
- (b) For compliance purposes, MTS inspectors may inspect all vehicles listed in Section 1.18 (a) to ensure they are not exceeding the authority granted by their license or operating as unlicensed private- hire transportation provider.

(Section 1.18 amended 10/10/2019)

(Section 1.18 amended 12/14/2017)

(Section 1.18 amended 5/12/2016)

(Section 1.18 amended 11/15/2012)

(Section renumbered to 1.18 9/24/1998)

(Section 1.17 amended 1/12/1995)

(Section 1.17 amended 6/24/1993)

## <u>Section 1.19 - Chief Executive Officer's Authority to Adopt Rules and Promulgate a Schedule of</u> Fines

(a) Except where Board action is specifically required in this Ordinance, the Chief Executive Officer may adopt any rules and regulations reasonable and necessary to implement the provisions of this Ordinance. The Chief Executive Officer shall promulgate a schedule of administrative fines and penalties for violations of this Ordinance in lieu of the revocation or suspension of a permit or identification card issued by the Sheriff, a copy of which schedule shall be filed with the Clerk of the Board.

(Section 1.19 amended 10/10/2019) (Section renumbered to 1.19 9/24/1998)

#### Section 1.20 - Americans with Disabilities Act

(a) Permit holders, vehicles, and drivers are required to comply with the requirements of the federal Americans with Disabilities Act (ADA), and ADA regulations are hereby incorporated into MTS Ordinance No. 11 by reference. A violation of ADA requirements is a violation of this Ordinance and subject to a fine or suspension or revocation or a combination.

(Section renumbered to 1.20 9/24/1998) (Section 1.19(a) was added 4/10/1997)

#### SECTION 2.0 - TAXICABS AND/OR LSVs

#### Section 2.1 - Types of Service

(a) A taxicab or LSV is authorized to provide exclusive ride and group ride service.

#### (Section 2.0 and 2.1 amended 8/7/2003)

#### Section 2.2 - Rates of Fare

- (a) After a noticed and open public hearing of the Taxicab Advisory Committee, MTS shall establish a maximum rate of fare for exclusive ride and group ride hire of taxicabs and/or LSVs. A permit holder may petition the Board for any desired change in the maximum taxicab or LSV rates for exclusive ride and/or zone rates and group ride hire.
- (b) Taxicab trips from San Diego International Airport shall not be charged more than the authorized maximum rate of fare. Notwithstanding, rates for trips originating at the airport may include an extra charge equal to the Airport Access Fee assessed against the individual taxicab operator by the San Diego County Regional Airport Authority. The extra may not be charged on any trip that does not originate at the airport or on any trip where the taxicab operator does not pay the fee to the San Diego County Regional Airport Authority. The extra charge may only be charged to the passenger by visually identifying the Airport Access Fee on the taxicab meter. A driver may not verbally request payment. All taxicabs utilizing the Airport Access Fee must have a decal, approved by the Chief Executive Officer and the County of San Diego Office of Weights and Measures. The decal shall identify and accurately describe the extra charge consistent with regulatory requirements.
- (c) All taxicabs shall accept major credit cards including, but not limited to, VISA, MasterCard, American Express, and Discover. Credit Card fees shall not be passed onto passengers.
- (d) The taxicab permit holder or taxicab driver shall disclose fares, fees or rates to the passenger. The taxicab permit holder or taxicab driver may disclose by website, mobile telephone application or telephone orders.
- (e) It shall be unlawful for a permit holder or driver to operate any taxicab in the City or County, unless the vehicle is equipped with a Taximeter that meets the requirements of the State of California.
  - (1) If Hard Meter, each taxicab permit holder shall have the Taximeter set by properly licensed personnel for the rate that he/she will charge and have the Taximeter sealed and inspected.
  - (2) If Soft Meter, a certificate of approval must be provided by the California Department of Food and Agriculture Division of Measurement Standards
  - (3) The Taximeter shall calculate fares upon the basis of a combination of mileage traveled and time elapsed. When operative with respect to fare indication, the fare-indicating mechanism shall be actuated by the mileage mechanism whenever the vehicle is in motion at such a speed that the rate of mileage revenue equals or exceeds the time rate, and may be actuated by the time mechanism whenever the vehicle speed is less than this, and when the vehicle is not in motion.

- (4) Waiting time shall include all time when a taxicab occupied or engaged by a passenger is not in motion or is traveling at a speed which is slow enough for the time rate to exceed the mileage rate. Waiting time will also include the time consumed while standing at the direction of the passenger or person who has engaged the taxicab.
- (5) It shall be the duty of every permit holder operating a taxicab to keep the Taximeter in proper condition so that the Taximeter will, at all times, correctly and accurately indicate the charge for the distance traveled and waiting time. The Taximeter shall be at all times subject to the charge for the distance traveled and waiting time.
- (6) The Taximeter shall be at all times subject to inspection by an MTS inspector or any peace officer. The MTS inspector or peace officer is hereby authorized at his or her instance or upon complaint of any person to investigate or cause to be investigated the Taximeter, and upon discovery of any inaccuracy in the Taximeter, or if the Taximeter is unsealed, to remove or cause to be removed the vehicle equipped with this taximeter from the streets of the City until the Taximeter has been correctly adjusted and sealed. Before being returned to service, the vehicle and Taximeter must be inspected and approved by the Chief Executive Officer.
- (7) Any device repairperson who places into service, repairs, or recalibrates a Taximeter shall record the tire size and pressure of the drive wheels of that vehicle, as tested, on the repair person's sticker.
- (8) It shall be the duty of the permit holder to ensure the proper device repair person's sticker is affixed to the Taximeter and to ensure the tires are the proper size.
- (f) It shall be unlawful for any driver of a taxicab, while carrying exclusive or group ride passengers, to display the flag or device attached to the Taximeter in such a position as to denote that the vehicle is for hire, or is not employed, or to have the flag or other attached device in such a position as to prevent the Taximeter from operating. It shall be unlawful for any driver to throw the flag into a position which causes the Taximeter to record when the vehicle is not actually employed, or to fail to throw the flag or other device into non-recording position at the termination of each and every service.
- (g) The Taximeter shall be so placed in the taxicab that the reading dial showing the amount of fare to be charged shall be well-lighted and easily readable by the passenger riding in such taxicab.
- (h) It shall be unlawful for any permit holder and/or driver of a taxicab or LSV to demand of a passenger a charge for hire which is greater than the current maximum rate approved by the Board pursuant to Section 2.2 (a) or (b) of this Ordinance.
- (i) Except as provided in this section, is shall be unlawful for any permit holder and/or driver to demand of a passenger a charge for hire which is greater than the permit holder's meter rate pursuant to Sections 2.1 (a), or 2.2 (c) of this Ordinance.
- (j) Nothing in this Ordinance shall preclude a dispatch service, permit holder, or driver from agreeing with prospective passenger(s) to a rate of fare which is equal to or less than the maximum rates of fare if the agreement is entered into in advance of the passenger(s) hiring the taxicab for the trip. To ensure the fare agreement is equal to or less than the maximum rates of fare, the taximeter shall remain in recording position until the termination of the trip.

#### (Section 2.2 amended 12/12/2019)

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(Section 2.2 amended 11/8/2018, effective 1/1/2019)
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(Section 2.2 amended 12/14/2017)

(Section 2.2 amended 5/12/2016)

(Section 2.2(c)(2) amended 11/15/2012)

(Section 2.2(b) amended 4/19/2012)

(Section 2.2 amended 8/7/2003)

(Section 2.2 amended 5/8/2003)

(Section 2.2 amended 11/14/2002)

(Section 2.2 amended 6/24/1999)

(Section 2.2 amended 9/24/1998; Section 2.2c operative May 1, 1999)

(Section 2.2 amended 10/30/1997)

(Section 2.2 amended 4/10/1997)

#### Section 2.3 - Equipment and Specifications

- (a) No taxicab shall be operated until the taximeter thereon has been inspected, tested, approved and sealed, if applicable, by an authorized representative of the State of California, and thereafter so maintained in a manner satisfactory to the Chief Executive Officer.
- (b) Each taxicab may be equipped with a device which plainly indicates to a person outside the taxicab whether the taximeter is in operation or is not in operation.
- (c) <u>Mandatory Exterior Markings</u>: The permit holder must display one of the following exterior markings schemes on each taxicab:
  - (1) <u>Exterior Marking Scheme 1</u>: The following must be displayed if in use of Exterior Marking Scheme 1:
    - (A) The permit holder's trade name shall be painted or permanently affixed in letters and numerals four (4) inches high all on one line on the upper third part of both rear doors or both rear quarter panels utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability. In the event the trade name does not fit on one line utilizing four (4) inch lettering, the trade name lettering must be as large as possible, up to four (4) inches in height, to enable the trade name to fit on one line.
    - (B) The medallion number shall be painted or permanently affixed, on both rear doors or both rear quarter panels, one (1) inch below the permit holder's trade name, six (6) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability.
  - (2) <u>Exterior Marking Scheme 2</u>: The following must be displayed if in use of Exterior Marking Scheme 2:
    - (A) The permit holder's trade name shall be painted or permanently affixed in letters and numerals four (4) inches high all on one line on the upper third part of both front doors utilizing "Univers" or other Chief Executive Officer preapproved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability. In the event the trade name does not fit on one line utilizing four (4) inch lettering, the trade name lettering must be as large as possible, up to four (4) inches in height, to enable the trade name to fit on one line.

- (B) The medallion number shall be painted or permanently affixed, on both front doors, one (1) inch below the permit holder's trade name, six (6) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability.
- (C) The permit holder's trade name and medallion number shall be painted or permanently affixed on the rear of the taxicab, four (4) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability. In the event the rear of the vehicle does not have four inches of vertical space for the trade name and medallion number, the rear lettering may be less than four inches, provided that it is easily readable from a distance of 50 feet.
- (d) <u>Optional Exterior Vehicle Markings</u>. The permit holder has the option of choosing to post any combination of the below-listed five options on his or her taxicab which must be posted only at the specific location and in the size noted.
  - (1) <u>Trade Name Logo</u>. If the permit holder chooses to display his or her trade name logo, the trade name logo shall be posted only on the rear portion of both side rear quarter panels.
  - (2) <u>Dispatch Service Provider</u>. If the permit holder chooses to display the dispatch service provider name or logo, the dispatch service provider name or logo cannot utilize the words "cab" or taxi." The dispatch service provider name or logo must be displayed only on the rear portion of both side rear quarter panels.
  - (3) <u>Telephone Number</u>. If permit holder chooses to display a telephone number, the telephone number must be no more than three (3) inches in height and posted only on the top front portion of both front side quarter panels.
  - (4) "Driver Carries Only \$ Change". If the permit holder chooses to post "Driver Carries only \$\_\_\_\_ Change", postings must be located only on rear quarter panels near the rear door but clear of the rates of fare.
  - (5) <u>"Leased to Driver"</u>. If permit holder chooses to post "Leased to Driver," it must be posted only on both side rear quarter panels near the rear door but clear of the rate of fares in lettering no larger than 1 inch.
  - (6) <u>Body Numbers</u>. If the permit holder chooses to post an internally assigned body number, different from the medallion number, the body number shall be posted in one (1) inch numerals on the front and rear bumpers.
- (e) All other exterior vehicle markings are prohibited unless they are directly related to the permit holder's business and pre-approved by the Chief Executive Officer.
- (f) All taxicabs shall be equipped and operated so that they may be dispatched by twoway radio or two-way electronic communication, monitored by a dispatcher, in response to a telephone or other request for service by a prospective passenger.
  - (1) Means of dispatch device must be turned on, and audible to driver, at all times the taxicab is in service.

- (2) Dispatch equipment, such as a two-way radio, cellular phone or tablet, shall be securely mounted within the vehicle in such a way to be visible to peace officers and MTS inspectors and allow for hands-free operation while the vehicle is in motion.
- (g) If radio dispatch capability is utilized, the dispatch service must abide by the following: the radio dispatch capability described in paragraph (d) of this section must be provided so as to conform to the regulations of the Federal Communications Commission (FCC) pertaining to Land Transportation Radio Services. Failure to conform to those regulations will additionally constitute a failure to meet the requirements of this section.
  - (1) The current valid FCC license shall be on file with MTS.
  - (2) Taxicab permit holder shall provide current proof the radio or electronic device has passed inspection by an MTS-approved inspector.
  - (3) Taxicab radios shall have the capability to receive or transmit only on frequencies specified in the FCC license of the radio service subscribed to by the permit holder.
- (h) Each permit holder shall equip each permitted taxicab with a device capable of electronically processing credit card transactions. The device must be visible to all passengers and must allow the passenger to operate the payment device independently of the driver, without having to hand the credit card to the driver. The device must be fully operational at all times. The permit holder dispatch service, or driver shall be the merchant of record associated with the device. Any means of electronic credit card acceptance is acceptable so long as it complies with the provisions set forth in Section 1.8 (SF).

#### (Section 2.3 amended 11/12/2020)

(Section 2.3 amended 1212/2019)

(Section 2.3 amended 11/8/2018, effective 1/1/2019)

(Section 2.3 amended 12/14/2017)

(Section 2.3 amended 10/13/2016)

(Section 2.3 amended 5/12/2016)

(Section 2.3 amended 2/12/2015)

(Section 2.3 amended 11/15/2012)

(Section 2.3 amended 6/27/2002)

(Section 2.3 amended 9/24/1998; Section 2.3c operative May 1, 1999)

(Section 2.3 amended 6/27/1991; effective 7/27/1991)

(Section 2.3 amended 4/10/1997)

#### Section 2.4 - Operating Regulations

- (a) Operating regulations shall be promulgated and adopted from time to time by resolution of the Board. These resolutions will have the force of law and will be published and processed as though set forth in this Ordinance.
- (b) Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to the destination safely and expeditiously.

- (c) A failure of the driver of any taxicab or LSV to assist a passenger with the loading or unloading of a reasonable size, number, and kind of passenger luggage or other items, when requested to do so, shall be specifically defined as a violation of this section.
  - (1) A driver is not required to lift any single piece of passenger luggage or other item that exceeds 25 pounds in weight. The requirement for loading or unloading assistance shall be limited to retrieval from or deposit onto the nearest curbside adjacent to the legally parked taxicab or LSV. A sign in the form of a transparent decal may be affixed to the reardoor, side window stating that, "DRIVER IS NOT REQUIRED TO LOAD LUGGAGE IN EXCESS OF 25 POUNDS PER ITEM OR OF A SIZE OR KIND THAT WILL NOT SAFELY FIT IN THE DESIGNATED LUGGAGE AREA OF THIS VEHICLE."
  - (2) A driver with a lawful disability that prevents him/her from handling items as defined in subsection (2) above is, upon submission of proof of such disability, relieved of responsibility for the requirements of subsection (2). A driver so situated may affix a small sign either in the passenger section of the vehicle to be clearly visible to a rear seat passenger or on the inside of the trunk cover lid stating that, "DRIVER HAS DISABILITY THAT PREVENTS HANDLING OF LUGGAGE."
- (d) It shall be unlawful for taxicab operators to refuse or discourage a prospective or actual fare based upon trip length within City or County, or method of payment. Driver shall not refuse payment by credit card.
  - (1) A vehicle designated as an LSV may refuse a prospective or actual fare if the trip distance is outside allowed areas of operations.
  - (2) A failure to promptly dispatch (within the standards required by Sections 2.6(a)(1), (2), and (3) of this Ordinance), or any action by a driver of any taxicab or LSV to refuse or discourage a prospective or actual passenger who must transport foodstuffs or who must meet a medical appointment, irrespective of trip length, shall be specifically defined as a violation of this section so long as that prospective passenger has notified the dispatch service of this circumstance at the time a request for taxi service was made.
- (e) No driver of any taxicab or LSV shall stop, park, or otherwise leave standing a taxicab or LSV on the same side of the street in any block in which taxicabs or LSVs are already stopped, parked, or otherwise standing except the taxicab or LSV may actively unload in a passenger loading zone or be parked in a marked taxi/LSV stand.
- (f) No driver shall stop, park or otherwise leave standing a taxicab or LSV within one-hundred (100) feet of any other taxicab or LSV except in a marked taxi/LSV stand or while actively loading or unloading passengers.
- (g) An out-of-service sign must be displayed when the taxicab or LSV is not available for hire and is being operated or is lawfully parked for purposes of maintenance, inspection, or personal use. The sign must be placed in a location in the vehicle that is clearly visible from the exterior of the vehicle. The sign must be of durable material and written in block letters in black ink and easily readable from a distance of not less than ten (10) feet.
- (h) A taxicab driver may seek passengers by driving through any public street or place without stops, other than those due to obstruction of traffic, and at such speed as not to interfere with or impede traffic.

- (i) It shall be unlawful, however, for the driver to seek passengers by stopping at or driving slowly in the vicinity of an entertainment center or transportation center or any other location of public gathering, in such a manner as to interfere with public access to or departure from that center or location, or so as to interfere with or impede traffic.
- (j) It shall also be unlawful for a taxicab or LSV driver, having parked and left his or her taxicab or LSV, to solicit patronage among pedestrians on the sidewalk, or at any entertainment center, transportation center, or other location of public gathering.
- (k) No person shall solicit passengers for a taxicab or LSV other than the driver thereof; however, the Chief Executive Officer may authorize a dispatcher to solicit passengers and assist in loading passengers at such times and places as, in his or her discretion, public service and traffic conditions require.
- (I) It shall be unlawful for the driver or operator of any taxicab or LSV to remain standing in any established taxicab or LSV stand or passenger loading zone, unless the driver or operator remains within twelve (12) feet of his or her taxicab or LSV, except when the driver or operator is actually engaged in assisting passengers to load or unload.
- (m) Only paying passengers and persons specifically authorized by the Chief Executive Officer may occupy a taxicab or LSV that is already occupied by a paying passenger. No driver, once a paying passenger has occupied the taxicab or LSV, shall permit any other nonpaying passenger to occupy or ride in the taxicab or LSV.
- (n) It shall be unlawful to respond to a call for service dispatched to another operator except when an LSV refers service to another operator because the trip distance is outside of the approved area of jurisdiction.
- (o) The taxicab or LSV driver shall maintain a daily trip log which shall be available for inspection upon request by any peace officer or MTS inspector. The trip log will accurately show the driver's name, taxicab or LSV number, date, time, beginning odometer reading, starting and ending locations, type of service provided, and fare paid for each trip provided.
  - (1) The daily trip log shall consist, at a minimum, of a five- by seven-inch paper form retained on a stiff-board writing surface with ruled lines and columns sufficient to contain the required information. All entries will be in black or dark blue ink, block letters, and be clearly legible. Colored paper that is lightly shaded is allowed provided there is sufficient contrast for entries to be easily read. Onboard electronically generated reports that meet the legibility requirements are acceptable.
  - (2) The driver shall deliver trip logs to the permit holder upon request or at a weekly interval, whichever is less.
    - (3) If a taxicab, the trip log shall be retained for at least 18 months.
  - (p) All operating regulations set forth in Section 1.8 apply.
- (q) The permit holder or the driver of the taxicab shall notify the passenger of the applicable rate prior to the passenger accepting the ride for walkup rides and street hails. The rate may be provided on the exterior of the vehicle, with an application of a mobile phone, device, or other internet-connected device, or be clearly visible in either print or electronic form inside the taxicab.

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(Section 2.4 amended 11/8/2018, effective 1/1/2019)
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(Section 2.4 amended 12/14/2017)

(Section 2.4 amended 10/13/2016)

(Section 2.4 amended 5/12/2016)

(Section 2.4 amended 2/12/2015)

(Section 2.4 amended 11/15/2012)

(Section 2.4 amended 8/7/2003)

(Section 2.4 amended 11/14/2002)

(Section 2.4 amended 6/24/1999)

(Section 2.4 amended 2/13/1997)

(Section 2.4 amended 6/27/1991; effective 7/27/1991)

#### Section 2.5 - Stands

- (a) The Chief Executive Officer may establish, locate and designate shared use taxicab/LSV stands for one or more taxicabs/LSVs, which stands when so established shall be appropriately designated "Taxis/LSVs Only." The operating regulations of this Ordinance shall apply to such stands and to taxicab/LSV stands established by the San Diego Unified Port District in areas under its jurisdiction within the City.
- (b) Each taxicab or LSV stand established hereunder may be in operation twenty-four (24) hours of every day, unless otherwise specified by the Chief Executive Officer.
- (c) Any individual, partnership, association, or other organization may petition MTS requesting that a new taxicab/LSV stand be established, or that the location of an existing taxicab/LSV stand be changed to another location. A nonrefundable filing fee to be determined by the Chief Executive Officer must be paid at the time the petition is submitted.
- (d) It shall be unlawful for a vehicle other than a taxicab or LSV with a proper MTS taxicab or LSV permit to occupy a taxi/LSV stand.
- (e) LSVs may only occupy taxicab stands that are specially signed, designated their approved use.

#### (Section 2.5 amended 11/15/2012) (Section 2.5 amended 8/7/2003)

#### Section 2.6 - Dispatch Services

- (a) In order to provide taxicab dispatch service required by Section 2.3(d, e), the dispatch service organization adding or changing subscribers after July 1, 1991 shall establish and conform to written policies and procedures concerning the following:
  - (1) Standard time elapse for answering the telephone service-request line(s).
  - (2) Standard time elapse for the taxicab's arrival at requested pick-up location.
  - (3) Passenger's request for a specific driver ("personals").
  - (4) Additional two-way communication devices (mobile or cellular phones) in taxicabs

- (5) Lost and found for passengers' items.
- (6) Assignment of vehicle body numbers.
- (7) Immediately notify the permit holder of all lost items and inquiries.

Current written policies and procedures shall be available to subscribers from the radio dispatch organization, and on file with MTS.

- (b) Taxicab Dispatch service organizations shall, be able to receive and respond to service requests or other operational questions 24 hours a day, have dispatch staff on duty at the business location for lost and found pick-ups and drop offs during reasonable hours or by appointment, which must be at a preapproved physical commercial business location address, answer telephone-request line(s), properly dispatch those requests to all members, provide radio response to all licensed radio frequencies/channels, and respond to direct requests from drivers, permit holders, and MTS as well as law enforcement and local regulatory agencies.
- (c) <u>Taxicab dispatch Dispatch</u> services shall keep written records of all requests for taxi service, calls dispatched, and the time(s) each taxicab goes in and out of service. These records shall be kept on file for a minimum of six (6) months, and made available to MTS, upon request.
- (d) No person, partnership, corporation, association, other organization providing radio or other dispatch service shall dispatch a request for service to a driver, owner, or vehicle unless the driver, owner, and vehicle are properly licensed to provide the service requested.
- (e) The Chief Executive Officer may, at any time, revoke or suspend the taxicab privileges of or fine any person, partnership, corporation, association, other organization providing radio or other dispatch service that violates a provision of this ordinance.

#### (Section 2.6 amended 11/12/2020)

(Section 2.6 amended 11/8/2018, effective 1/1/2019)

(Section 2.6 amended 12/14/2017)

(Section 2.6 amended 10/13/2016)

(Section 2.6 amended 11/15/2012)

(Section 2.6 amended 8/7/2003)

(Section 2.6 amended 9/24/1998)

(Section 2.6 added 6/27/1991; effective 7/27/1991)

#### Section 2.7 - Driver Safety Requirements

- (a) No taxicab vehicle shall be operated unless such vehicle is equipped with an emergency signaling <u>or any other emergency electronic communication</u> device approved by the Chief Executive Officer.
- (b) No taxicab vehicle may be operated with window tinting, shades, or markings that could interfere with a clear view of the cab interior from the outside, unless equipped by the vehicle manufacturer and approved by an MTS inspector.
- (c) Taxicab dispatch services required by Section 2.3 shall at all times have a dispatch staff person on duty who has successfully completed a driver safety training course approved by the Chief Executive Officer.

(d) The use of a cellular phone or other similar electronic device by drivers is prohibited at all times when the vehicle is in motion. Otherwise, California Vehicle Code rules apply.

#### (Section 2.7 amended 11/12/2020)

(Section 2.7 amended 11/8/2018, effective 1/1/2019)

(Section 2.7 amended 12/14/2017)

(Section 2.7 amended 10/13/2016)

(Section 2.7 amended 5/12/2016)

(Section 2.7 amended 11/15/2012)

(Section 2.7 amended 8/7/2003)

(Section 2.7 added 9/24/1998)

#### <u>Section 2.8 – Prearranged Trips by Taxicabs</u>

- (a) A Prearranged Trip shall mean a trip using an online enabled application, dispatch or Internet Web site.
- (b) A MTS taxicab permit holder may provide Prearranged Trips anywhere within San Diego County.
- (c) A taxicab not permitted by MTS, but permitted by another authorized agency within San Diego County, may provide Prearranged Trips within City or County. MTS will not require such a taxicab to apply for a permit with MTS if the taxicab is not Substantially Located in City or County. MTS will require such a taxicab to comply with mechanical safety regulations within Section 1.8 (fg) as a public health, safety and welfare measure.

#### (Section 2.8 amended 11/12/2020)

(Section 2.8 amended 2/14/2019)

(Section 2.8 added 11/8/2018, effective 1/1/2019)

#### SECTION 3.0 - CHARTER VEHICLES

#### Section 3.1 - Rates of Fare

- (a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for charter services.
- (b) If a permit holder desires to change the rates of fare being charged for charter services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.
- (c) No permit holder shall charge any rate of fare for charter services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.
- (d) The rates of fare shall be established by a prearranged written contract on a per-mile or per-hour basis.

#### (Section 3.1 amended 4/10/1997)

#### Section 3.2 - Operating Regulations

- (a) It shall be unlawful for any charter vehicle to remain standing on any public street in the City, except such reasonable time necessary when enabling passengers to load or unload.
- (b) It shall be unlawful for any person, either as owner, driver, or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or light rail transit station.
- (c) The charter for-hire vehicle driver shall maintain a daily trip log which shall be available for inspection upon request by any peace officer or MTS inspector. The trip log will accurately show the driver's name and the medallion number on the vehicle. In addition, the trip log shall identify the scheduling parties by name, date, and time of the prearranged hire. If the trip is medical in nature, the passenger's name may be omitted.
  - (d) All other operating regulations defined in Section 1.8 apply.

(Section 3.2 amended 12/14/2017) (Section 3.2 amended 11/14/2002)

SECTION 4.0 - SIGHTSEEING VEHICLES

#### Section 4.1 - Rates of Fare

- (a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder of sightseeing vehicle services.
- (b) If a permit holder desires to change the rates of fare being charged for sightseeing services during any calendar year, the permit holder shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said changes.
- (c) No permit holder shall charge any rate of fare for sightseeing services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.
  - (d) The rate of fare shall be established on a per capita or per event basis.

## (Section 4.1 amended 11/8/2018, effective 1/1/2019) (Section 4.1 amended 4/10/1997)

#### Section 4.2 - Operating Regulations

- (a) It shall be unlawful for any sightseeing vehicle to remain standing on any public street in the City, except such reasonable time necessary when enabling passengers to load or unload.
- (b) It shall be unlawful for any person, either as owner, driver, or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or light rail transit station.
  - (c) All other operating regulations defined in Section 1.8 apply, except Section 1.8 (\(\frac{1}{2}\)X).

#### (Section 5.0 amended 11/12/2020)

#### SECTION 5.0 - NONEMERGENCY MEDICAL VEHICLES

#### Section 5.1 - Rates of Fare

- (a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for nonemergency medical vehicle services.
- (b) If a permit holder desires to change the rates of fare being charged for nonemergency medical vehicle services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.
- (c) No permit holder shall charge any rate of fare for nonemergency medical vehicle services unless said rates are on file with the Chief Executive Officer as aforesaid.
- (d) The rate of fare for exclusive ride service shall be established on a per capita plus per mile basis.
- (e) The rates of fare for shared ride service shall be established on a per capita plus per mile basis, or on a per capita plus per zone basis.

(Section 5.1 amended 12/14/2017) (Section 5.1 amended 4/10/1997)

#### Section 5.2 - Operating and Equipment Regulations

- (a) It shall be unlawful for any nonemergency medical vehicle to remain standing on any public street in the City, except when enabling passengers to load or unload.
  - (b) All other operating regulations defined in Section 1.8 apply.
- (c) Special equipment on a nonemergency medical vehicle shall, at all times the vehicle is in operation, be in proper working order. Such vehicles equipped with wheelchair ramps or lifts shall have proper device(s) to secure each wheelchair on board.
- (d) The permit holder is responsible for ensuring that the driver of a nonemergency medical vehicle is properly trained:
  - (1) in the use of any of the vehicle's special equipment;
  - (2) concerning supervision of or assistance to the disabled passengers whom the driver is to transport.

(Section 5.2 amended 6/22/1995) (Section 5.2 amended 6/24/1993)

#### Section 5.3 - Driver Identification Cards

In addition to the requirements set forth in Section 1.12, nonemergency medical vehicle drivers shall acquire and maintain valid proof of proper first-aid and CPR training.

#### (Section 5.3 added 6/24/1993)

#### SECTION 6.0 - JITNEY VEHICLES

#### Section 6.1 - Rates of Fare

- (a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for jitney services.
- (b) If a permit holder desires to change the rates of fare being charged for jitney services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.
- (c) No permit holder shall charge any rate of fare for jitney services unless said rates are on file with the Chief Executive Officer and duly displayed.
  - (d) The rates of fare shall be established on a per capita basis.

## (Section 6.1 amended 11/8/2018, effective 1/1/2019) (Section 6.1 amended 4/10/1997)

#### Section 6.2 - Jitney Routes

- (a) A permit holder who wishes to provide a fixed route service shall apply to the Chief Executive Officer for authorization to serve a defined route with a specific vehicle. No for-hire vehicle may be operated as a jitney until it has met all other requirements of this Ordinance and has been approved for service on a specific fixed route. A jitney may be authorized to serve more than one route; however, a jitney may provide fixed route service on only those routes which the Chief Executive Officer has approved in writing for that vehicle.
- (b) The application for a fixed route shall be in writing and shall contain the following information:
  - (1) A description of the vehicle(s) which will be utilizing the route;
  - (2) A detailed written description of the route, to include starting location, ending location, and the street name and direction of travel for all streets to be used in the route;
    - (3) A map in sufficient detail to clearly indicate the proposed route;
    - (4) The fare to be charged; and
  - (5) Such other information as the Chief Executive Officer may, in his or her discretion, require.
- (c) Upon approval of a fixed route by the Chief Executive Officer, the permit holder shall display a representation of the route, the fare, and the permit holder's trade name on each side of the vehicle in letters large enough to be easily read by potential customers in accordance with the standards established by the Chief Executive Officer under Section 6.5 of this Ordinance. Only one (1) route may be displayed on a vehicle at any time.

- (d) If a permit holder wishes to alter his or her approved fixed route(s), he or she must apply in writing to the Chief Executive Officer, submitting the information required in Section 6.2 (b).
- (e) The Chief Executive Officer may, in his or her discretion, place conditions on the approval of fixed routes.
- (f) The Chief Executive Officer may change a route that has been approved previously when the Chief Executive Officer finds it necessary to do so. A change of route may be necessary when a street has been closed temporarily or permanently because of construction, or the direction of a street has been changed, or a street has been vacated, or for similar reasons as determined by the Chief Executive Officer. The Chief Executive Officer shall notify in writing any permit holder whose route has been changed. The Chief Executive Officer's change of a route is subject to appeal under Section 1.16 of this Ordinance.
- (g) Except as provided for within this subsection, an approved fixed route may not be transferred to another vehicle or permit holder. A permit holder may receive approval for a vehicle that is replacing a jitney already in service to use the approved fixed routes of the replaced vehicle.
- (h) A permit holder may apply for a non-fixed, flexible route within an MTS determined geographic boundary and operational timeframe that MTS determines to be beneficial to passengers and businesses located within such boundaries. The application for a non-fixed, flexible route shall be in writing and shall contain the following information:
  - (1) A description of the vehicle(s) which will be utilizing the route;
  - (2) A map in sufficient detail to clearly indicate the proposed operation within the MTS approved geographic boundary;
    - (3) The fare to be charged; and
  - (4) Such other reasonable information as the Chief Executive Officer may, in his or her discretion, require.

(Section 6.2 amended 11/12/2020)

(Section 6.2 amended 11/14/2002)

#### Section 6.3 – Operating Regulations

- (a) It is unlawful for any jitney to remain standing on any public street in the City, except when enabling passengers to load or unload, or except when standing in a jitney holding zone for the time period established by MTS.
- (b) It is unlawful for any person including, but not limited to, a jitney owner, driver, or agent thereof, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway, airport, or light rail transit station.
- (c) A peace officer or MTS inspector may authorize a dispatcher to solicit passengers and assist with loading passengers at such times and places as, in his/her discretion, public service and traffic conditions require.

- (d) Except when a driver or operator is actually engaged in assisting passengers to load or unload, a jitney driver or operator must remain within twelve (12) feet of his/her jitney while the jitney is in service.
- (e) It is unlawful for a jitney vehicle to operate a fixed route service on other than that route designated by the Chief Executive Officer.
- (f) It shall be unlawful for a jitney driver to load or unload passengers in any place other than an authorized jitney stop, bus stop, or passenger loading zone.
  - (g) All other operating regulations defined in Section 1.8 apply.

#### (Section 6.3 amended 11/14/2002)

#### Section 6.4 - Jitney Holding Zones

- (a) The Chief Executive Officer may, by resolution, locate and designate holding zones for one (1) or more jitneys, which holding zones when so established, shall be designated by appropriate signs. The operating regulations of Section 6.3 shall apply to any holding zones so established, and to holding zones established by the San Diego Unified Port District in areas under its jurisdiction. The Chief Executive Officer may, by his or her discretion, establish the maximum number of jitneys permitted to remain standing at one time in a holding zone.
- (b) Each holding zone established hereunder shall be in operation twenty-four (24) hours of every day, unless otherwise specified by the Chief Executive Officer. The Chief Executive Officer shall adopt written standards to determine whether to allow holding zones to be in operation fewer than twenty-four (24) hours every day. If a holding zone is to be in operation fewer than twenty-four (24) hours every day, the Chief Executive Officer shall cause signs to be posted at or near the holding zone indicating the hours and days of operation.
  - (c) The Chief Executive Officer may, on his or her own motion, establish holding zones.
- (d) Any individual, partnership, corporation, association or other organization may petition MTS requesting that a new holding zone be established. The petition must be filed in writing with the Chief Executive Officer or his/her designee. The petition must state the reason for the request and the proposed location(s). The Board may approve, deny, or modify the request.
- (e) Whether initiated by the Chief Executive Officer under Subsection (c) of this section or by persons described in Subsection (d) of this section, before any holding zone is established, the proposed location of any holding zone must be reviewed by the Traffic Engineer of the City. The Traffic Engineer shall report his/her recommendations to approve, deny, or modify the proposed location in writing to the Chief Executive Officer. The Traffic Engineer's report shall include a statement of reasons supporting the recommendation to the Chief Executive Officer.
- (f) The Chief Executive Officer shall, by resolution, establish a maximum time limit for individual jitneys to remain standing in any holding zone. The time limit shall apply uniformly to all holding zones.
- (g) It shall be unlawful for a vehicle other than a jitney with a proper MTS jitney permit to occupy a jitney holding zone.

#### (Section 6.4 amended 11/15/2012)

#### Section 6.5 - Equipment and Specifications

- (a) Each jitney shall bear on the outside, signs clearly designating the route which it serves. The specifications of the sign are subject to the approval of the Chief Executive Officer. The Chief Executive Officer shall adopt written standards for approval or denial of the size of the signs, the location of the signs on the vehicle, the size of the lettering or graphics on the signs, and other specifications that the Chief Executive Officer finds necessary.
- (b) All jitney vehicles must bear a trade name and shall be assigned a body number by the permit holder. The trade name and body number so assigned shall be placed on the vehicle in accordance with written standards adopted by the Chief Executive Officer.

Any violation of this Ordinance shall constitute an infraction unless otherwise specified.

#### SECTION 7.0 – LOW-SPEED VEHICLES

#### Section 7.1 – Low-Speed Vehicle (LSV) Definition

Low-Speed Vehicles (LSV) shall mean every vehicle that is designated per the requirements of Ordinance No. 11, Section 1.1(r). LSVs may operate by zones and/or a prearranged basis as set forth in Section 1.1 (b) (1)-(5).

(Section 7.1 amended 2/14/2019) (Section 7.1 amended 11/8/2018, effective 1/1/2019) (Section 7.0 and 7.1 added 8/7/2003)

#### Section 7.2 – Establishment of Zones

The Chief Executive Officer shall establish and authorize the use of zones of operation.

#### (Section 7.2 added 8/7/2003)

#### Section 7.3 – Zone Rates of Fare

- (a) All vehicles permitted as LSV may use two methods of seeking compensation, either by zone rates or on a prearranged basis. Either method may be used when working inside of an approved zone. However, when operating on a prearranged charter basis, within an approved zone, no operator may exceed the maximum number of vehicles that are permitted.
- (b) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for LSV services.
- (c) When a permit holder desires to change the rates of fare being charged for LSV services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.
- (d) No permit holder shall charge any rate of fare for LSV services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.
- (e) The rates of fare shall be established by a zone and/or prearranged written contract on a per-mile or per-hour basis.

(f) The maximum rates of fare shall be established pursuant to Section 2.2.

#### (Section 7.3 amended 10/13/2016) (Section 7.3 added 8/7/2003)

#### Section 7.4 – Spare Vehicle Policy

- (a) The following sets out procedures for LSV permit holders to place a spare vehicle into service as either a temporary replacement for a permitted vehicle that is out of service for recharging or mechanical problems.
  - (1) Spare LSVs must be marked with the approved company markings.
  - (2) In place of the medallion number, the spare LSV must be marked "Spare LSV." Where more than one spare LSV is being requested, under the provisions of paragraph 9, the LSVs will be marked "Spare LSV 1," "Spare LSV 2," and so on. The "Spare LSV" marking should be sized to fit in approximately the same space as the medallion number would otherwise be placed with legibility and visibility being the primary criteria.
    - (3) Spare LSVs must be inspected upon initial issuance and annually thereafter.
    - (4) All spare LSVs must meet all MTS insurance requirements.
  - (5) To use a spare LSV that meets the requirements of 1 through 4 above, the permit holder must communicate in writing (facsimile is acceptable), a request to place a spare LSV into service.

#### The request must state:

- (A) the medallion number of the LSV being taken out of service, the reason for being out of service, and the location of the out-of-service LSV; and
  - (B) the estimated time the spare LSV will be in use.
- (6) When the out-of-service LSV is ready to re-enter service, the permit holder must immediately notify MTS in writing (facsimile is acceptable).
- (7) The out-of-service LSV may not be required to be reinspected to be placed back into service.
- (8) The spare LSV must be removed from service at the time the LSV it has been replacing is placed back into service.
- (9) Under normal circumstances, a permit holder may utilize spare LSVs. Permit holders may utilize spare LSVs in a ratio of 3:1 permits held.
- (10) Spare LSVs that are placed in service may only operate inside of the MTS-approved zone or zones. A permit holder shall not operate more spare vehicles than he/she has regular permitted vehicles.

(11) A permit holder found to have operated a spare LSV in deliberate violation of these procedures will be subject to immediate suspension/revocation of the permit and the loss of the spare LSV utilization privilege.

(Section 7.4 amended 10/13/2016) (Section 7.4 amended 10/16/2003) (Section 7.4 added 8/7/2003)

#### Section 7.5 - LSV Driver Identification Cards

(a) Refer to Section 1.12 of this Ordinance to reference driver and permit holder ID requirements.

#### (Section 7.5 added 8/7/2003)

#### Section 7.6 - Equipment and Specifications

(a) Each LSV shall display whether out of service in accordance with section 2.4 (g) of this Ordinance, which shall indicate to a person outside the LSV whether the LSV is in operation or is not.

#### (b) Exterior Markings

- (1) <u>Mandatory Exterior Vehicle Markings</u>. The medallion number shall be painted or permanently affixed, on the front of the vehicle, one (1) inch below the permit holder's trade name, two (2) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability.
- (2) Optional Exterior Vehicle Markings. The permit holder has the option of choosing to post any combination of the below-listed five options on his or her LSV which must be posted only at the specific location and in the size noted and are subject to the Chief Executive Officer's approval.
  - (A) <u>Trade Name Logo</u>. If the permit holder chooses to display his or her trade name logo, the trade name logo shall be posted only on the rear portion of both side rear quarter panels.
  - (B) <u>Radio Service Provider</u>. If the permit holder chooses to display the radio service provider name or logo, the radio service provider name or logo cannot utilize the words "cab" or taxi." The radio service provider name or logo must be displayed only on the rear portion of both side rear quarter panels.
  - (C) <u>Telephone Number</u>. If permit holder chooses to display a telephone number, the telephone number must be no more than two (2) inches in height and posted only on the top front portion of both front side guarter panels.

(D)	"Driver Carries Only \$	<u>Change"</u> . If the permit holder chooses to
post "Driver C	carries only \$	Change", postings must be located only on
panels near th	ne rear door but clear of	f the rates of fare.

- (E) <u>"Leased to Driver"</u>. If permit holder chooses to post "Leased to Driver," it must be posted only on both rear quarter panels near the rear door area but clear of the rate of fares in lettering no larger than 1 inch.
- (3) All other exterior vehicle markings are prohibited unless they are directly related to the permit holder's business and pre-approved by the Chief Executive Officer.
- (c) All LSVs shall be equipped and operated so that they have adequate means of electronic communication during business hours. The LSV company business address shall serve as the storefront for the purpose of handling lost and found items. All other operational requirements she be met as set forth in section 1.8 (c).

(Section 7.6 amended 11/8/2018, effective 1/1/2019) (Section 7.6 amended 12/14/2017) (Section 7.6 amended 10/4/2016) (Section 7.6 added 8/7/2003)

#### SECTION 8 - EFFECTIVE DATE OF ORDINANCE

This Ordinance shall be effective 30 days after adoption, and before the expiration of 15 days after its passage, this Ordinance shall be published once with the names of the members voting for and against the same in a newspaper of general circulation published in the County of San Diego.

Amended: 11/12/2020 Amended: 12/12/2019 Amended: 10/10/2019 Amended: 2/14/2019 Amended: 11/8/2018 Amended: 9/20/2018 Amended: 12/14/2017 Amended: 10/13/2016 Amended: 5/12/2016 Amended: 9/17/2015 Amended: 2/12/2015 Amended: 11/15/2012 Amended: 4/19/2012 Amended: 10/16/2003 Amended: 8/7/2003 Amended: 5/8/2003 Amended: 11/14/2002 Amended: 6/27/2002 Amended: 5/23/2002 Amended: 6/24/1999 Amended: 9/24/1998 Amended: 10/30/1997 Amended: 4/10/1997 Amended: 2/13/1997 Amended: 11/9/1995 Amended: 6/22/1995

Amended: 1/12/1995 Amended: 6/24/1993 Amended: 6/27/1991 Amended: 5/23/1991 Amended: 10/11/1990

Repealed & Readopted: 8/9/1990

Amended: 4/12/1990 Amended: 4/27/1989 Adopted: 8/11/1988

# COUNCIL POLICY

**CLEAN** 

SUBJECT: TAXICAB PERMITS

POLICY NO.: 500-02

EFFECTIVE DATE: October XX, 2020

#### **BACKGROUND**:

Regulation of taxicab service is critical to providing residents and visitors to the City of

San Diego with a good quality local transportation service. Toward this end, the City finds it desirable to regulate the issuance of taxicab permits. On June 28, 1988, the City and the

San Diego Metropolitan Transit Development Board, now the San Diego Metropolitan Transit System (MTS), entered into an agreement that authorized MTS to regulate taxicabs and other for-hire vehicles for the City. Under this agreement, the City retains the right to make fundamental policy decisions relating to taxicab regulation. On August 11, 1988, MTS adopted "An Ordinance Providing for the Licensing and the Regulating of Transportation Services Within the City and County by the Adoption of a Uniform Paratransit Ordinance" (MTS Ordinance No. 11), which provides the minimum safety and vehicle inspection standards that for-hire vehicles must meet. MTS regularly amends Ordinance 11 to account for updated policy direction from the City.

#### **PURPOSE**:

To establish a policy for the issuance of additional taxicab permits so that the taxi industry may expand to meet growing demand for taxi service throughout the City, and to provide opportunity for existing and new taxi operators and for experienced drivers. This policy sets forth the minimum requirements for the issuance of taxicab permits that will be further addressed and enforced through MTS Ordinance No. 11 and other MTS regulations.

#### POLICY:

MTS will issue taxicab permits to applicants who can demonstrate that they have the experience and resources to provide outstanding quality service to customers and the community.

New permits will be issued on a full cost recovery basis. All applicants must first submit an application and satisfy Screening Criteria based on quality and customer service standards.

Permit holders of newly awarded permits must demonstrate that they are in compliance with Screening Criteria as a condition of annual permit renewal or the permit may be suspended or revoked.

When any taxicab permit is transferred, the transferee must satisfy Screening Criteria at time of transfer and thereafter as a condition of annual permit renewal or the permit may be suspended or revoked.

## COUNCIL POLICY

**CLEAN** 

All existing permits shall comply with Screening Criteria as a condition of annual permit renewal.

#### **IMPLEMENTATION:**

Screening Criteria will be evaluated on a pass-fail basis. Each element must be a "pass" in order for the applicant to satisfy the screening. Applicants are responsible for providing complete and accurate information needed for the screening evaluations.

#### 1. Screening Criteria

A. Applicants must meet regulatory requirements for a taxicab permit holder and operator specified in applicable ordinances and regulations.

#### B. Vehicles must:

- a. Meet regulatory requirements for vehicles specified in applicable ordinances and regulations;
- b. Be maintained in a safe condition;
- c. Meet California Air Resources Board criteria for Zero Emission Vehicle or Low Emission Vehicle;
- d. Meet the requirements of the Americans with Disabilities Act; and
- e. Be consistent with MTS Taxicab Administration regulations and policies involving accessible vehicles (i.e. wheelchair accessible).

#### C. Dispatch must be:

- a. Able to receive and respond to service requests or other operational questions 24 hours a day;
- b. Computerized; and
- c. Able to locate vehicles in service using a Global Positioning System (GPS) or similar technology.

#### D. Operations plan must include:

- a. Acceptance of credit cards;
- b. Customer complaint system;

# COUNCIL POLICY

**CLEAN** 

- c. Record keeping of every call, dispatch, trip, and complaint;
- d. Use of GPS or similar technology for trip planning and directional purposes;
- e. Safety and security measures for drivers and passengers; and
- f. Lost and found procedures.
- E. Additional screening criteria may be added as needed by regulatory action to fulfill the purpose of improving industry standards and customer service and keeping current with technology.

#### **HISTORY**:

"Taxicabs - Certificates of Convenience and Necessity"

Adopted by Resolution R-72292 - 08/21/1962

Amended by Resolution R-216590 - 08/11/1976

Amended by Resolution R-217293 - 12/15/1976

Amended by Resolution R-222474 - 12/19/1978

Repealed by Resolution R-258090 - 03/14/1983

"Taxicabs - Permits"

Added by Resolution R-260636 - 05/07/1984

Amended by Resolution R-261739 - 10/15/1984

Amended by Resolution R-271307 - 06/28/1988

Amended by Resolution R-295355 - 08/06/2001

Amended by Resolution R-302130 - 12/06/2006

Amended by Resolution R-307494 - 06/26/2012

Amended by Resolution R-309308 - 11/25/2014



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

## Agenda Item No. 14

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

SUBJECT:

PROVISION OF MEDIA CONVERTERS FOR NEXT GENERATION (NEXTGEN) FARE COLLECTION SYSTEM - PURCHASE ORDER

#### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute a Purchase Order to Graybar Electric Co. Inc. for the provision of Media Network Converter for the NextGen Fare Collection System in the amount of \$118,069.85.

#### **Budget Impact**

The total budget for this contract is \$118,069.85 (inclusive of CA 7.75% Sales Tax). This project is funded by the MTS Capital Improvement Program (CIP) 1009004902 – Fare System Upgrades.

#### DISCUSSION:

This project is for media converter installations at all MTS Trolley stations in support of the NextGen Fare Collection System. These devices will support network communications between new installed fare systems devices and network switches at the stations.

MTS will purchase two (2) types of Power over Ethernet (PoE) media converters. Single media converters will be set up in communication cabinets, and the dual media converters will be set up in the fare system devices at the Trolley stations. These PoE converters will function as power sources providing power to fare system validators and Ticket Vending Machines, this will decrease the need for both power and network cabling thereby reducing overall costs.









On September 1, 2020, MTS issued an Invitation for Bid (IFB) for the provision of Media Converter. Four (4) bids were received on the due date of September 28, 2020 as follows:

Company	Bid Total			
Graybar Electric Co	\$118,069.85			
Tech Master	\$139,190.00			
Howard Industries	\$149,589.33			
Mvation Worldwide	\$182,632.89			

After the review of bids received, the staff determined that Graybar Electric Co. is the lowest responsive and responsible bidder. The submitted pricing was determined to be a fair and reasonable price in comparison to the Independent Cost Estimate (ICE) and received bids from other providers.

Therefore, the staff recommends that the MTS Board of Directors authorize the CEO to execute Purchase Order with Graybar Electric Co. Inc. for the provision of Media Network Converter for the NextGen Fare Collection System in the amount of \$118,069.85.

/S/ Sharon Cooney

Sharon Cooney Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>

Attachment: A. Graybar Electric Co. Bid Price Form

### ATTACHMENT 1 MTS BID PRICING FORM- MEDIA CONVERTERS FOR NEXTGEN FARE SYSTEM (G2417.0-21)

BID DUE DATE: September 28, 2020 TIME: 2:00 P.M., Prevailing Local Time

DEL. LEAD TIME (ARO) 8 - 12 weeks

Item#	Product Part Number	Product Description	QTY	Taxable Yes (Y) or No (N)	Unit Price (USD)	Extended List Price (USD)
1	OMNITRON SYS 9363-1-21W	OmniConverter FPoE/SE 2x10/100T PoE/PSE to 100FX/SC/SM/1310/30km 100-240 US Wide Temperature (-40 to 60C) (Dual port)*	243		274.13	66 <b>£</b> 613.59
2		AC powered OmniConverter FPoE/SE 1x10/100T PoE/PSE to 100FX/SC/SM/1310/30km 100-240 US; Wide Temp (-40 Deg C to +60 Deg C; -20 Deg C cold start) (Single port)*	184		233.5€	42 <b>B</b> 64
Subtotal: \$					\$ 109,577.59	

San Diego, California Sales Tax (7.75%) for Taxable line items only	8ž492.26
Freight Charges/ Shipping FOB specified destination (No Charge)	\$ 0.00
GRAND TOTAL (Basis of Award)	\$ 1182069.85

<sup>\*</sup>Please include your Product Technical/Data Sheet with your Bid Form Submission

Read attached Request for Quote (RFQ) carefully. They are a part of your proposal. Unit prices will prevail regardless of extensions submitted by the Proposer. Proposal must be firm and valid for a minimum of 120 days from proposal due date. The following Addenda have been noted and attached hereto:

DATE:		28-Sep-20
FIRM:	GRAYBAR ELECTRIC	
SIGNATURE:	A aspis-	
TYPE OR PRINT NAME:	Lance Bourassa	
TITLE:	Manager, Specialty Business	
ADDRESS:	8606 Miralani Drive	
CITY, STATE & ZIP:	San Diego, CA 92126	
PHONE NUMBER:	<u>619-247-2717</u>	FAX NUMBER:
E-MAIL ADDRESS:	edward.carlin@graybar.com	

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## Agenda Item No. 15

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS

DOF DIRECTORS Draft for

November 12, 2020

**Executive Committee Review Date: 11/05/2020** 

SUBJECT:

JANITORIAL SERVICES - CONTRACT AMENDMENT

#### RECOMMENDATION:

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

- 1) Ratify Amendment 17 to MTS Doc. No. G1931.0-16 (Attachment A) with NMS Management Inc. (NMS), a Disadvantaged Business Enterprise (DBE), in the amount of \$472.34; and
- 2) Approve Amendment 18 to MTS Doc. No. G1931.0-16 (in substantially the same format as Attachment B) with NMS, for janitorial services, for a total of \$187.782.00.

### **Budget Impact**

The additional janitorial services (Amendments 17 and 18) total \$188,254.34, increasing the overall contractual total to \$8,766,915.18. This contract is funded by the Light Rail Vehicle Operations Budget 350016-571210 for San Diego Trolley Inc. (SDTI), and Facility Maintenance Operations Budget 331014-536400 for San Diego Transit Corporation (SDTC).

Description	Amount
Current Board Approved Amount	\$8,578,660.84
Ratify Amendment 17	\$472.34
Approve Amendment 18	\$187,782.00
New Board Approved Amount	\$8,766,915.18

#### DISCUSSION:

In January 2017, MTS contracted with NMS Management to provide janitorial services for SDTC and SDTI buildings and the Light Rail Vehicle (LRV) fleet. Should there be









new locations or additional services required, MTS amends the contract in order to ensure they are included. The contract terminates December 31, 2022.

The ongoing COVID-19 public health emergency has required MTS to increase cleaning frequencies at various locations for the protection of staff and passengers. MTS Board Policy No. 41 gives the Chief Executive Officer (CEO) spending authority up to \$100,000.00. Under this authority, the CEO authorized Amendment 17 on September 11, 2020 for \$472.34 to extend cleaning services for the Maintenance of Wayside (MOW) Roadway Worker Protection training room.

Under Amendment 18, MTS is extending additional COVID-19 cleaning from December 1, 2020 to June 30, 2021. The Contractor's original proposal was \$200,188.80, and the final negotiated cost is \$187,782.00, an MTS savings of \$12,406.80, which staff deems to be fair and reasonable.

The cost breakdown is as follows:

Buildings	Cost
MOW	\$1,680.00
SDTI	\$79,758.00
SDTC	\$106,344.00
Total	\$187,782.00

The overall contract cost is summarized below:

Date	Description	Amount
11/10/16	Board approved amount for base term	\$3,990,618.63
11/10/16	Board approved amount for option term	\$4,111,539.10
07/25/19	Board approved Amendments 1 to 9	\$171,057.07
05/14/20	Board approved Amendments 10 to 13	\$143,083.74
07/30/20	Board approved Amendments 14, 15 and 16	\$162,362.30
11/12/20	Board to ratify Amendment 17	\$472.34
11/12/20	Board to approve Amendment 18	\$187,782.00
	New Not-To-Exceed Contract Amount	\$8,766,915.18

Therefore, staff recommends that the MTS Board of Directors: (1) Ratify Amendment 17 to MTS Doc. No. G1931.0-16 with NMS, a DBE, in the amount of \$472.34; and (2) Approve Amendment 18 to MTS Doc. No. G1931.0-16 with NMS, for janitorial services, for a total of \$187,782.00.

/S/ Sharon Cooney

Sharon Cooney Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

Attachments: A. Amendment 17 to MTS Doc. No. G1931.0-16

B. Draft Amendment 18 to MTS Doc. No. G1931.0-16

C. Cost Splits 11/12/20



1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

September 11, 2020

MTS Doc. No. G1931.17-16

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

Subject:

AMENDMENT NO. 17 TO MTS DOC. NO. G1931.0-16

JANITORIAL SERVICES

Mr. Guaderrama:

This shall serve as Amendment No. 17 to our agreement for janitorial services as further described below.

#### SCOPE

Contractor has been providing janitorial services to MTS since January 1, 2017.

Due to Covid-19, MTS moved its Roadway Worker Protection training from its contractor Jacobs Engineering Group's offices to the MOW Training Room from April 1, 2020 to September 11, 2020.

As Covid-19 continues, MTS is extending the services to November 30, 2020. This schedule may change as MTS continues to re-evaluate the situation, and the number of weeks may be more or less than indicated.

### **SCHEDULE**

There are no changes to the overall schedule provision of the contract which remains December 31, 2022.

### **PAYMENT**

The total cost of the amendment is \$42.94 x 11 weeks = \$472.34 as shown in Exhibit A. The overall contract total increases from \$8,578,660.84 to a new not-to-exceed amount of \$8,579,133.18.

Please sign and return the copy marked "Original" to the Contracts Specialist at MTS. All other terms and conditions shall remain the same and in effect. Retain the other copy for your records.

Sincerely.

Sharon Cooney Chief Executive Officer

Cc: A. Pereyra, F. Byle, Procurement File

Agreed:

David Guaderrama, President NMS Management, Inc.

Date: 9/18/20









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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.



9/11/20

Diana Singleton, MBA, CPPB Procurement Specialist Metropolitan Transit System 1255 Imperial Avenue, # 1000 San Diego, CA 92101

RE: NMS PROPOSAL TO CONTINUE JANITORIAL SERVICES TO MTS' MOW TRAINING ROOM

Ms. Singleton,

On behalf of NMS Management, Inc., I would like to thank you for allowing us to provide you with this proposal to provide janitorial service on a weekly basis to MTS' MOW Training Room. The proposed price is as follows:

**MTS** 

MOWT	raining F	Room Janitoria	al-Weekly Servic	e	A CONTRACTOR OF THE PARTY OF TH
Service	U	nit Cost	Amt of Weeks		Total Cost
Weekly Janitorial	\$	42.94	passant A	\$	472.34

If you have any questions regarding the contents of this proposal, please feel free to contact me at (619) 425-0440, or alternatively I can be reached at nmsmanagement@msn.com.

Respectfully,

David Guaderrama

Director of Business

Development

NMS Management, Inc.



1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

December 1, 2020 MTS Doc. No. G1931.18-16

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

Subject: AMENDMENT NO. 18 TO MTS DOC. NO. G1931.0-16

SDTI/SDTC JANITORIAL SERVICES

Mr. Guaderrama:

This shall serve as Amendment No. 18 to our agreement for janitorial services as further described below.

### **SCOPE**

Contractor has been providing janitorial services to San Diego Transit Corporation (SDTC) & San Diego Trolley Inc., (SDTI) buildings; and the Light Rail Vehicle (LRV) fleet since January 1, 2017.

Due to Covid-19, the scope of work was modified to provide additional cleaning services at SDTC and SDTI facilities. The current services end November 30, 2020.

This amendment extends these services through June 30, 2021. This schedule may change as MTS continues to re-evaluate the situation, and the term may be more or less than indicated.

### SCHEDULE

There are no changes to the schedule provision of the overall contract which remains December 31, 2022.

### **PAYMENT**

The total for Amendment 18 is \$187,782.0, broken down as shown below, and detailed in Exhibit A:

- 1. Extend additional cleaning services on SDTC buildings for \$106,344.00;
- 2. Extend additional cleaning services on SDTI buildings for \$79,758; and
- Extend additional cleaning for the MOW Roadway Worker Protection training room for \$1,680.00









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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.

The overall contract total increases \$8,766,915.18. This amount shall not be exceeded without MTS prior approval.

Please sign and return the copy marked "Original" to the Contracts Specialist at MTS. All other terms and conditions shall remain the same and in effect. Retain the other copy for your records.

Sincerely,	Agreed:
Sharon Cooney	David Guaderrama, President
Chief Executive Officer	NMS Management, Inc.
	Date:

Cc: A. Goddard, T. Burrie, F. Byle, Procurement File

### SDTC

NMS MANAGEMENT, INC

Dated: 10/19/2020

### 被 黄性

### 44-METROPOLITAN TRANSIT SYSTEMS BUSS DIVISION

6 Month Extension-Amendment # \_\_\_

Period: 12/01/2020-06/30/2021

### PANDEMIC MITIGATION-COVID-19

"All surfaces and touchpoints are to be wiped, this includes sink countertops, towel and toilet paper dispensers, restrooms stall doors, handicap bars, doors, door handles, door knobs, door push plates, light switches, public tables, chairs, benches, tables, conference/training/break room tables, exercise equipment, escalator handrails, elevator buttons, elevator walls, elevator handrails, entrance doors, drinking fountains, holding cells areas control by the Sheriff Department and any additional surfaces that people may touch."

IMPERIAL AVE. DIVISION	SERV SUNDAY TO 7 DAYS A	SATURDAY												
LOC#	1ST SERVICE (Hours) 10:00am to1:00pm	2nd SERVICE (Hours) 1:00pm to 4:00pm	Ma	al Labor and aterial Price Daily	Dec 20 31 Days	Jan-21 30 Days	Feb-21 28 Days	Mar-21 31 Days	Apr-21 30 Days	May-21 31 Days		Jun-21 30 Days	Ma	al Labor and terial Price Daily
IAD Facility	6.00	6.00	\$	378.00	\$ 11,718.00	\$ 11,340.00	\$ 10,584.00	\$ 11,718.00	\$ 11,340.00	\$ 11,718.0	) \$	11,340.00	\$	79,758.00
	6.00	6.00	\$	378.00	\$ 11,718.00	\$ 11,340.00	\$ 10,584.00	\$ 11,718.00	\$ 11,340.00	\$ 11,718.00	) \$	11,340.00	\$	79,758.00

KEARNY MESA AVENUE DIVISION	SERVI SUNDAY TO : 7 DAYS A	SATURDAY											
LOC#	1ST SERVICE (Hours) 12:00pm to 2:00pm	2nd SERVICE (Hours) 2:00pm to 4:00pm	al Labor and aterial Price Daily	De	ec 20 31 Days		Jan-21 30 Days	Feb-21 28 Days	Mar-21 31 Days	Apr-21 30 Days	May-21 31 Days	Jun-21 30 Days	al Labor and aterial Price Daily
KMD Facility	2.00	2.00	\$ 126.00	\$	3,906.00	19	\$ 3,780.00	\$ 3,528.00	\$ 3,906.00	\$ 3,780.00	\$ 3,906.00	\$ 3,780.00	\$ 26,586.00
, and the same	2.00	2.00	\$ 126.00	\$	3,906.00	9	\$ 3,780.00	\$ 3,528.00	\$ 3,906.00	\$ 3,780.00	\$ 3,906.00	\$ 3,780.00	\$ 26,586.00

NMS MANAGEMENT, INC

Dated: 10/15/2020

44-METROPOLITAN TRANSIT SYSTEMS TROLLEY BUILDINGS

6 Month Extension-Amendment # \_\_\_

Period: 12/01/2020-06/30/2021

### PANDEMIC MITIGATION-COVID-19

"All surfaces and touchpoints are to be wiped, this includes sink countertops, towel and toilet paper dispensers, restrooms stall doors, handicap bars, door handles, door knobs, door push plates, light switches, public tables, chairs, benches, tables, conference/training/break room tables, exercise equipment, escalator handrails, elevator buttons, elevator walls, elevator handrails, entrance doors, drinking fountains, holding cells areas control by the Sheriff Department and any additional surfaces that people may touch."

TROLLEY BUI	LDINGS	SERVICES SUNDAY 7 DAYS A													
LOC#	LEVEL/ FLOOR	1ST SERVICE (Hours) 10:00am -1:00pm	2nd SERVICE (Hours) 1:00pm-4:00pm	tal Labor and laterial Price Daily	Dec 20 31 Days	Jan-21 30 Days	Feb-21 28 Days	Mar-21 31 Days	Apr-21 30 Days		May-21 31 Days		Jun-21 30 Days		al Labor and aterial Price Daily
Building A	1	1.50	1.50	\$ 94.50	\$ 2,929.50	\$ 2,835.00	\$ 2,646.00	\$ 2,929.50	\$ ,			_	The second second	_	19,939.50
Building B	2	1.50	1.50	\$ 94.50	\$ 2,929.50	\$ 2,835.00	\$ 2,646.00	\$ 	\$ ,	$\overline{}$	2,929.50	\$	2,835.00	\$	19,939.50
Building C	3	2.00	2.00	\$ 126.00	\$ 3,906.00	\$ 3,780.00	\$ 3,528.00	\$ 3,906.00	\$ 3,780.00	\$	3,906.00	\$		_	26,586.00
Yard Tower	4	0.50	0.50	\$ 31.50	\$ 976.50	\$ 945.00	\$ 882.00	\$ 976.50	\$	_	976.50	\$	945.00	-	6,646.50
LRV Trailer	6	0.50	0.50	\$ 31.50	\$ 976.50	\$ 945.00	\$ 882.00	\$ 976.50	\$ 945.00	\$	976.50	\$	945.00	\$	6,646.50
		6.00	6.00	\$ 378.00	\$ 11,718.00	\$ 11,340.00	\$ 10,584.00	\$ 11,718.00	\$ 11,340.00	\$	11,718.00	\$	11,340.00	\$	79,758.00

NMS MANAGEMENT, INC

Dated: 10/15/2020

44-METROPOLITAN TRANSIT SYSTEMS MOW TRAINING ROOM

6 Month Extension-Amendment # \_\_

Period: 12/01/2020-06/30/2021

### JANITORIAL SERVICES

**MOW TRANING ROOM** 

Once a week	LOC#	SERVICES	Monthly Price Labor and Material	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021	May 2021	Jun 2021	Total Price Labor and Material
MOW TRANING ROOM (Tuesday) \$ 240.00 \$ 240.00 \$ 240.00 \$ 240.00 \$ 240.00 \$ 240.00 \$ 240.00 \$ 2	OW TRANING ROOM	service	\$ 240.00	\$ 240.00	\$ 240.00	\$ 240.00	\$ 240.00	\$ 240.00	\$ 240.00	\$ 240.00	\$ 1,680.00

				Base Term (1/1/17 to 12/31/19)	Option Term (1/1/20 to 12/31/22)			11/12/20 Boa	rd Meeting
#	Date	Description	Agreement Approved by the Board 11/10/16		approved by the 07/25/19	Amendments approved by the Board 5/14/20	Amendments approved by the Board 7/30/20	CEO Authority Amendment Pending Board Ratification	Board Approval Pending
G1931.0-16	Base Years	SDTC buildings	\$ 498,758.38						
G1931.0-16	Base years	LRV cleaning	\$ 3,286,556.27						
G1931.0-16	Base Years	SDTI buildings	\$ 205,303.98						
G1931.0-16	Option Years	SDTC buildings	\$ 513,872.52						
G1931.0-16	Option Years	LRV cleaning	\$ 3,386,142.02						
G1931.0-16	Option Years	SDTI buildings	\$ 211,524.56						
AM 1	04/10/17	Change to bi-weekly from monthly invoicing. No cost change.		\$ -	\$ -				
AM 2	07/06/17	Due to Courthouse Station construction project, temporarily add restroom at American Plaza station (\$1,081.85 x 8 months).		\$ 8,654.80	\$ -				
AM 3	02/16/18	Extend America Plaza restroom services due to delays in the Courthouse project (\$1,081.85 x 2 months).		\$ 2,163.70	\$ -				
AM 4	05/01/18	Add the MTS SDSU Security Office.		\$ 22,624.22	\$ 42,625.46				
AM 5	04/24/18	Replace LRV terminal cleaning at the Santa Fe Depot with the new Courthouse Station. No cost change.		\$ -	\$ -				
AM 6	04/24/18	Add America Plaza restroom services permanently into the contract.		\$ 21,231.15					
AM 7	05/22/19	Add Revenue restroom located in Building B.		\$ 2,014.86	\$ 10,020.21				
AM 8	06/11/19	Add A-yard LRV Maintenance Trailer.		\$ 2,951.93	\$ 16,608.14				
AM 9	07/25/19	Exercise option years and board ratification of amendments 1 to 8.		\$ -	\$ -				
AM 10	01/23/20	Add SDTI Revenue Building effective 2/1/20.				\$ 77,253.18			
AM 11	03/17/20	Due to Covid-19, MTS is adding additional cleaning to SDTI facilities.  Services are for 60 days after which MTS will determine if to end or extend.				\$ 21,600.00			
AM 12	03/27/20	Due to Covid-19, SDTI is moving its Roadway Worker Protection training from Jacobs Engineering Group's offices to the MOW Training Room. Currently, this is expected to last approximately 24 weeks from 4/1/20 to 9/11/20.				\$ 1,030.56			
AM 13	04/09/20	Due to Covid-19, effective April 9, 2020 additional daily cleaning services are added for both IAD and KMD locations. Currently, cleaning is scheduled for 90 calendar days from 4/9/20 to 7/7/20.				\$ 43,200.00			
AM 14	03/17/20	Due to continued Covid-19, SDTI is extending services currently under amendment 11 to 11/30/20.					\$ 71,280.00		
AM 15	07/01/20	Due to continued Covid-19, SDTC is extending services currently under Amendment 13 to 11/30/20.					\$ 70,080.00		
AM 16	07/01/20	Due to continued Covid-19, MTS is adding cleaning and disinfecting services at any MTS property after a confirmed case.					\$ 21,002.30		
AM 17	09/10/20	Due to continued Covid-19, MOW is extending AM 12 that moved its Roadway Worker Protection training from Jacobs offices to the MOW Training Room from 9/11/20 to 11/30/20.						\$ 472.34	
AM 18	11/12/20	Due to continued Covid-19, extend additional cleaning services for SDTC, SDTI and MOW Training Room from 12/1/20 to 6/30/21.							\$ 187,782.00
								\$ 472.34	\$ 187,782.00

Amounts split as follows:

SDTI PO # 9219 Current Board Approved Amount	\$ 7,452,749.94
SDTC PO # 9222 Current Board Approved Amount	\$ 1,125,910.90
Current Board Approved Amount	\$ 8,578,660.84
•	

CEO Authority Pending Board Ratification (Executed 9/11/20) \$ 472.34

Board Approval Required for 12/1/20 to 6/30/21 \$ 187,782.00

New Board Approved Amount Effective 11/12/20 \$ 8,766,915.18



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# Agenda Item No. 16

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

#### SUBJECT:

DIGITAL SIGNAGE (DS) AND VARIABLE MESSAGE SIGN (VMS) MAINTENANCE AND AS-NEEDED REPAIRS - CONTRACT AWARD

#### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to:

- 1) Execute MTS Doc. No. PWG318.0-20 (in substantially the same format as Attachment A), with Brault, Inc., dba Electro Specialty Systems (ESS), for the provision of DS and VMS maintenance and as-needed repair services for a period of five (5) years in the amount of \$803,346.25; and
- 2) Exercise two (2) optional one-year extensions in the amount of \$359,534.53 for a total contract value of \$1,162,880.78, at the CEO's discretion.

### **Budget Impact**

The total budget for this contract shall not exceed \$1,162,880.78. This project is funded by the Information Technology (IT) Operations Budget 661010 – 571250.

#### **DISCUSSION:**

MTS is seeking to secure a contract for maintenance and as-needed repair of existing DS and VMS equipment throughout the MTS service area. The signs are a valuable tool for our patrons, as they provide route and travel time information for the Bus Rapid Transit (BRT) and Trolley services. MTS currently employs one staff person to maintain the existing 350 VMS and DS units. When the Mid-Coast project opens, the total count of signs will expand to 407. The signs have been installed over a number of years, as part of different Capital Improvement Project (CIP) and San Diego Association of Governments (SANDAG) TransNet projects.









Over time, spare parts for some of the signs are no longer available, requiring in-house MTS efforts to re-condition and attempt to bring the signs back to working order. Given the growth in the number of signs, MTS needs the assistance of a contractor to provide preventive maintenance and as-needed repair to ensure the units work properly.

On July 10, 2020, MTS issued a Request For Proposal (RFP) for DS and VMS Maintenance and As-Needed Repairs. On August 28, 2020, MTS received a total of three (3) proposals from ESS, Keyser Industries, Inc. (Keyser) and Nanov Display, Inc. (Nanov).

A selection committee consisting of representatives from various MTS departments met and rated the proposals. The ratings were based on the following criteria:

Qualifications of Firm or Individual	30%
2. Staffing, Organization and Management Plan	10%
3. Work Plan	25%
4. Cost/Price	35%
Total	100%

After the initial evaluations, the selection committee determined that only ESS and Nanov were within the technical competitive range. The committee requested further questions and clarifications from both firms, and re-evaluated their respective proposals.

After the second evaluation, the selection committee determined that only ESS remained in the competitive range, largely due to the cost differential between Nanov and ESS, and requested a Best and Final Offer (BAFO) from the firm. ESS reduced their proposed pricing by \$333,112.68 from the original offer of \$1,495,993.46 to a revised offer of \$1,162,880.78.

After a thorough review of the technical and pricing proposal, the MTS evaluation committee team has scored ESS the highest to perform this work and the best value to MTS.

Proposer	Technical	Cost	Total	Proposed Cost	Ranking
Name	(max 65%)	(max 35%)	(max 100%)		
ESS	54.50	35.00	89.50	\$1,162,880.78	1
Nanov	56.40	9.28	65.68	\$4,384,346.00	2
Keyser	35.00	26.22	61.22	\$1,552,416.14	3

Therefore, staff recommends that the MTS Board of Directors authorize the Chief Executive Officer (CEO) to:

1) Execute MTS Doc. No. PWG318.0-20 (in substantially the same format as Attachment A), with Brault, Inc., dba Electro Specialty Systems (ESS), for the provision of DS and VMS maintenance and as-needed repair services for a period of five (5) years in the amount of \$803,346.25; and

2) Exercise two (2) optional one-year extensions in the amount of \$359,534.53 for a total contract value of \$1,162,880.78, at the CEO's discretion.

/S/ Sharon Cooney

Sharon Cooney Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

Attachments: A. Draft Standard Services Agreement MTS Doc. No. PWG318.0-20

B. ESS Cost Proposal Form MTS Doc. No. PWG318.0-20



1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

# STANDARD AGREEMENT FOR MTS DOC. NO. PWG318.0-20 DS AND VMS MAINTENANCE AND AS-NEEDED REPAIR SERVICES

THIS AGREEMENT is entered into this day and between San Diego Metropolitan Transit System ("Nereinafter referred to as "Contractor":				
Name: Brault, Inc., dba Electro Specialty Systems	Address:	7940 Convo	y Ct.	
		San Diego	CA	92111
Form of Business: Corporation (Corporation, Partnership, Sole Proprietor, etc.)		City	State	Zip
	Email :	dan@ess4.n	iet	
Telephone: 858.571.7746				
Authorized person to sign contracts  Daniel B			President	
Name	Э		Title	
The Contractor agrees to provide services with go Work/Technical Specification (Exhibit A), Contractor's with the Standard Agreement, including Standard Con D), and Forms (Exhibit E),  The contract term is for up to 5 base years and 2 optic a total of 7 years. Base period shall be effective Deceoption years shall be effective December 15, 2025 through Payment terms shall be net 30 days from invoice date \$803,346.25 for the base years and \$359,534.53 for the \$1,162,880.78 without the express written consent of \$1.000.	Cost/Pricing ditions (Exhibot years, exember 15, 20 bugh December The total of the option years).	Form (Exhibition of C), Federal of C	t B), and in a I Requirement TS's sole dis December 14 if exercised land Intract shall intract total not	cretion, for , 2025 and by MTS. not exceed to exceed
SAN DIEGO METROPOLITAN TRANSIT SYSTEM	ELE	CTRO SPECI	ALTY SYSTE	MS
By:				
Sharon Cooney, Chief Executive Officer	Ву			
Approved as to form:				
By:	Title:			
Karen Landers, General Counsel				



#### COST PROPOSAL FORM - DS AND VMS Maintenance and As-Needed Repair Services

### Att. B, Al 16, 11/12/2020

Instructions: For Table I, please provide the Unit price for preventive maintenance for each type of equipment in the columns labeled "Unit Price". The Unit Price will be multiplied by the equipment quantity and then by the Annual Service Frequency to determine the Item Total. Proposers may enter an alternative Annual Service Frequency based on their knowledge of each equipment type, locations, and site conditions. For Table III, please enter the hourly rate for the conditions, and equipment to the nearest hundreth) in the "Mark Up field for each year. The annual As-Needed Materials/Parts amount is the sum of Items 1 and 2 for each year. For Table III, please enter the hourly rate for the cost of floater equipment. The Grand Total is III. It his table to contains formulate your pricing.

			Table I:DS &	VMS PREVENTIVE MAINTENANCE SERV	ICES		Year One		Year Two		Year Three		Year Four		Year Five		Optional Year One		Optional Year Two	
Gro	up	Item	Make	Model	Qty	Annual Service Frequency	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
		1	Daktronics	PD 192x40x7.62 UBA DS	118	1	\$ 117.00	\$ 13,806.00	\$ 121.68	\$ 14,358.24	\$ 126.55	\$ 14,932.57	\$ 131.61	\$ 15,529.87	\$ 136.87	\$ 16,151.07	\$ 142.35	\$ 16,797.11	\$ 148.04	\$ 17,468.99
2	,	2	Daktronics	AF-6700-40-192-8-a-DF	8	1	\$ 117.00	\$ 936.00	\$ 121.68	\$ 973.44	\$ 126.55	\$ 1,012.38	\$ 131.61	\$ 1,052.87	\$ 136.87	\$ 1,094.99	\$ 142.35	\$ 1,138.79	\$ 148.04	\$ 1,184.34
		3	Daktronics	PD 192x40x7.62 UBA SS	23	1	\$ 117.00	\$ 2,691.00	\$ 121.68	\$ 2,798.64	\$ 126.55	\$ 2,910.59	\$ 131.61	\$ 3,027.01	\$ 136.87	\$ 3,148.09	\$ 142.35	\$ 3,274.01	\$ 148.04	\$ 3,404.97
-		4	Daktronics	PD 192x40x7.62 DS UBS	64	1	\$ 117.00	\$ 7,488.00	\$ 121.68	\$ 7,787.52	\$ 126.55	\$ 8,099.02	\$ 131.61	\$ 8,422.98	\$ 136.87	\$ 8,759.90	\$ 142.35	\$ 9,110.30	\$ 148.04	\$ 9,474.71
		5	Daktronics	PD 192x40x7.62 SMT/A D/S	21	1	\$ 117.00	\$ 2,457.00	\$ 121.68	\$ 2,555.28	\$ 126.55	\$ 2,657.49	\$ 131.61	\$ 2,763.79	\$ 136.87	\$ 2,874.34	\$ 142.35	\$ 2,989.32	\$ 148.04	\$ 3,108.89
		6	Daktronics	AF-6300-32X48-8-A-DF	24	1	\$ 117.00	\$ 2,808.00	\$ 121.68	\$ 2,920.32	\$ 126.55	\$ 3,037.13	\$ 131.61	\$ 3,158.62	\$ 136.87	\$ 3,284.96	\$ 142.35	\$ 3,416.36	\$ 148.04	\$ 3,553.02
		7	Samsung	Samsung LH460MD (Pylon)	22	4	\$ 273.00	\$ 24,024.00	\$ 283.92	\$ 24,984.96	\$ 295.28	\$ 25,984.36	\$ 307.09	\$ 27,023.73	\$ 319.37	\$ 28,104.68	\$ 332.15	\$ 29,228.87	\$ 345.43	\$ 30,398.02
<u> </u>		8	Keyser	BRT47 47" DISPLAY	9	4	\$ 223.00	\$ 8,028.00	\$ 231.92	\$ 8,349.12	\$ 241.20	\$ 8,683.08	\$ 250.84	\$ 9,030.41	\$ 260.88	\$ 9,391.62	\$ 271.31	\$ 9,767.29	\$ 282.17	\$ 10,157.98
		9	Daktronics	PD 128x40x05 UBA	33	1	\$ 161.00	\$ 5,313.00	\$ 167.44	\$ 5,525.52	\$ 174.14	\$ 5,746.54	\$ 181.10	\$ 5,976.40	\$ 188.35	\$ 6,215.46	\$ 195.88	\$ 6,464.08	\$ 203.72	\$ 6,722.64
		10	NANOV	NISDM-460LH-SAN	28	4	\$ 223.00	\$ 24,976.00	\$ 231.92	\$ 25,975.04	\$ 241.20	\$ 27,014.04	\$ 250.84	\$ 28,094.60	\$ 260.88	\$ 29,218.39	\$ 271.31	\$ 30,387.12	\$ 282.17	\$ 31,602.61
					Tal	ole I Subtotals		\$ 92,527.00		\$ 96,228.08		\$ 100,077.20		\$ 104,080.29		\$ 108,243.50		\$ 112,573.24		\$ 117,076.17

		Table II: AS-NEEDED LABOR & EQUIPMENT		Year One		Year Two		Year Three		Year Four		Year Five		Optional Year One		Optional Year Two	
Ite	m	Description	Est. Qty/Annual No. of Hours	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total								
1	Sin	ngle Person Crew - Straight Time Hourly Rate	120	\$ 108.0	\$ 12,960.00	\$ 112.32	\$ 13,478.40	\$ 116.81	\$ 14,017.54	\$ 121.49	\$ 14,578.24	\$ 126.34	\$ 15,161.37	\$ 131.40	\$ 15,767.82	\$ 136.65	\$ 16,398.53
2	Sin	ngle Person Crew - Outside of MTS Normal Business Hours	20	\$ 124.0	\$ 2,480.00	\$ 128.96	\$ 2,579.20	\$ 134.12	\$ 2,682.37	\$ 139.48	\$ 2,789.66	\$ 145.06	\$ 2,901.25	\$ 150.86	\$ 3,017.30	\$ 156.90	\$ 3,137.99
3	Tw	vo Person Crew - Straight Time Hourly Rate	40	\$ 184.0	7,360.00	\$ 191.36	\$ 7,654.40	\$ 199.01	\$ 7,960.58	\$ 206.97	\$ 8,279.00	\$ 215.25	\$ 8,610.16	\$ 223.86	\$ 8,954.57	\$ 232.82	\$ 9,312.75
4	Tw	vo Person Crew - Outside of MTS Normal Business Hours	20	\$ 208.0	\$ 4,160.00	\$ 216.32	\$ 4,326.40	\$ 224.97	\$ 4,499.46	\$ 233.97	\$ 4,679.43	\$ 243.33	\$ 4,866.61	\$ 253.06	\$ 5,061.28	\$ 263.19	\$ 5,263.73
5	Sci	issor Lift - Hourly Rate	10	\$ 160.0	\$ 1,600.00	\$ 166.40	\$ 1,664.00	\$ 173.06	\$ 1,730.56	\$ 179.98	\$ 1,799.78	\$ 187.18	\$ 1,871.77	\$ 194.66	\$ 1,946.64	\$ 202.45	\$ 2,024.51
		Tabl	e II Subtotals:		\$ 28,560.00		\$ 29,702.40		\$ 30,890.50		\$ 32,126.12		\$ 33,411.16		\$ 34,747.61		\$ 36,137.51

	Table III: AS-NEEDED REPLACEMENT PARTS		Year One		Year Two		Year Three Y		Year Four		Year Five		Optional Year One		Optional Year Two	
Item	Description	% Mark Up	Item Total	% Mark Up	Item	m Total										
1	Annual Materials/Parts Allowance	100/	\$ 25,000.00	100/	\$ 25,000.00	100/	\$ 25,000.00	18%	\$ 25,000.00	18%	\$ 25,000.00	100/	\$ 25,000.00	18%	\$	25,000.00
2	Materials markup	18%	\$ 4,500.00	10/0	\$ 4,500.00	18%	\$ 4,500.00	10/0	\$ 4,500.00	10/0	\$ 4,500.00	18%	\$ 4,500.00	1070	\$	4,500.00
	Table III Subtotals:		\$ 29,500.00		\$ 29,500.00		\$ 29,500.00		\$ 29,500.00		\$ 29,500.00		\$ 29,500.00		\$	29,500.00

Grand Total \$ 1,162,880.78

<sup>\*</sup>Proposers must use this bid form, and provide the pricing for all the line items in this bid form. This will be the basis for award. Failure to do so may deem the bid nonresponsive



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

# Agenda Item No. <u>17</u>

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

#### SUBJECT:

SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) INTRANET & INTERNET WEBSITE: MAINTENANCE, SUPPORT AND DEVELOPMENT- SOLE SOURCE 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. G2424.0-21 (in substantially the same format as Attachment A) with The Steer Group, for Intranet & Internet Website Maintenance, Support and Development for three (3) years in the amount of \$148,160.00.

### **Budget Impact**

The total budget for this agreement shall not exceed \$148,160.00. This project is funded by the Information Technology (IT) Operations Budget 661010-571250.

Description	Est.	Hourly	Extended
	Quantity	Rate	Price
YR 1 – Intranet/Internet Maintenance,	320	\$150.00	\$48,000
Support, Development			
YR 2 – Intranet/Internet Maintenance,	320	\$154.00	\$49,280
Support, Development			
YR 3 – Intranet/Internet Maintenance,	320	\$159.00	\$50,880
Support, Development			
Total			\$148,160









#### DISCUSSION:

On October 15, 2020 (Al 16), MTS awarded The Steer Group the upgrade of the internet website: www.sdmts.com, under MTS Doc. No. G2431.0-21. The upgrade will include several enhancements to the user interface, technical stack and infrastructure, various accessibility, California Consumer Privacy Act (CCPA) compliance and security improvements.

MTS requires continuous internet and intranet website maintenance, support, and development to provide a seamless website communication, assistance and information to all employees and the public. As the original developer of current MTS intranet and internet websites, The Steer Group (formerly Steer, Davies & Gleaves, Inc.) has been providing these maintenance, support and development services under a contract executed on May 5, 2016, which expires on December 31, 2020 (MTS Doc. No. G1866.0-16 as amended).

These services must continue on an ongoing basis during and after the website upgrade approved by the Board last month. A sole-source contract for the maintenance support and development with The Steer Group is necessary due to their familiarity with the configuration, proprietary design and implementation of proprietary custom code.

The continued maintenance, support, and development of the websites with The Steer Group ensures that they are secure, available, and up-to-date with the agency's current needs, maintaining operational continuity and aligning with MTS's initiative to upgrade the Internet website to coincide with the deployment of the new INIT Fare System and Pronto branding.

The cost proposal from the Steer Group was determined to be fair and reasonable based on comparison to the Independent Cost Estimate (ICE) and previous contract.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute MTS Doc. No. G2424.0-21 (in substantially the same format as Attachment A) with The Steer Group, for Intranet & Internet Website Maintenance, Support and Development for three (3) years in the amount of \$148,160.00.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>

Attachment: A. Draft Standard Procurement Agreement MTS Doc. No. G2424.0-21



1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

# STANDARD AGREEMENT FOR MTS DOC. NO. G2424.0-21 INTRANET & INTERNET MAINTENANCE, SUPPORT AND DEVELOPMENT

THIS AGREEMENT is entered into California by and between San Diego I and the following, hereinafter referred to	Metropolitan Trans	day of, 202 it System ("MTS"), a Califo	
Name: 63TThe Steer Group		800 Wilshire Ave, Suite 1 Los Angeles, CA 90017	320
Form of Business: (Corporation, Partnership, Sole Proprietor, etc.) Telephone: 213-425-0975	_ Email :	Carmen.correalafuente@	steergroup.com
Authorized person to Carmen ( sign contracts	Correa Lafuente	Head of NA	PL
	Name	Title	
Contractor's Bid/Pricing Form (Exhibit Standard Conditions (Exhibit C), Form (Exhibit F).  Payment terms shall be net 30 days fr \$148,160.00 without the express written	s (Exhibit D), and om invoice date. T	Policy 44C Travel Guidelii	nes for Contractors
SAN DIEGO METROPOLITAN TRANSIT	SYSTEM	64T63TTHE STEER (	GROUP
Ву:			
Sharon Cooney, Chief Executive	Officer By		
Approved as to form:			
By:	Title	:	
Karen Landers, General Cou	ınsel		





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

# Agenda Item No. 18

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

November 12, 2020

**Draft for** 

**Executive Committee** 

Review Date: 11/05/2020

SUBJECT:

BLUE LINE RIGHT OF WAY FENCE IMPROVEMENTS – AWARD WORK ORDER UNDER A JOB ORDER CONTRACT (JOC)

#### RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC275-13 to MTS Doc. No. PWG275.0-19 (in substantially the same format as Attachment A) with ABC Construction Company, Inc. (ABC) for the replacement of a portion of the chain link fence along the Blue Line right-of-way in the amount of \$189,597.05 plus the payment of applicable JOC administrative fees of \$3,336.91, for a total cost of \$192,933.96.

#### **Budget Impact**

The total budget for this project shall not exceed \$192,933.96 inclusive of a direct cost \$189,597.05 and the contractor share of administrative fees totaling \$3,336.91. This project is funded by the MTS Capital Improvement Project (CIP) 2006112001 – Blue Line Fencing Improvement.

#### **DISCUSSION:**

MTS has chain link fence along the UC San Diego Blue Line right-of-way that is at the end of its useful service life and needs to be removed and replaced. This project will remove and replace approximately 2,200 linear feet at various locations on the Blue Line, resulting in improved security.

On April 12, 2019, MTS issued an Invitation for Bids (IFB) seeking a contractor to provide on-call JOC General Civil Construction services that primarily consists of repair, remodeling, or other repetitive work for general civil and site improvements, including









earthwork, utilities, paving, concrete, drainage, landscaping mitigation, site clearing, and all required incidental professional and technical services.

JOC is a procurement method under which public agencies may accomplish frequently encountered repairs, maintenance, and construction projects through a single, competitively procured long-term agreement.

The JOC program includes a catalog of pricing for a variety of potential tasks to be performed under the contract that have been pre-priced by the contractor, the Gordian Group. All potential contractors are subject to the pricing within this catalog. Each contractor then includes an adjustment factor, escalating their proposed price from the catalog price, to determine the total cost of the task order. The adjustment factor represents an average percentage increase over the catalog price (i.e. 1.25 adjustment factor represents 25% above the catalog price) for that respective task within the project. In order to select the lowest responsive and responsible bidder, MTS staff compares each contractor's proposed adjustment factor.

Three (3) bids were received and MTS determined that ABC was the lowest responsive and responsible bidder. On June 13, 2019, the MTS Board of Directors authorized the CEO to execute MTS Doc. No. PWG275.0-19 with ABC for Civil Construction Services.

Today's proposed action would issue a work order to ABC under this JOC master agreement. Pricing for this repair work order was reviewed and determined to be fair and reasonable. ABC will be providing all materials, labor, equipment for the removal, disposal and replacement of the fencing along the Blue Line. Work is expected to be completed in early spring 2021.

Therefore, staff recommends that the MTS Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC275-13 to MTS Doc. No. PWG275.0-19 (in substantially the same format as Attachment A) with ABC Construction Company, Inc. (ABC) for the replacement of a portion of the chain link fence along the Blue Line right-of-way in the amount of \$189,597.05 plus the payment of applicable JOC administrative fees of \$3,336.91, for a total cost of \$192,933.96.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>

Attachment: A. Draft Work Order Contract MTSJOC275-13



1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

	RCONTRACT
WORK	ORDER <u>PWG275.0-19</u>
	CONTRACT NUMBER
	MTSJOC275-13
	WORK ORDER NUMBER
THIS AGREEMENT is entered into this day California by and between San Diego Metropolitan and the following, hereinafter referred to as "Contra	y of2020, in the state of Transit System ("MTS"), a California public agency, actor":
Name: ABC Construction Co., Inc.	Address: 3120 National Avenue
Form of Business: Corporation	San Diego, CA 92113
(Corporation, partnership, sole proprietor, etc.)	Telephone: (619) 239-3428
Authorized person to sign contracts: Wa	yne Czubernat Project Manager
Na	me Title
to Contractor to complete the detailed Scope of W	Doc. No. PWL275.0-19), MTS issues a Work Order ork (attached as Exhibit A.), the Cost Breakdown for ne subcontractor listing form applicable to this Work OT EXCEED \$189,597.05
SAN DIEGO METROPOLITAN TRANSIT SYSTEM	ABC CONSTRUCTION CO., INC.
By: Sharon Cooney, Chief Executive Officer	Firm:
Approved as to form:	By:Signature
By: Karen Landers, General Counsel	Title:
Karen Landers, General Counsel	



EXHIBIT A (Scope of Work)

### San Diego Metropolitan Transit System

1255 Imperial Ave San Diego, CA 92101



Date: 9/13/2020

**Job Order Contracting** 

### **Detailed Scope of Work**

To: From:

Jim Cappadocia Contractor Project Manager ABC Construction, Inc. 3120 National Ave San Diego, CA 92113 Gabriel McKee Project Engineer San Diego Metropolitan Transit System 1255 Imperial Ave, Suite 900 San Diego, CA 92101

Contract No: PWG275.0-19

Job Order No: MTSJOC275-13

Job Order Title: BL Fence Replacement

**Location:** Blue Line ROW (Various Locations)

**Brief Scope:** This work consists of the removal and replacement of 2,200 LF of existing chain link fence

along the MTS right-of-way on the Blue Line.

The Contractor shall complete the construction of this project in its entirety and shall provide all labor, materials, equipment, and traffic control, procuring all materials and performing all other work necessary to complete the work in accordance with the Detailed Scope of Work along with Conformed Special Provisions.

This work consists of the removal and replacement of 2,200 LF of existing chain link fence along the MTS right-of-way on the Blue Line.

#### The contactor shall:

• Segment #1: Palomar Trolley Station to Anita St

Contractor is to remove and replace 1,330 LF of 6' chain link fence from Palomar Trolley Station (Exhibit A) to Anita St (Exhibit B) along the eastbound right-of-way. Existing posts are to be cut flush at ground level and existing footings are to be abandoned in place. New footings spoils to be spread on site. Fence to be standard 6' high with 2" mesh and top rail per SDM-112 as provided by MTS.

• Segment #2: Anita St to Exhibit D

Contractor is to remove and replace 560 LF of 6' chain link fence from Anita St (Exhibit C) (Exhibit D) along the eastbound right-of-way. Existing posts are to be cut flush at ground level and existing footings are to be abandoned in place. New footings spoils to be spread on site. Fence to be standard 6' high with 2" mesh and top rail per SDM-112 as provided by MTS.

Segment #3: Beyer Bridge

Contractor is to remove and replace 310 LF of 6' chain link fence per the Segment #3 drawing as provided by MTS. Existing posts are to be cut flush at ground level and existing footings are to be

abandoned in place. New footings spoils to be spread on site. Fence to be standard 6' high with anticlimb hurricane mesh and top rail per SDM-112 as provided by MTS. Att. A, Al 18, 11/12/2020

Contractor is to remove and replace one (1) EA 14' swing gate and one (1) EA 17.5' swing gate per the Segment #3 drawing as provided by MTS. Gates shall match the gate detail SDRSD-M-20 and as provided by MTS, and shall have anti-climb hurricane mesh.

### • Survey MTS Right of Way

Contractor shall survey approximately 25,000 SF of MTS right-of-way located on the northeast corner of Palm Ave and Industrial Blvd as shown on Exhibit E.

### Specifications:

Refer to MTSJOC275-13\_Drawings and MTSJOC275-13\_Details Traffic Control:

Contractor is responsible for all traffic control, if necessary.

### Flagging:

The contractor shall request flaggers from MTS/SD trolley, a minimum of three business days in advance of any work activity that has a potential to foul the tracks.

All Contractor employees or representatives shall be trained through the MTS Railroad Worker Safety Training Program prior to the work.

### Existing Utilities:

The contractor shall notify the Engineer and Underground Service Alert (USA) (800) 422-4133 at least two working days, but not more than 14 calendar days, prior to performing any excavation or other work close to any underground pipeline, conduit, wire or other structure.

Contractor is to locate and protect in-place all existing underground facilities. The contractor shall coordinate with MTS personnel in order to have said facilities located and marked out by Cable, Pipe & Leak Detection (CPL) (619) 660-0844, or other approved utility locating subcontractor familiar with MTS facilities. All coordination and costs associated with (CPL) shall be provided by the contractor. If the Contractor cannot protect in-place existing underground facilities, the Contractor shall replace any damaged or removed underground facilities in a timely manner as to not allow for extended delays to the trolley services. If the services are subject to extended delays, the contractor shall notify MTS prior to the expiring of the original scheduled work time. All existing MTS underground facilities located shall be as-built and included on the contractor's as-built drawings.

Where such facilities are not located on the plans, no work shall be performed near said facilities until the owner, or his representative, has located the facility by potholing, probing, or other means that locate and identify the facility.

### Schedule:

All work shall be completed as soon as possible within 90 calendar days from issuance of NTP.

Att. A, A	l 18.	11/	12/	/20	20
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Gabriel McKee 9/13/2020
Gabriel McKee, Owner Project Manager Date

EXHIBIT B (Cost Breakdown)



By Division Report Version: 2.0

Approved 10/20/2020 01:47:36 PM PST

JOC Name (Contractor): ABC Construction Co., Inc.

Contract Name: 2019 - General Civil - ABC

Contract Number: PWG275.0-19
Job Order Number: MTSJOC275-13

Job Order Title: BL Fence Replacement

**Location:** Blue Line ROW

Cost Proposal Date: October 20, 2020

**Proposal Value:** \$189,597.05

Division			<b>Division Totals</b>
01	General Requirements		\$70,976.48
03	Concrete		\$21,648.15
32	Exterior Improvements		\$96,972.42
		Proposal Total(Filtered):	\$189,597.05
		The Percentage of Non Pre-Priced on this Proposal:	0.00%

Price Proposal Details Report Page 1 of 14



**By Division Report** 

Version: 2.0

Approved 10/20/2020 01:47:36 PM PST

JOC Name (Contractor): ABC Construction Co., Inc.

Contract Name: 2019 - General Civil - ABC

Contract Number: PWG275.0-19

Job Order Number MTSJOC275-13

Job Order Title BL Fence Replacement

Location:Blue Line ROWCost Proposal Date:October 20, 2020

**Proposal Value:** \$189,597.05

	CSI Number	MOD	UOM	Description		<b>Unit Price</b>		Factor		Total
1 Genera	I Requirements									
1	012216000004		EA	Reimbursable Fees						
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	EA	1,500.00	Х	\$1.00	Х	1.0000	=	\$1,500.00
									_	\$1,500.00
	User Note	permit allowar	nce							
	Item Note	\$1.00. Insert t 125 = \$125.00 a comment in	he appr ) Reimb the "no ded wa	will be paid to the contractopriate quantity to adjust coursable Fee). If there are te" block to identify the Intranty, expedited shipping.	t the e m Rein	e base cost to ultiple Reimbu nbursable Fee	the ac rsable (e.g.	ctual Reimbu e Fees, list ea sidewalk clos	rsable Fe ach one s sure, road	e (e.g. quantity of eparately and add cut, various
2	012220000017		HR	Laborer						
	Accepted	•		Quantity	х	Unit Price	Х	Factor	=	LineTotal
		Installation	HR	40.00	Х	\$68.23	Х	1.1363	=	\$3,101.19
									_	
										\$3,101.19
	User Note	: 10 guys x 4 hr	s for cla	ass						\$3,101.19
		-		ass d in the Construction Ta	sk C	atalog® and a	s dire	cted by owne	er only.	\$3,101.19
3		-					s dire	cted by owne	er only.	\$3,101.19
3	Item Note	-	included	d in the Construction Ta	g - (		s dire	cted by owner	er only.	
3	Item Note 012220000055	-	included	d in the Construction Ta	g - (	Online				\$3,101.19  LineTotal  \$1,278.34
3	Item Note 012220000055	: For tasks not i	EA	d in the Construction Tar Railway Safety Trainin Quantity	g - (	Online Unit Price	х	Factor	=	LineTotal
3	1tem Note 012220000055  Accepted	: For tasks not i	EA EA	d in the Construction Tar Railway Safety Trainin Quantity 75.00	g - (	Online Unit Price	х	Factor	=	<b>LineTotal</b> \$1,278.34
3	1tem Note 012220000055  Accepted	Installation	EA EA	d in the Construction Tar Railway Safety Trainin Quantity 75.00	g - (	Online Unit Price	х	Factor	=	<b>LineTotal</b> \$1,278.34
3	Item Note 012220000055  Accepted  User Note	Installation	EA EA	d in the Construction Tar Railway Safety Trainin Quantity 75.00	g - (	Online Unit Price	х	Factor	=	<b>LineTotal</b> \$1,278.34
	Item Note 012220000055  Accepted  User Note Item Note	Installation	EA  EA  EA	d in the Construction Tar Railway Safety Trainin Quantity 75.00	g - ( <b>x</b> x	Online Unit Price	х	Factor	=	LineTotal \$1,278.34 \$1,278.34
	Item Note	Installation	EA  EA  EA	d in the Construction Tar Railway Safety Trainin Quantity 75.00	x x	Unit Price \$15.00	x x	<b>Factor</b> 1.1363	= = _	LineTotal \$1,278.34 \$1,278.34 LineTotal
	Item Note	Installation  10 guy x 126 f	EA  EA  HR	Railway Safety Trainin  Quantity  75.00  Senior Engineer  Quantity	x x	Unit Price \$15.00	x x	Factor 1.1363 Factor	= -	LineTotal \$1,278.34 \$1,278.34 LineTotal \$701.69
	Item Note 012220000055  Accepted  User Note Item Note 012220000068  Accepted	Installation  10 guy x 126 f	EA EA HR	Railway Safety Trainin  Quantity  75.00  Senior Engineer  Quantity  4.00	x x	Unit Price \$15.00	x x	Factor 1.1363 Factor	= -	<b>LineTotal</b> \$1,278.34

Price Proposal Details Report Page 2 of 14



### **By Division Report**

Version: 2.0

Approved 10/20/2020 01:47:36 PM PST

5	012223000269		DAY	1,500 LB Capacity, 60'	\/\/ia	de Skid-Steer	Loade	r With Full-1	ime Onera	tor
3		-	DAT	Quantity		Unit Price		Factor	=	LineTota
	Accepted	Installation	DAV	3.00		\$1,002.17	X	1.1918		
		IIIStaliation	DAT	3.00	Х	\$1,002.17	Х	1.1910	=	\$3,583.1
	User Note: 5	seament 1								\$3,583.10
	<u>E</u>	Equipment for	dem ar	nd install						
	Item Note:									
6	012223000269	_	DAY	1,500 LB Capacity, 60'	Wie	de, Skid-Steer	Loade	er With Full-1	ime Opera	tor
	Accepted			Quantity	X	Unit Price	X	Factor	=	LineTota
		Installation	DAY	3.00	Х	\$1,002.17	Х	1.1918	=	\$3,583.10
										\$3,583.1
	User Note: S	segment 2 Equipment for	demo a	and install						
	Item Note:	<u> </u>	<del>domo c</del>	ara motan						
7	012223000269		DAY	1,500 LB Capacity, 60'	Wie	de, Skid-Steer	Loade	er With Full-1	ime Opera	tor
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
	•	Installation	DAY	2.00	Х	\$1,002.17	Х	1.1918	=	\$2,388.7
										\$2,388.7
	User Note: 5	segment 3								, ,
	Item Note:	Equipment for	demo a	and install						
8	012223000270		WK	1,500 LB Capacity, 60'	\//i/	de Skid-Steer	l nade	r With Full-1	ime Onera	tor
O		-	****	Quantity		Unit Price	X	Factor	=	LineTota
	Accepted	Installation	WK	2.00		\$4,285.11	X	1.1918	=	\$10,213.9
		motanation	VVIX	2.00	^	ψ+,200.11	^	1.1010		
	User Note: 5	segment 1								\$10,213.9
	E	Equipment for	dem ar	nd install						
	Item Note:									
9	012223000270	_	WK	1,500 LB Capacity, 60'			Loade	er With Full-1	ime Opera	tor
	Accepted			Quantity	X	Unit Price	X	Factor	=	LineTota
		Installation	WK	1.00	Х	\$4,285.11	Х	1.1918	=	\$5,106.9
										\$5,106.9
	User Note: S	segment 2 equipment for	dem ar	nd install						
	Item Note:									
10	012223000270		WK	1,500 LB Capacity, 60'	Wie	de, Skid-Steer	Loade	er With Full-1	ime Opera	tor
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	WK	1.00	х	\$4,285.11	Х	1.1918	=	\$5,106.9
										\$5,106.9
	User Note: 5	segment 3								
	Item Note:	equipment for	demo a	and install						

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11	012223001348		WK	500 To 600 Gallon Wa	ter 1	railer With Pu	mp			
	Accepted	_						Factor		LineTota
	-	stallation	WK	_					=	\$357.8
						*				\$357.8
	User Note: segi	ment 1								φοστ.ο
	Item Note:			1.00 x \$300.25 x 1.1918 =						
12	012223001348		WK	500 To 600 Gallon Wa	ter 7	railer With Pu	mp			
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
	In	stallation	WK	1.00	Х	\$300.25	Х	1.1918	=	\$357.8
										\$357.8
	User Note: Seg	ment 2								
	Item Note:									
13	012223001348		WK	500 To 600 Gallon Wa	ter 7	railer With Pu	mp			
	Accepted			Quantity	X	Unit Price	X	Factor	=	LineTota
	In	stallation	WK	1.00	Х	\$300.25	Χ	1.1918	=	\$357.8
										\$357.8
	User Note: Seg	ment 3								
	Item Note:									
14	015526000029		WK	28" Cone With Reflecti	ve C	Collar				
	Accepted	_		Quantity	х	Unit Price	Х	Factor	=	LineTota
	In	stallation	WK	100.00	Х	\$1.42	Χ	1.1918	=	\$169.2
										\$169.2
	User Note: Seg	ment 3 cones x 2 w	eek =	100						
	Item Note:		00.1							
15	015526000047		WK	Type III Barricade, Up	To 5	5' Wide With T	hree R	Reflective Rai	ls	
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
	In	stallation	WK	20.00	Х	\$7.73	Х	1.1918	=	\$184.2
										\$184.2
	<b>User Note</b> : Segr	ment 3 no parks x 2	2 week	s = 20						
	Item Note:									
16	015526000085		WK	Mesh Or Vinyl Roll-up	Sigr	With Stand				
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
	In	stallation	WK	20.00	Х	\$13.75	Х	1.1918	=	\$327.7
										\$327.7
	User Note: Segi	ment 3	sian s	2 weeks = 20						
	Item Note:	orioti dotioi	. orgii /	( <u> </u>						

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17	015526000103	EA	Place And Remove Up	То	250 Copos He	ina Tr	uok		
17									LineTete
	Accepted	-	Quantity		Unit Price	X	Factor	=	LineTota
	Installati	ion EA	10.00	Х	\$3.66	Х	1.1918	=	\$43.6
	User Note: segment 3								\$43.6
	50 cones x	10 days							
18	015526000107	EA	Place And Remove Up	To	250 Barricade	e I lein	a Truck		
10	Accepted		Quantity		Unit Price	x	Factor	=	LineTota
	Installati	ion EA	10.00		\$7.33	X	1.1918	=	\$87.3
	motunati	OII LA	10.00	^	Ψ7.00	Α	1.1010		\$87.3
	User Note: segment 3	(S							ψ07.0
	Item Note:								
19	015526000110	EA	Place And Remove Po	rtab	le Sign And S	and U	sing Truck		
	Accepted		Quantity	х	Unit Price	х	Factor	=	LineTota
	Installati	ion EA	100.00	Х	\$4.39	Х	1.1918	=	\$523.2
									\$523.2
	User Note: segment 3	ction sign	x 10 days = 100						
	Item Note:	otion sign	x 10 days = 100						
20	015626000175	LF	48" High With Posts At	8' (	On Center, Pla	stic M	esh Tempora	ary Safety F	ence
	Accepted	-	Quantity	х	Unit Price	х	Factor	=	LineTota
	Installati	ion LF	1,330.00	х	\$2.49	Х	1.1918	=	\$3,946.8
									\$3,946.8
	User Note: segment 1	a to be put	up / taken down daily at	anv	open location	and d	aily moving s	at all cite	
	Item Note:	; to be put	up / takerr down daily at	arry	open location	anu u	ally Hiovilly a	at all site	
21	015626000175	LF	48" High With Posts At	8' (	On Center, Pla	stic M	esh Tempora	ary Safety F	ence
	Accepted		Quantity	х	Unit Price	х	Factor	=	LineTota
	Installati	ion LF	560.00	х	\$2.49	Х	1.1918	=	\$1,661.8
									\$1,661.8
	User Note: segment 2				+:		_:		
	User Note: segment 2 temp fence Item Note:	to be put	up / taken down daily at	any	open location	and d	aily moving a	at all site	
22	temp fence	to be put	up / taken down daily at 48" High With Posts At						ence
22	temp fence	e to be put		8' (					
22	Item Note: 015626000175	e to be put	48" High With Posts At	8' ( <b>x</b>	On Center, Pla	stic M	esh Tempora	ary Safety F	LineTota
22	Item Note:  015626000175  Accepted	e to be put	48" High With Posts At  Quantity	8' ( <b>x</b>	On Center, Pla	stic M	esh Tempora	ary Safety F	LineTota \$919.9
22	Item Note:  015626000175  Accepted  Installati  User Note: segment 3	LF LF	48" High With Posts At  Quantity	8' ( <b>x</b> x	On Center, Pla Unit Price \$2.49	x x	esh Tempora Factor 1.1918	ary Safety Fe	Ence LineTota \$919.9

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23	017113000002	_	EA	First 25 Mile Rollback Fla	tbed Truck	:	Delivery, Picku	ıp, Mol	oilization An	d Demobiliz	ation Using A
	Accepted				Quantity	X	Unit Price	X	Factor	=	LineTota
		Installation	EA		1.00	Х	\$236.94	Х	1.1918	=	\$282.39
	User Note:	segment 1									\$282.39
	Item Note:	Includes loadir loading for retu	urn and house	transporting a forklifts, swee	away. For	equi	pment such as	s trenc	hers, skid-st	eer loaders	
24	017113000002		EA	First 25 Mile Rollback Fla			Delivery, Picku	ıp, Mol	oilization An	d Demobiliz	ation Using A
	Accepted	-			Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	EA		1.00	Х	\$236.94	Х	1.1918	=	\$282.39
	User Note:	segment 3									\$282.39
	Item Note:	Includes loadir loading for retuindustrial ware up to 40' boom	urn and house	transporting a forklifts, swee	away. For	equi	pment such as	s trenc	hers, skid-st	eer loaders	
25	017123160004		ACR	Survey Clea	r Area Wit	n Fe	w Structures,	And/O	r Wooded (5	5-25% Build	ings)
	Accepted	-			Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	ACR		1.00	Х	\$3,948.26	Х	1.1918	=	\$4,705.54
	User Note:	segment 3									\$4,705.54
	Item Note:	surveying									
26	017413000003		CY	Collect Exist	ing Debris	And	d Load Into Tru	ıck Or	Dumpster		
	Accepted	-			Quantity	х	Unit Price	х	Factor		LineTotal
	•	Installation	CY		100.00	х	\$20.09	Х	1.1918	=	\$2,394.33
											\$2,394.33
	User Note:	segment 1									
	Item Note:	Per CY of deb	ris remo	oved.							
27	017413000003		CY	Collect Exist	ing Debris	And	d Load Into Tru	ıck Or	Dumpster		
	Accepted	-			Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	CY		25.00	х	\$20.09	Х	1.1918	=	\$598.58
											\$598.58
	User Note:	segment 2									
	Item Note:	Per CY of deb	ris remo	oved.							
28	017413000003		CY	Collect Exist	ing Debris	And	d Load Into Tru	ıck Or	Dumpster		
	Accepted	-			Quantity	х	Unit Price	х	Factor	=	LineTotal
		Installation	CY		25.00	Х	\$20.09	Х	1.1918	=	\$598.58
											\$598.58
		segment 3									

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	Million.											
29	017419000036		TON	General Refuse								
	Accepted			Quantity	X	Unit Price	X	Factor	=	LineTot		
		Installation	TON	200.00	Х	\$42.61	Χ	1.1918	=	\$10,156.5		
										\$10,156.5		
	User Note:	segment 2										
	Item Note:	,										
30	017419000036		TON	General Refuse								
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota		
		Installation	TON	50.00	Х	\$42.61	Х	1.1918	=	\$2,539.1		
										\$2,539.1		
	User Note:	segment 2										
	Item Note:											
31	017419000036		TON	General Refuse								
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota		
		Installation	TON	50.00	Х	\$42.61	Х	1.1918	=	\$2,539.1		
										\$2,539.1		
	User Note:	segment 3										
	Item Note:											
32	017419000047		EA	Hauling With 16 To 20 CY Dump Truck, Up To 15 Miles								
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota		
	·	Installation	EA	5.00	х	\$128.47	Х	1.1918	=	\$765.5		
										\$765.5		
	User Note:	segment 1										
		Each first 15 n	niles pe	r trip								
33	017419000047		EA	Hauling With 16 To 20	CY	Dump Truck,	<b>U</b> р То	15 Miles				
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota		
	•	Installation	EA	2.00	Х	\$128.47	Х	1.1918	=	\$306.2		
										\$306.2		
	User Note:	seament 2										
		Each first 15 n	niles pe	r trip								
34	017419000047		EA	Hauling With 16 To 20	CY	Dump Truck,	<b>U</b> р То	15 Miles				
	Accepted	•		Quantity	х	Unit Price	х	Factor	=	LineTota		
		Installation	EA	2.00		\$128.47	Х	1.1918	=	\$306.2		
										\$306.2		
	User Note:	seament 3								<b>4000.2</b>		
		Each first 15 n	oiloo no	e trin								

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Rec	ord#	CSI Number	MOD	UOM	Description		<b>Unit Price</b>		Factor		Tota
03 (	Concrete	•									
(	35	033113000056		CF	Hand Mix And Place C	onc	rete				
		Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
			Installation	CF	405.00	Х	\$26.91	Х	1.1918	=	\$12,988.8
											\$12,988.8
		User Note:	segment 1 133 x 1 sf x 3								
		Item Note:	For use where	conver	ntional equipment acces	s is	limited or whe	n dire	cted by the o	wner.	
- (	36	033113000056		CF	Hand Mix And Place C	onc	rete				
		Accepted	•		Quantity	х	Unit Price	Х	Factor	=	LineTota
			Installation	CF	162.00	Х	\$26.91	Х	1.1918	=	\$5,195.56
											\$5,195.50
		User Note:	segment 2 56 each x 1 x	23							
		Item Note:	For use where	conver	ntional equipment acces	s is	limited or whe	n dire	cted by the o	wner.	
(	37	033113000056		CF	Hand Mix And Place C	onc	rete				
		Accepted	-		Quantity	х	Unit Price	Х	Factor	=	LineTota
			Installation	CF	108.00	Х	\$26.91	Х	1.1918	=	\$3,463.70
											\$3,463.70
		User Note:	segment 3 31 each x 1 x	3							
		Item Note:	For use where	conver	ntional equipment acces	s is	limited or whe	n dire	cted by the o	wner.	

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Record	# CSI Number	MOD	UOM	Description		Unit Price		Factor		Total
32 Exte	rior Improvements									
38	323113130010		VLF	12" Diameter Hole, Aug	jer l	By Machine Fe	ence F	ost Hole In S	Soil	
	Accepted			Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	VLF	399.00	Х	\$16.81	Х	1.1918	=	\$7,993.63
										\$7,993.63
	User Note:	segment 1 133 each x 3	-300							
	Item Note:	100 Cacii x 0	_000							
39	323113130010		VLF	12" Diameter Hole, Aug	jer l	By Machine Fe	ence F	ost Hole In S	Soil	
	Accepted			Quantity	х	Unit Price	х	Factor	=	LineTotal
	-	Installation	VLF	168.00	х	\$16.81	Х	1.1918	=	\$3,365.74
										\$3,365.74
	User Note:	segment 2	400							
	Item Note:	56 each x 3 =	168							
40	323113130010		VLF	12" Diameter Hole, Aug	er l	By Machine Fe	ence F	Post Hole In S	Soil	
	Accepted			Quantity		Unit Price	х	Factor	=	LineTotal
	Aldooptou	Installation	VLF	93.00		\$16.81	Х	1.1918	=	\$1,863.18
										\$1,863.18
	User Note:	segment 3								* 1,555115
	Item Note:	31 each x 3 =	93							
41	323113130083		LF	2-1/2" Outside Diamete	r G	alvanized Stee	el Post	t. 7' To 10' In	Length	
				Quantity		Unit Price	x	Factor	=	LineTotal
	Accepted	Installation	LF	1,179.00		\$9.74	X	1.1918	=	\$13,685.99
		motanation	_,	1,170.00	^	ΨΟ	^	1.1010		\$13,685.99
	User Note:	seament 1								φ13,003.99
		131 x 9' =117	9							
40	Item Note:			0.4/0   0.45':45 B':5554	0	-1	- I D	7 T- 4011-	Land	
42	323113130083		LF	2-1/2" Outside Diamete						
	Accepted	Landa Hadian		Quantity		Unit Price	X	Factor	=	LineTotal
		Installation	LF	504.00	Х	\$9.74	Х	1.1918	=	\$5,850.50
	User Note:	cogmont 2								\$5,850.50
		56 each x 9' =	504							
	Item Note:									
43	323113130083	,	LF	2-1/2" Outside Diamete			el Post		Length	
	Accepted		. –	Quantity		Unit Price	X	Factor	=	LineTotal
		Installation	LF	69.00	Χ	\$9.74	Х	1.1918	=	\$800.96
		000000-10								\$800.96
	User Note:	segment 3 23 x 3' = 69								
	Item Note:									

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	Million.									
44	323113130083	0136	LF	For Each Top Rail Fitti	ng, i	Add				
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	131.00	х	\$1.35	Х	1.1918	=	\$210.7
										\$210.7
	User Note:									
	Item Note:									
45	323113130083	0136	LF	For Each Top Rail Fitti	ng, <i>i</i>	Add				
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	56.00	х	\$1.35	Х	1.1918	=	\$90.1
										\$90.1
	User Note:									
	Item Note:									
46	323113130083	0136	LF	For Each Top Rail Fitti	ng, <i>i</i>	Add				
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	23.00	Х	\$1.35	Х	1.1918	=	\$37.0
										\$37.0
	User Note:									
	Item Note:									
47	323113130090		LF	3" Outside Diameter G	alva	nized Steel Po	ost, 7'	To 10' In Ler	ngth	
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	18.00	Х	\$12.98	Х	1.1918	=	\$278.4
										\$278.4
	User Note:	segment 1 2 each x 9' = 1	8							
	Item Note:		<u> </u>							
48	323113130090		LF	3" Outside Diameter G	alva	nized Steel Po	ost, 7'	To 10' In Ler	ngth	
	Accepted	<del>-</del>		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	18.00	Х	\$12.98	Х	1.1918	=	\$278.4
										\$278.4
	User Note:	segment 2 2 each x 9 = 18	R							
	Item Note:									
49	323113130090		LF	3" Outside Diameter G	alva	nized Steel Po	ost, 7'	To 10' In Ler	ngth	
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	72.00	Х	\$12.98	Х	1.1918	=	\$1,113.8
										\$1,113.8
	User Note:	segment 3 8 each x 9 = 72	2							
	Item Note:									

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50	323113130090	0139	LF	For Each Top Rail Fitti	ng, i	Add				
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	2.00	Х	\$1.85	Х	1.1918	=	\$4.4
										\$4.41
	User Note:									
	Item Note:									
51	323113130090	0139	LF	For Each Top Rail Fitti	ng, i	Add				
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	2.00	Х	\$1.85	Х	1.1918	=	\$4.41
										\$4.41
	User Note:									
	Item Note:									
52	323113130090	0139	LF	For Each Top Rail Fitti	ng, <i>i</i>	Add				
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	8.00	Х	\$1.85	Х	1.1918	=	\$17.64
										\$17.64
	User Note:									
	Item Note:									
53	323113130097	_	LF	4" Outside Diameter G	alva	nized Steel Po	ost, 7'	To 10' In Lei	ngth	
	Accepted			Quantity	X	Unit Price	X	Factor	=	LineTota
		Installation	LF	32.00	Х	\$18.39	Х	1.1918	=	\$701.35
										\$701.35
	User Note:	segment 3 4 gate post x 9	9 = 32							
	Item Note:	3								
54	323113130097	0142	LF	For Each Top Rail Fitti	ng, i	Add				
	Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
		Installation	LF	4.00	х	\$2.60	Х	1.1918	=	\$12.39
										\$12.39
	User Note:									
	Item Note:									

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A SHILLIAN									
55 323113130147		LF	6' Galvanized Chain Li 2-1/2" Line Post At 10'					esh, Top An	d Bottom Rails,
Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
	Installation	LF	0.00	Χ	\$29.74	Х	1.1918	=	\$0.0
									\$0.00
User No	te:								
Item No	te:								
56 323113130147		LF	6' Galvanized Chain Li 2-1/2" Line Post At 10'					esh, Top An	d Bottom Rails,
Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTota
	Installation	LF	0.00	Х	\$29.74	Х	1.1918	=	\$0.00
									\$0.00
User No	te:								
Item No	te:								
57 323113130147	_	LF	6' Galvanized Chain Li 2-1/2" Line Post At 10'					esh, Top An	d Bottom Rails,
Accepted			Quantity	Х	Unit Price	х	Factor	=	LineTota
	Installation	LF	0.00	Х	\$29.74	Х	1.1918	=	\$0.00
									\$0.00
User No	te:								
Item No	te:								
58 323113130166		LF	1-5/8" Galvanized Stee	l Ra	ail, 0.085" Wal	l Thick	ness, Tie W	ires And Fitt	tings
Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
	Installation	LF	1,330.00	Х	\$5.37	Х	1.1918	=	\$8,511.95
									\$8,511.95
User No	te: segment 1 top rail								
Item No									
59 323113130166		LF	1-5/8" Galvanized Stee	l Ra	ail, 0.085" Wal	l Thick	ness, Tie W	ires And Fitt	tings
Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
	Installation	LF	560.00	Х	\$5.37	Х	1.1918	=	\$3,583.98
									\$3,583.98
User No	te: segment 2 top rail								
Item No									
60 323113130166		LF	1-5/8" Galvanized Stee	el Ra	ail, 0.085" Wal	l Thick	ness, Tie W	ires And Fitt	tings
Accepted	-		Quantity	х	Unit Price	х	Factor	=	LineTota
,	Installation	LF	310.00		\$5.37	Х	1.1918	=	\$1,983.99
									\$1,983.99
User No	te: segment 3 top rail								. ,
Item No									

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Version: 2.0

Approved 10/20/2020 01:47:36 PM PST

04 202442420470		CL Full Haimbt Fabria C	- 1	ا منع ما ١٠٠٥ ما	:-1. 40	0 10	O- O4i	Oll Mach
61 323113130176	LF	6' Full Height Fabric G						
Accepted		Quantity		Unit Price	х	Factor	=	LineTota
Installation	on LF	1,330.00	Х	\$11.94	Х	1.1918	=	\$18,926.0
								\$18,926.0
User Note: segment 1 fabric								
Item Note:								
62 323113130176	LF	6' Full Height Fabric G	alva	nized Chain L	ink #9	Gauge, 1.2	Oz Coating	, 2" Mesh
Accepted		Quantity	х	Unit Price	х	Factor	=	LineTota
Installation	on LF	560.00	Х	\$11.94	Х	1.1918	=	\$7,968.8
								\$7,968.8
User Note: segment 2 fabric								
Item Note:								
63 323113130257	LF	6' Non-Climbable Fabr	ic G	alvanized Cha	in Linl	k #9 Gauge,	3/8" Mesh	
Accepted		Quantity	х	Unit Price	х	Factor	=	LineTota
Installatio	n LF	310.00		\$34.82	Х	1.1918	=	\$12,864.5
							-	\$12,864.5
User Note: segment 3								* -,
fabric  Item Note:								
64 323113130257	LF	6' Non-Climbable Fabr	ic G	alvanized Cha	in Lini	k #9 Gauge,	3/8" Mesh	
Accepted		Quantity		Unit Price	х	Factor		LineTota
Installatio	n LF	32.00		\$34.82	Х	1.1918	=	\$1,327.9
				• -				\$1,327.9
User Note: segment 3								ψ1,027.00
gate fabric								
65 323113130316	EA	14' Wide x 6' High Dou	hla	Gate Galvaniz	red Sta	ael Without F	Sarhed Wire	
				Unit Price		Factor		LineTota
Accepted Installatio	on EA	Quantity 1.00		\$1,171.32	X	1.1918	=	\$1,395.98
IIIstallatic	л са	1.00	Х	Φ1,171.32	Х	1.1910	=	
Hear Notes								\$1,395.98
User Note: segment 3  Item Note:								
	ΓΛ	10' Wide v C' High Dev	blo	Cata Calvani	od Ct	a al Mithaut F	Orbod Mira	
66 323113130318	EA_	18' Wide x 6' High Dou						
Accepted	FA	Quantity		Unit Price	X	Factor	=	LineTota
Installation	on EA	1.00	Х	\$1,482.50	Х	1.1918	=	\$1,766.84
2000-0-10								\$1,766.84
User Note: segment 3 gate								
Item Note:								

Price Proposal Details Report Page 13 of 14

67	323113130726		LF	7 Gauge, Galvanized S	Stee	I, Reinforcing	Wire C	Coiled Spring	I	
	Accepted	_		Quantity	х	Unit Price	х	Factor	=	LineTotal
	1	Installation	LF	1,330.00	Х	\$0.89	Х	1.1918	=	\$1,410.73
									_	\$1,410.73
	User Note: Seg	gment 1 ttom wire								
	Item Note:									
68	323113130726		LF	7 Gauge, Galvanized S	Stee	I, Reinforcing	Wire C	Coiled Spring	ı	
	Accepted	_		Quantity	х	Unit Price	Х	Factor	=	LineTota
	1	Installation	LF	560.00	Х	\$0.89	Х	1.1918	=	\$593.99
									_	\$593.99
	User Note: Set	gment 2 ttom wire								
	Item Note:									
69	323113130726		LF	7 Gauge, Galvanized S	Stee	I, Reinforcing	Wire C	Coiled Spring	ı	
	Accepted	_		Quantity	х	Unit Price	Х	Factor	=	LineTotal
	I	Installation	LF	310.00	Х	\$0.89	Х	1.1918	=	\$328.82
										\$328.82
	User Note: Seg	gment 3 ttom wire								
	Item Note:									
								•	Total:	\$189,597.05
						Pro	posa	l Total(Filte	ered):	\$189,597.05
				The Percentage	of N	Non Pre-Prio	ed o	n this Prop	osal:	0.00%

Price Proposal Details Report Page 14 of 14

## EXHIBIT C (Subcontractor Listing)

Att. A, Al 18, 11/12/2025

#### San Diego Metropolitan Transit System

1255 Imperial Ave San Diego, CA 92101

**Subcontractor Report** 

Date: 10/20/2020

**Job Order Contracting** 

Contract #: PWG275.0-19

Job Order #: MTSJOC275-13

Job Order Title: BL Fence Replacement

**Location:** Blue Line ROW

**Contractor:** ABC Construction Co., Inc.

**Subcontractor:** 

Subcontractor Name	Describe Nature of Work (Trade)	Certifications	Subcontractor Total	%
	or work (Trade)		Iotai	



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

### Agenda Item No. 19

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

SUBJECT:

DESIGN SERVICES FOR THE GREEN LINE IMPERIAL AVENUE MAIN TERMINAL (IMT) DOUBLE TRACK PROJECT – WORK ORDER AMENDMENT

#### RECOMMENDATION:

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

- 1) Ratify Work Order WOA1949-AE-31.01 under MTS Doc No. G1949.0-17 (Attachment A) with Jacobs Engineering Group, Inc. (Jacobs) totaling \$269.46, for hourly rate increases for various classifications;
- Ratify Work Order WOA1949-AE-31.03 under MTS Doc No. G1949.0-17 (Attachment B) with Jacobs totaling \$20,142.01, to exercise the alternative design;
- 3) Ratify Work Order WOA1949-AE-31.04 under MTS Doc No. G1949.0-17 (Attachment C) with Jacobs totaling \$79,474.41, for additional Project Management, design, and bid support; and
- 4) Authorize the Chief Executive Officer (CEO) to execute Work Order WOA1949-AE-31.05 under MTS Doc. No. G1949.0-17 (in substantially the same format as Attachment D) with Jacobs in the amount of \$275,915.56 for design support during construction (DSDC) services for the Bayside Terminal Double Track project.

#### **Budget Impact**

The total budget for this contract shall not exceed \$1,082,607.00. This project is funded by the MTS Capital Improvement Project (CIP) 2005108201 – Green Line IMT Double Tracking.









Work Order No.	Purpose	Amount	Board Approval Date
WOA1949-AE-31	Original Work Order	\$706,805.56	02/14/2019, Item 10
WOA1949-AE-31.01	Increase Hourly Rates (Survey)	\$269.46	CEO approval 8/23/19 per Board Policy No. 41
WOA1949-AE-31.02	No Cost Time Extension	\$0.00	n/a
WOA1949-AE-31.03	Exercise Alternative Design	\$20,142.01	CEO approval 06/17/2020 per Board Policy No. 41
WOA1949-AE-31.04	Project Management, Additional Design, and Bid Support	\$79,474.41	CEO approval 10/14/2020 per Board Policy No. 41
WOA1949-AE-31.05	Design Support During Construction (DSDC)	\$275,915.56	Today's Proposed Action
	_	\$1,082,607.00	

#### DISCUSSION:

MTS contracted with Jacobs to provide design services to double track the Bayside Terminal on the Green Line located at 12th and Imperial Avenue. The present Green Line terminus at the 12<sup>th</sup> and Imperial Transit center has one track which can result in train congestion and delays. The additional track will allow two trains to occupy the station, providing more flexibility for operations, improvement in on-time performance, and more easily accommodate special event schedule changes. The additional track will allow maintenance work and track service to occur on one track without impacting passengers and operations.

On February 14, 2019 (Agenda Item 10), the MTS Board approved Jacobs for design services for the Bayside Terminal Double Track project. At the start of the design process, the Jacobs design team focused on the original MTS track configuration. As design progressed from 30% complete to 60% complete, and the team submitted cost estimates for the proposed work, the project cost was exceeding the project budget. The Jacobs and MTS team conducted a joint evaluation of an alternate track layout previously submitted by Jacobs as part of their original proposal, and determined the alternative layout would provide the same operational flexibility with a lower construction cost. In addition, the team determined the alternate configuration could be expanded in future years with the addition of a third track. Finding the short-term cost saving measure also provides longer term flexibility and room for additional growth, the change in design was the MTS staff recommended option.

Thus, Amendment 3 adopted the "Jacobs Alternative" design, at a slight cost increase, to significantly reduce overall construction costs.

Amendment 4 provided additional design services for a more direct pedestrian connection between the passenger platform and 11<sup>th</sup> Avenue, to accommodate passengers headed to the ballpark area and local business and hotels. The project is currently out to bid for construction services and the Amendment 4 scope of work also includes design support during the bid process, to answer questions from prospective construction firms.

Under proposed work order Amendment 5, Jacobs shall provide DSDC. Once a construction contract has been awarded, which is anticipated in early 2021, these services will be required.

On January 12, 2016, San Diego Association of Governments (SANDAG) and MTS issued a joint Request for Statement of Qualifications (RFSQ) for On-Call Architectural and Engineering (A&E) Design Consulting services. The RFSQ resulted in the approval of 8 firms qualified to perform A&E services. Tasks are assigned to the firms through a work order process. MTS selects the most qualified firm based on the scope of work to be performed.

The original work order was the culmination of a competitive selection process via a Request for Proposals (RFP) to approved A&E firms, in which Jacobs was selected as the most qualified firm.

The proposed amount of the amendment is \$275,915.56 which was \$7,860.50 less than MTS's Independent Cost Estimate (ICE) of \$283,776.06.

Therefore, staff recommends that the MTS Board of Directors:

- Ratify Work Order WOA1949-AE-31.01 under MTS Doc No. G1949.0-17 (Attachment A) with Jacobs totaling \$269.46, for hourly rate increases for various classifications;
- 2) Ratify Work Order WOA1949-AE-31.03 under MTS Doc No. G1949.0-17 (Attachment B) with Jacobs totaling \$20,142.01, to exercise the alternative design;
- 3) Ratify Work Order WOA1949-AE-31.04 under MTS Doc No. G1949.0-17 (Attachment C) with Jacobs totaling \$79,474.41, for additional Project Management, design, and bid support; and
- 4) Authorize the CEO to execute Work Order WOA1949-AE-31.05 under MTS Doc. No. G1949.0-17 (insubstantially the same format as Attachment D) with Jacobs in the amount of \$275,915.56 for DSDC services for the Bayside Terminal Double Track project.

/S/ Sharon Cooney

Sharon Cooney Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, <u>Julia.Tuer@sdmts.com</u>

Attachments: A. Executed Work Order WOA1949-AE-31.01, MTS Doc No. G1949.0-17

- B. Executed Work Order WOA1949-AE-31.03, MTS Doc No. G1949.0-17
- C. Executed Work Order WOA1949-AE-31.04, MTS Doc No. G1949.0-17
- D. Draft Work Order WOA1949-AE-31.05, MTS Doc No. G1949.0-17



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

August 19, 2019

MTS Doc. No. G1949.0-17 Work Order No. WOA1949-AE-31.01

Jacobs Engineering Group, Inc. Lewis P. Cornell, Vice President 725 West Town & Country Road, Suite 300 Orange CA, 92868

Dear Mr. Cornell:

Subject: AMENDMENT NO. 1 TO WORK ORDER WOA1949-AE-31, MTS DOC. NO. G1949.0-17

GENERAL ENGINEERING DESIGN SERVICES TO DOUBLE TRACK THE BAYSIDE

TERMINAL

This letter shall serve as Amendment No. 1 to Work Order WOA1949-AE-31 to MTS Doc. No. G1949.0-17, for professional services under the General Engineering Consultant Agreement, as further described below.

#### SCOPE OF SERVICES

There shall be no change to the Scope of Services. This amendment shall increase the hourly rates for Party Chief and Rodman classifications only for subconsultant Project Design Consultants (PDC) to the rates PDC currently uses as subcontractor under MTS Doc No. G1948.0-17 with HNTB. This action is in resolution to a difference of interpretation concerning application of prevailing wage rates between MTS and PDC for the aforementioned classifications.

#### **PAYMENT**

As a result of this Amendment the payment shall be increased by \$269.46. The revised amount of the Work Order shall not to exceed \$707,075.02 without prior authorization from MTS.

Please sign below, and return the document to the Contracts Specialist at MTS. All other terms and conditions shall remain the same and in effect.

Sincerely

Paul C. Jablonski Chief Executive Officer Accepted:

Lewis Cornell Kosal Krishnan Jacobs Engineering Group, Inc.

Date: 10/3/20/9

Attachments: Attachment B, Revised Negotiated Fee Proposal

# ATTACHMENT B NEGOTIATED FEE PROPOSAL

#### **Work Order Estimate Summary**

MTS Doc. No.

G1949.0-17

Work Order No. WOA1949-AE-31.01

Attachment:

В

Work Order Title: Design Services to Double Track the Bayside Terminal MTS Alternative

**Project No:** 

Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1	0100	PROJECT MANAGEMENT	\$23,563.24
2	0255	ENGINEERING	\$683,511.78

Totals =

\$707,075.02

Table 2 - TASKS/WBS Summary (Costs & Hours)

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	ADMIN	PM & COORDINATION	130.00	\$23,563.24
2	ENGINEERING	FIELD SURVEY & ROW	105.00	\$15,991.37
3	ENGINEERING	GEOTECHNICAL INVESTIGATION	3.00	\$39,363.76
6	ENGINEERING	UTILITY RESEARCH (Existing/Relocation)	250.00	\$52,666.28
7	ENGINEERING	30% DESIGN	806.00	\$111,555.82
8	ENGINEERING	60% DESIGN	1,306.00	\$178,005.83
9	ENGINEERING	90% DESIGN	1,251.00	\$167,316.64
	ENGINEERING	100% DESIGN	572.00	\$82,768.30
10	ENGINEERING	QA/QC	180.00	\$35,843.78
11				

Totals = 4,603.00 \$707,075.02

Table 3 - Consultant/Subconsultant Summary (Costs & Hours)

(If App	licable	, Selec	t One)			
DBE	DVBE	SBE	Other	Consultant	Labor Hrs	Total Costs
			Х	JACOBS	3,471.00	\$570,127.84
Х				Pacific Railway Enterprises	984.00	\$119,148.00
		Х		Project Design Consultants	148.00	\$17,799.18

Totals = 4,603.00 \$707,075.02 Work Order Estimate Summary MTS ALTERNATIVE

al Hours =	3,471		1		JACOBS ENGINE																								Wo	MTS Doc. No.: ork Order No.: W
al Costs =	\$570,127.84			ļ	DESIGN SERVICE	ES TO DOUBL	E TRACK THE BA	YSIDE TERMINA	L																					Attachment:
INI	ERNAL ONLY			PIRBAZARI, KEYVAN	MAHONEY, PATRICK	LEE, CHRISTOPHE	R AXEL GONZALEZ	SHAPIRO, JAIME	KAMRAN HAGHIGHI	SHERVIN SHAFI	ADAMS, CLARK	FREDIE SILVA	JOE TINARI	STAN OLSIEWSKI	CELESTE WEINART	VIC MONTELLANO	AMY LAM	CRAIG LESZKIEWICE	ANTHONY ZELOYLE	VISH MAWLEY	PATRICK NELSON	JON HENRY MCPHAIL	SHAWN BERGMAN	RUDOLFO LAYGO	MATT REIFER	KENAN ALTAY	MNA ROFAEEL	CYNTHIA DANAN	MARY HAYNES	
			ODCs (See Attachment)	Manager of Projects	Engineering Project Manager IV	Civil Design VI	Project Engineering II	V Project Engineering I	Engineering Project Manager IV	Structural Engineering V	Engineering Project Manager IV	Structural Design VI	Engineering Project Manager IV	Project Engineering F	/ Project Engineering II	Electrical Engineering	Electrical Design VI	Civil Engineering VI (Geotechnical)	Manager of Projects	Electrical Engineering	Electrical Engineering	Electrical Engineering	Electrical Engineering	CADO Design IV	Management of Project III	Project Coordinator - Design II	Project Controls III (Estimating)	Technicals WriterEditor III	Civil Design III	Total Hours
FASKS/WBS	TASKS/WBS Descript	tion		\$ 260.25		\$ 136.36	6 \$ 144.48	\$ 114.13				\$ 108.58		\$ 144.48	\$ 97.54	\$ 196.61	\$ 125.30			\$ 196.61	\$ 147.26	\$ 147.26	\$ 128.31	\$ 91.34					\$ 74.65	
	& COORDINATION																													
0100 PRO. 0100 SCHI	DECT MANAGEMENT EDULING/CONTRACT ADMINISTRATION			48	24	12																				36				84 36
		Subtotals (Hours) = Subtotals (Costs) =	N/A	48 \$12,492.00	24 \$5,455.92	12 \$1,636.32																				36 \$2,608.20				120 120
NEERING FIE	ELD SURVEY & ROW			1				•	•			•	•					•												•
	D SURVEY													8		7														15
		Subtotals (Hours) = Subtotals (Costs) =	N/A											8 \$1,155.84		7 \$1,376.27														15 15
EERING GE	OTECHNICAL INVESTIGATION	,		1			•	•				•	•																	
	OTECHNICAL INVESTIGATION		\$38,795.65	5														3												3
		Subtotals (Hours) = Subtotals (Costs) =	N/A \$38,795.65															3 \$568.11												3
	ILITY RESEARCH (Existing/Reloc	cation)																												
0255 UTILI 0255 KEW	UTILITIES  JTIES RELOCATION  HERWATER									8				4	6	4	4								40 40 40				10 20 20	76 60 60
0255 COM	MUNICATIONSIGNALIPOWERLIGHTING		\$10,255.00	0																					40				14	54
		Subtotals (Hours) = Subtotals (Costs) =	N/A							8 \$1.342.88				4 \$577.92	6 \$585.24	4 \$786.44	4 \$501,20								160				64 \$4,777.60	250
EERING 30%		Subtotals (Costs) =	\$10,255.00	1				1	1	\$1,342.88	1	1	1	\$977.92	\$585.24	\$786.44	\$501.20	1	1		1	l			\$33,840.00				\$4,777.60	250
255 CW	L (TRACK DESIGN)			16	32	52	100	24						I	-														40	264
	HITECTURAL DCTURAL HANICAL									40		40	4	24	36															64 80
0255 COM 0255 TRAC	MINICATIONS & SIGNAL SYSTEM CTION SYSTEM (POWER + OCS)		\$1,029.25	5												45	41		9	6	16	17	12	22						86 82
255 COS	ET ESTIMATE	Subtotals (Hours) = Subtotals (Costs) =	N/A \$1,029.25	2 18 54 684 50	3 35 \$7,956.55	2 54 \$7 383 44	3 103 514 881 44	2 26 52 967 38		40 \$6.714.40		40 \$4.343.20	4 \$909.32	24 \$3.467.52	36 \$3,511.44	45 \$8,847.45	41 \$5,137.30		9 \$2,342.25	6 \$1.179.66	16 \$2,356.16	17 \$2,503.42	12 \$1,539.72	22 \$2,009.48		12 12 \$869.40	40 40 54 072 80		40 \$2 986 00	640 640
EERING 60%	% DESIGN		1																				, , , , , , , , , , , , , , , , , , , ,	-,			.,,			
0255 CIVIL	L (TRACK DESIGN)			12	32	42	53	15					8	40	62														35	189
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0255 pos	EFECTIONS ET ESTIMATE	Subtotals (Hours) = Subtotals (Costs) =	N/A \$1,029.25	2 16 \$4,164.00	3 39 \$8.865,87	3 48	3 56	3 18		48 \$8.057.28		40	13	40	62	51	48 \$6,014,40		40 \$10,410,00	20	64	70	50 \$6.415.50	86 \$7.855.24		10 10	35 35	25	35	59 914
EERING 90%	V DEGICH	Subtotals (Costs) =	\$1,029.29	34,164.00	\$0,000.07	\$0,545.25	\$0,090.00	\$2,054.54		\$6,057.26	1	\$4,545.20	\$2,955.29	\$5,779.20	90,047.40	\$10,027.11	\$6,014.40		\$10,410.00	\$3,932.20	\$9,424.64	\$10,308.20	\$6,415.50	\$7,000.24		\$724.50	\$3,563.70	\$2,617.00	\$2,612.75	214
1255 (1141)	(TRACK DESIGN)			6	24	32	40	12						40	74														40	154
0255 ARCI 0255 STRL 0255 MECI	UCTURAL CHANICAL									40		100		40	/4															140
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0255 SPEC 0255 COS	CFICATIONS ET ESTIMATE	Subtotals (Hours) = Subtotals (Costs) =	N/A	4 4 14	8 4 36 \$8,183.88	3 3 38	4	4		40 \$6,714.40		100	20	40	74	47	45		30	17	48	53	30	72		6	20 20	25 25	40	60 45 863
		Subtotals (Costs) =		\$3,643.50	\$8,183.88	\$5,181.68	\$6,357.12	\$1,826.08		\$6,714.40	1	\$10,858.00	\$6,365.24	\$5,779.20	\$7,217.96	\$9,240.67	\$5,638.50	1	\$7,807.50	\$3,342.37	\$7,068.48	\$7,804.78	\$3,849.30	\$6,576.48		\$434.70	\$2,036.40	\$2,617.00	\$2,986.00	863
EERING 100 0255 CIVIL 0255 ARCI	0% DESIGN L (TRACK DESIGN)			14	40	44	53	10																					40	201
0255 MEC	DITECTURAL DICTURAL									16		24	4	20	29															53 40
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		Subtotals (Hours) = Subtotals (Costs) =	N/A	\$5,725.50	47 \$10,684.51	50 \$6,818.00	56 \$8,090.88	13 \$1,483.69		16 \$2,685.76		24 \$2,605.92	19 \$4,319.27	20 \$2,889.60	29 \$2,828.66	22 \$4,325.42	28 \$3,508.40		9 \$2,342.25	5 \$983.05	16 \$2,356.16	15 \$2,208.90	12 \$1,539.72	20 \$1,826.80		\$ \$217.35	10 \$1,018.20	10 \$1,046.80	40 \$2,986.00	486 486
	LITY CONTROL/QUALITY ASSURANCE					40			24		40					20													,	40-1
				4	16	18	24	8			40		24	1		22														180
0255 QAI	LITT CONTROL QUALITY ASSURANCE	Subtotals (Hours) =	N/A	4	16	18	24	8	24		40		24			22														180
0255 QUAI		Subtotals (Hours) = Subtotals (Costs) =		4 \$1,041.00	16 \$3,637.28	18 \$2,454.48	24 \$3,467.52	8 \$913.04	24 \$5,455.92		40 \$9,093.20		24 \$5,455.92			\$4,325.42														180 180
0255 QUA	tals (Summary) = al (Hours) = al (Costs) =	Subtotals (Costs) =		\$1,041.00		\$2,454.48	\$3,467.52	\$913.04	\$5,455.92	152 \$25,514.72	\$9,093.20	Totals = 20-	\$5,455.92	1 136 4 \$19.646.91	207 \$ \$20,190.78	22 \$4,325.42 198 \$38,929.79	166 \$20,799.80	\$568.1	3 88 1 \$22,902.00	48 \$9.437.70	144 \$21,205.44	155 \$22,825.30	104 \$13,344.24	200 \$18.268.00	160 \$33 840 00	67 S4 854 16	10: \$10.694.41	60 \$6,280.80	219 \$16.248.25	180 180 3,471 3471

Consultant/ Subconsultant: JACOBS ENGINEERING GROUP, INC.

Work Order Title: DESIGN SERVICES TO DOUBLE TRACK THE BAYSIDE TERMINAL

Contract No: G1949.0-17
Task Order No. WOA1949-AE31.01
Attachment: B

#### TASKS/WBS (1-5)

ODC				-	Task 1	-	Гask 2		Гask 3	Т	ask 4	Ta	ask 5
Item	Description	Unit	Unit Cost	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage	miles	\$0.59									50	\$29.25
2	Airline Tickets	trip	\$600.000									1	\$600.00
3	Hotel	night	\$200.00									2	\$400.00
4	See below									1	\$10,255.00		
5	Geotechnical Investigation							1	\$38,795.65				
6													
7													
8													
9													
10													
				Subtotal =		Subtotal =		Subtotal =	\$38,795.65	Subtotal =	\$10,255.00	Subtotal =	\$1,029.25

#### TASKS/WBS (6-10)

						TASKS	S/WBS (6-10)						
ODC			Task 6	1	Task 7	•	Task 8	1	Task 9	Та	sk 10	То	tals
Item	Description	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage	50	\$29.25									100	\$58.50
2	Airline Tickets	1	\$600.00									2	\$1,200.00
3	Hotel	2	\$400.00									4	\$800.00
4	See below											1	\$10,255.00
5	Geotechnical Investigation											1	\$38,795.65
6													
7													
8													
9													
10													
		Cubtotal -	\$4,000.0F	Cubtotal -		Cubtatal		Cubtatal =		Cubtotal		Totalo -	\$51,109.15
		Subtotal =	\$1,029.25	Subtotal =		Subtotal =		Subtotal =		Subtotal =		Totals =	<b>ఫ</b> ວ1,109.15

#### Work Order Estimate Summary

т.	otal Hours =	984		Consultant/Subconsultant: Pacific Railway Enterprises, Inc.												S Doc. No.:	
	otal Costs =	\$119,148.00		V	Work Order Title: Design Services to Double Track Bayside Terminal											ttachment:	В
			ODCs (See Attachment)	Sr. Systems Engineer	Sr. Railroad Systems Technologist I	Signal Designer III	Sr. Railroad Systems Technologist III	Sr. Railroad Systems Technologist II								Total Hours	Totals
Item	TASKS/WBS	TASKS/WBS Description		\$ 227.60	\$ 126.45	\$ 75.87	\$ 164.38	\$ 152.79					\$ -	\$ -	\$ -		
1 Ta	ask 1	0600-0255 Field Survey & Investigation															
1.1	0255	Field Survey			16		16									32	\$4,653.28
		Subtotals (Hours) =	N/A		16		16									32	\$4,653.28
		Subtotals (Costs) =			\$2,023.20		\$2,630.08									32	\$4,653.28
2 Ta	0255	0600-0255 Signaling Design 30% Signaling Design		4	40	40	24	16								124	\$15,392.96
2.1	0255	60% Signaling Design		8	120	120	60	24								332	\$39,628.96
		90% Signaling Design		8	120	120	60	24								332	\$39,628.96
		100% Signaling Design		4	24	24	8	4								64	\$7,692.28
		Subtotals (Hours) = Subtotals (Costs) =	N/A	24 \$5,462.40	304 \$38,440.80	304 \$23,064.48	152 \$24,985.76	68 \$10,389.72								852 <b>852</b>	\$102,343.16 <b>\$102,343.16</b>
		Subtotais (Costs) =		\$5,462.40	\$38,440.80	\$23,064.48	\$24,985.76	\$10,389.72						1		852	\$102,343.16
	ask 3	0600-0255 Station Communications Design															
3.1	0255	30% Station Communications Design		4		8		2								14	\$1,822.94
		60% Station Communications Design 90% Station Communications Design		8		24 24		4								36 36	\$4,252.84 \$4,252.84
		100% Station Communications Design		4		8		2								36 14	\$4,252.84 \$1,822.94
		100 % Citation Communications Design		-		J		_								1.7	ψ1,022.34
		Subtotals (Hours) =	N/A	24		64		12								100	\$12,151.56
		Subtotals (Costs) =		\$5,462.40		\$4,855.68		\$1,833.48								100	\$12,151.56

### Work Order Estimate Summary

	Consultant/Subconsultant: Project Design Consultants														Doc. No.:		
	Total Hours =	148													Work C	Order No.:	
	Total Costs =	\$17,799.18		Work Order Title: Design Services to Double Track Bayside Terminal												achment:	В
			ODCs (See Attachment)	Project Manager	Sr. Surveyor	Surveyor	Mapping Coordinator	Party Chief	Rodperson	Associate/ Project Manager	Landscape Designer					Total Hours	Totals
Item	TASKS/WBS	TASKS/WBS Description		\$ 176.49	\$ 134.26	\$ 98.06	\$ 97.90	\$ 174.58	\$ 169.37	\$ 152.28	\$ 76.28	\$	- \$	- \$	-		
1	Task 1	Topo Survey -ROW-Survey Control															
1.1	0255	Field Survey		4	4	8	6	18	18							58	\$8,805.98
		Subtotals (Hours) =	N/A	4	4	8	6	18	18							58	\$8,805.98
		Subtotals (Costs) =		\$705.96	\$537.04	\$784.48	\$587.40	\$3,142.44	\$3,048.66							58	\$8,805.98
<b>2</b> 2.1	Task 2	Landscape Plans  Coordination/Meetings			ı						2					40	\$1.370.80
2.1	0255	Irrigation & Planting Plans - 30%								8 7	21					10 28	\$1,370.80 \$2,667.84
		Irrigation & Planting Plans - 60%								6	18					24	\$2,286.72
		Irrigation & Planting Plans - 90%								5	15					20	\$1,905.60
		Irrigation & Planting Plans - 100%								2	6					8	\$762.24
																	***********
		Subtotals (Hours) = Subtotals (Costs) =	N/A	-						28 \$4,263.84	62 \$4,729.36					90	\$8,993.20 \$8,993.20

1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

June 12, 2020

MTS Doc. No. G1949.0-17 Work Order No. WOA1949-AE-31.03

Jacobs Engineering Group, Inc. Julian Hoyle, Vice President 725 West Town & Country Road, Suite 300 Orange CA, 92868

Dear Mr. Hoyle:

Subject: AMENDMENT NO. 3 TO WORK ORDER WOA1949-AE-31, MTS DOC. NO. G1949.0-17

GENERAL ENGINEERING DESIGN SERVICES TO DOUBLE TRACK THE BAYSIDE

**TERMINAL** 

This letter shall serve as Amendment No. 3 to Work Order WOA1949-AE-31 to MTS Doc. No. G1949.0-17, for professional services under the General Engineering Consultant Agreement, as further described below.

#### SCOPE OF SERVICES

This amendment exercises the "Jacob's Alternative" design as provided in the original Scope of Work, and provides additional design services for a stub ended track and split platform not included in the original Scope of Work (Attachment A). Furthermore, this amendment eliminates any further design efforts by the consultant for the "MTS Alternative" as selected by MTS, and provided for in the original Scope of Work. Unused funds for the "MTS Alternative" will be redirected towards the "Jacobs Alternative" and the additional design services.

#### **SCHEDULE**

There shall be no change to the schedule as a result of this amendment. The schedule shall remain in effect through June 30, 2020.

#### **PAYMENT**

This amendment shall increase the current payment amount of \$707,075.02 by \$20,142.01. The revised Work Order amount shall not exceed \$727,217.03 without prior authorization from MTS.

Please sign below, and return the document to the Contracts Specialist at MTS. All other terms and conditions shall remain the same and in effect.

Sincerely,

Sharon Cooney
Chief Executive Officer

Accepted:

Julian Hoyle

Jacobs Engineering Group, Inc.

Date:

Attachments: Attachment A, Scope of Services

Attachment B, Negotiated Fee Proposal

# ATTACHMENT A SCOPE OF SERVICES

MTS Doc. No. G1949.0-17

Work Order No. WOA1949-AE-31.03

### <u>WORK ORDER TITLE:</u> DESIGN SERVICES TO DOUBLE TRACK THE BAYSIDE TERMINAL- ADDITIONAL SCOPE OF WORK

#### I. PROJECT DESCRIPTION

This amendment exercises the "Jacob's Alternative" design as provided in the original Scope of Work, and provides additional design services for a stub ended track and split platform not included in the original Scope of Work.

#### II. SCOPE OF WORK

The scope of additional work shall consist of the following tasks and deliverables:

#### Task 1 – Project Management and Coordination

- 1.1 Includes invoicing, scheduling, monthly project progress, and administration costs for additional 6 months.
- 1.2 Provide project coordination with MTS as well as coordination with other agencies as needed.

#### Task 2 – Feasibility Study

- 2.1 The work performed for phase 1 is as follows:
  - Provide additional field visit and analysis of As-Builts of TPSS4 was performed to determine the extent of the scope.
  - Provide a ROM construction estimate prior to the completion of 30% to determine if the available funds would cover the scope of work for phase 1.
  - Revise Phase 1 plans to reflect changes in scope per MTS' direction.
- 2.2 The work performed for phase 2 is as follows:
  - Provide three alternatives for Phase 2.
  - Provide analysis between Phase 2 preferred alternative and Phase 1 to reduce throw away work in the future.
  - Provide ROM construction estimate for phase 2.

#### Task 3 - Field Survey & ROW

- 3.1 Plat Exhibit & Legal Description
- 3.2 Boundary and Encumbrance Survey

#### Task 4 – Waste Soil Assessment

4.1 Perform field and lab work to determine level of soil contamination

Consultant shall collect soil samples under a soil sampling and analysis plan (SAP) that will provide analytical data and general insight as to what waste classification(s) is likely for soil in the immediate vicinity of 5 hand auger borings to be advanced 6 feet below grade. A brief letter report will be prepared to document findings, identify waste type(s) for soil samples collected, and to provide general cost estimates and recommendations for disposal of tested soil at the closest client-approved TSDF.

#### **TASK 5 - UTILTY RESEARCH**

- 5.1 Provide The layout & design of the MTS electrical and communications plans not included in original scope.
- 5.2 Provide Additional effort to track down secured as-built drawings.
- 5.3 Perform utility investigation to cover work being done for both Phase 1 and Phase 2
- 5.4 Preparation of exhibits for SDG&E coordination

#### **TASK 6 - Additional Design Effort**

The scope of work consists of additional signal and communications work identified within the Phase 1 conceptual drawing. The scope of work shall include the tasks/subtasks identified below.

#### 6.1 - Center Platform Alternative

The Consultant shall produce the following design additions:

The original scope and fee accounted for 6 power switch machines (M23-A) and 6 switch indicators for the new double crossover and single crossover that is east of the station platform and all signal work associated with the new B37RC. Also accounted for was the power switch (M23-A) and three switch indicators for T-1 connection/Blue Line on South Track.

The following items were not part of our original scope:

- Addition of 3 power switch machines (embedded track), 5 switch indicators, 5 H&K track circuits and TWC loops on the station platform for MT 2 and T1 track and all signal modifications inside of the existing 12<sup>th</sup> and Imperial signal case.
- Removal of B131RC. This case houses the fiber for CTC (SCADA) indication in the Bayside Line.
- Analysis and coordination of aerial fiber impacts on OCS pole in potential conflict with the new center platform track alignment.
- Additional design (data cable and power cable) for the MTS validator project future installation on the Bayside platform.

#### 6.2 Feasibility Study

The consultant shall produce the following design additions:

- For various track feasibility concepts provide feedback for impacts to signal and communications infrastructure.
- Replacement and electrification of Left Hand Turnout (Switch #25) at south end of project
- Interlaced Turnout and upgrade of existing track to be fully guarded for Green Line Connection to Blue Line (switch #31 and 33)
- Electrification of switch 35 (existing yard lead at east end of project)
- Addition of left hand single crossover #39 to serve as yard lead at the west end of the project
- Reconfiguration of yard tracks due to the installation of Single Crossover #39
- Location plans for 3 new power switch machines and 5 switch indicators east of the platform
- Reconfiguration of sectionalizing so the proposed alignment is fed from the Yard
- •
- Update Electrical feed to eliminate dependency from Mills Building

#### III. <u>DELIVERABLES</u>

Phase 1 & Phase 2 ROM Estimates
Phase 1 Revised ROM Estimate
Phase 2 Layout
Soil sample report
MTS Bayside SDG&E Sections Exhibit
third layout sheet to show the section insulators and major revision on the proposed sectionalizing diagram

# ATTACHMENT B NEGOTIATED FEE PROPOSAL

## Work Order Estimate Summary

#### **JACOBS ALTERNATIVE**

Att. B, Al 19, 11/12/2020 MTS Doc. No. G1949.0-17 Work Order No. WOA1949-AE-31.03

Attachment: B

Work Order Title: Design Services to Double Track the Bayside Terminal _Additional Scope F	ee Request
Project No:	

#### Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1	0100	PROJECT MANAGEMENT	\$3,505.92
2	0255	ENGINEERING	\$16,636.09

Totals = \$20,142.01

#### Table 2 - TASKS/WBS Summary (Costs & Hours)

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	ADMIN	PM & COORDINATION	16.00	\$3,505.92
2	ENGINEERING	FIELD SURVEY & ROW		
3	ENGINEERING	WASTE SOIL ASSESMENT	16.00	\$2,146.02
4	ENGINEERING	UTILITY RESEARCH (Existing/Relocation)		
5	ENGINEERING	ADDITIONAL DESIGN - PRE		
6	ENGINEERING	TRACTION SYSTEM- REDESIGN SECTIONALIZING	9.00	\$1,551.32
7	ENGINEERING	FEASIBILITY	86.00	\$12,938.75

Totals = 127.00 \$20,142.01

#### Table 3 - Consultant/Subconsultant Summary (Costs & Hours)

(If Applicable, Select One)			t One)			
DBE	DVBE	SBE	Other	Consultant	Labor Hrs	Total Costs
			Х	JACOBS	127.00	\$20,142.01
Х				Pacific Railway Enterprises		
		Х		Project Design Consultants		

Totals = 127.00 \$20,142.01

**Work Order Estimate** Summary

**JACOBS** 

\$20.142.01

JACOBS ENGINEERING GROUP, INC. DESIGN SERVICES TO DOUBLE TRACK THE BAYSIDE MTS Doc. No.: G1949.0-17
Work Order No.: WOA1949-AE-31.03

Total Costs =	\$20,142.01					L SCOPE FEE		SIDE													Attachment:	В
			PIRRAZARI KEYVA	N MAHONEY PATRICE	C LEE CHRISTOPHER	AXEL GONZALEZ	FREDIE SILVA	JOE TINARI	ANTHONY ZEL OYL	F VISH MOWI FY	PATRICK NELSON	SHAWN BERGMAN	RUDOL FO LAYGO	MATT REIFER	AHMED ABEIDO	DAVID POLEY	SREEKAR PUIJIALA	KENAN AI TAY	DAVID GARCIA	CAROLYN KOSIK		
		ODCs (See Attachment)									ng Electrical Engineering				Civil Engineering II	Engineering Project			Civil Engineering IV		Total Hours	Tota
TASKS/WBS	TASKS/WBS Description	Attachment	\$ 260.25	III Engineering Project Manager IV  5 \$ 227.33			VI \$ 108.58				v 147.26			Management of Project III		Manager I	Civil Engineering V					
ADMIN	PM & COORDINATION					1																
0100	PROJECT MANAGEMENT		4			4			4					4							16	
0100	SCHEDULING/CONTRACT ADMINISTRATION																					
	Subtotals ( Subtotals (	lours) = N/A Costs) =	4 \$1,041.00			4 \$577.92			4 \$1,041.00					4 \$846.00							16 16	
NGINEERING 0255	FEASIBILITY STUDY FEASIBILITY/ALTERNATIVE ANALYSIS I & II	\$81.	.36 4	5	8	30		2	1	8		4	2	3				14	5		86	
0255	FIELD VISITS																					
												<u> </u>										
	Subtotals (i Subtotals (		4 \$1,041.00	5 \$1,136.65	8 \$1,090.88	30 \$4,334.40		2 \$454.66	1 \$260.25	8 \$1,572.88		4 \$513.24	2 \$182.68	3 \$634.50				14 \$1,014.30	5 \$621.95		86 86	
IGINEERING	FIELD SURVEY & ROW																					
0255	FIELD SURVEY																					
0255	ROW																					
	Subtotals ( Subtotals (	lours) = N/A Costs) =																				
IGINEERING	WASTE SOIL ASSESMENT																					
0255 0255	WASTE SOIL ASSESMENT WASTE SOIL ASSESMENT- MILLENIUM ENVIRONMENTAL												7		5	3	7			1	16	
0255	WASTE SOIL ASSESMENT- EUROFINS TEST AMERICA																					
0255	WASTE SOIL ASSESMENT- ODC Subtotals (I Subtotals (I														5 \$436.90	3 \$444.48	7 \$1,061.69			1 \$202.95	16 16	
		,		1	1	1	1	ı			1				7	******	1,1,1,1,1,1	1		,		
0255	UTILITY RESEARCH (Existing/Relocation)  ALL UTILITIES						1						T							1		
0255	UTILITIES RELOCATION																					
0255 0255	SEWER/WATER COMMUNICATION/SIGNAL/POWER/LIGHTING																					
0255	COMMUNICATION/SIGNAL/POWER/LIGHTING-C-BELOW ADDITIO																					
	Subtotals ( Subtotals (																					_
IGINEERING	ADDITIONAL DESIGN EFFORT 30%, 60%, 90% & 100% DESIGN																					
0255	CIVIL (TRACK DESIGN)				1																	
0255 0255	ARCHITECTURAL STRUCTURAL			-			-					-			-							
0255	MECHANICAL																					
0255 0255	ELECTRICAL COMMINICATIONS & SIGNAL SYSTEM																	-	-			
0255	TRACTION SYSTEM (POWER + OCS)		-		-	1				-	-								-			
0255	COST ESTIMATE																					
0255	TRACTION SYSTEM (POWER + OCS) -REDESIGN SECTIONALIZIN Subtotals (I		_						2		7										9	
	Subtotals (								\$520.50		\$1,030.82										9	
NGINEERING	QA/QC																					
0255	QUALITY CONTROL/ QUALITY ASSURANCE																					_
	Subtotals (	lours) = N/A	-																			
	Subtotals (	costs) =			1	1	1 1	l	1	1		1	1	1	1	1						
	Totals (Summary) =						Totals =													Г	127	
	Total (Hours) = Total (Costs) =	N/A \$81.	.36 \$2,082.00	8 10 \$1,136.6		8 34		\$454.6	2 36 \$1,821.7	7 '5 \$1,572.	8 88 \$1,030.82	7 4 2 \$513.24	\$182.68	\$1.480.50	7 5 0 \$436.90	\$444.4	3 7 8 \$1,061.69	7 14 9 \$1,014.30		1 \$202.95	127	
	,																					
	Percentage of Total (Hours) = Percentage of Total (Costs) =	N/A	6% 0% 10%					2°			1% 6% 1% 5%	3%		6%								

Consultant/ Subconsultant: JACOBS ENGINEERING GROUP, INC.

Contract No: G1949.0-17
Task Order No. WOA1949-AE31.03
Attachment: B

#### Work Order Title: DESIGN SERVICES TO DOUBLE TRACK THE BAYSIDE TERMINAL - ADDITIONAL SCOPE FEE REQUEST

#### TASKS/WBS (1-5)

ODC				Task 1		-	Гask 2	-	Task 3		Task 4	Т	ask 5
Item	Description	Unit	Unit Cost	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage - Addtl	miles	\$0.59										
2	Airline Tickets - Addtl	trip	\$600.000										
3	Hotel	ea	\$150.00										
4	Millenium Environmental												
5	Eurofins Test America												
6	Waste Soil-ODC	0											
7	Misc.	1	\$81.36			1	\$81.36						
8	C Below												
9													
10													
				Subtotal =		Subtotal =	\$81.36	Subtotal =		Subtotal =		Subtotal =	

#### **TASKS/WBS (6-10)**

	T	ask 6	Та	ısk 7	Та	ısk 8	Ta	ask 9	Ta	ask 10	To	otals
Description	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
Mileage -Add Addtl												
Airline Tickets -Add addtl												
Hotel												
Millenium Environmental												
Eurofins Test America												
Waste Soil-ODC												
Misc.											1	\$81.36
C Below												
	Subtotal -		Subtotal -		Subtotal -		Subtotal =		Subtotal -		Totals =	\$81.36
	Mileage -Add Addtl Airline Tickets -Add addtl Hotel Millenium Environmental Eurofins Test America Waste Soil-ODC Misc.	Description Quantity  Mileage -Add Addtl  Airline Tickets -Add addtl  Hotel  Millenium Environmental  Eurofins Test America  Waste Soil-ODC  Misc.	Mileage -Add Addtl Airline Tickets -Add addtl Hotel Millenium Environmental Eurofins Test America Waste Soil-ODC Misc. C Below	Description Quantity Total Quantity Mileage -Add Addtl Airline Tickets -Add addtl Hotel Millenium Environmental Eurofins Test America Waste Soil-ODC Misc. C Below	Description Quantity Total Quantity Total  Mileage -Add Addtl Airline Tickets -Add addtl Hotel Millenium Environmental Eurofins Test America Waste Soil-ODC Misc. C Below	Description Quantity Total Quantity Total Quantity Mileage -Add Addtl Airline Tickets -Add addtl Hotel Millenium Environmental Eurofins Test America Waste Soil-ODC Misc. C Below  Description Quantity Total Quantity	Description Quantity Total Quantity	Description Quantity Total Possible Figure Fig	Description Quantity Total Quantity	Description Quantity Total Possible Firespoin	Description         Quantity         Total         Quantity         Quantity         Quantity         Total         Quantity         Quantity </td <td>Description         Quantity         Total         Quantity         Quantity         Total         Quantity         Quantity         Total         Quantity         Quantity         Quantity         Qu</td>	Description         Quantity         Total         Quantity         Quantity         Total         Quantity         Quantity         Total         Quantity         Quantity         Quantity         Qu

1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

June 12, 2020

MTS Doc. No. G1949.0-17 Work Order No. WOA1949-AE-31.04

Jacobs Engineering Group, Inc. Julian Hoyle, Vice President 725 West Town & Country Road, Suite 300 Orange CA, 92868

Dear Mr. Hoyle:

Subject: AMENDMENT NO. 4 TO WORK ORDER WOA1949-AE-31, MTS DOC. NO. G1949.0-17

GENERAL ENGINEERING DESIGN SERVICES TO DOUBLE TRACK THE BAYSIDE

**TERMINAL** 

This letter shall serve as Amendment No. 4 to Work Order WOA1949-AE-31 to MTS Doc. No. G1949.0-17, for professional services under the General Engineering Consultant Agreement, as further described below.

#### SCOPE OF SERVICES

This amendment provides additional design services for a west platform access study and design, and bid support services to the work order (Attachment A).

#### **SCHEDULE**

This amendment shall add an additional six (6) months to the work order. The schedule shall remain in effect through December 31, 2020.

#### **PAYMENT**

This amendment shall increase the current payment amount of \$727,217.03 by \$79,474.41 (Attachment B). Payment for bid support services shall be based on actual costs. The revised Work Order amount shall not exceed \$806,691.44 without prior authorization from MTS.

Please sign below, and return the document to the Contracts Specialist at MTS. All other terms and conditions shall remain the same and in effect.

Sincerely,  Sharon Cooney  Sharon Cooney	Accepted:
Sharon Cooney Chief Executive Officer	Julian Hoyle Jacobs Engineering Group, Inc.
	Date: 10/22/20

Attachments: Attachment A, Scope of Services

Attachment B, Negotiated Fee Proposal

# ATTACHMENT A SCOPE OF SERVICES

#### SDMTS Bayside Double Track Project Additional Scope Of Work

#### **INTRODUCTION**

The 100% PSE have been submitted and the project is now entering into the bid and construction phase and any additional design changes that are generated from third parties and agency. MTS directed Jacobs to submit amendment 4 to cover four distinct tasks:

- 1. Project Management
- 2. West Platform Access study and design plans
- 3. Bid Support

Under this Work Order Consultant will provide continuing project management, any changes and updates that are generated after PSE submittal, support during bidding phase.

#### **SCOPE OF ADDITIONAL DESIGN SERVICES**

#### TASK 1\_PROJECT MANAGEMENT AND COORDINATION

It is anticipated that project will be advertised by first of the year 2021 and awarded by spring and 24 months of construction time with end date summer of 2023.

- 1.1 Project Management & Coordination (12 months @ 4hrs/month)
- 1.2 Contract Administration (36 months @ 6hrs/month)

#### TASK 2\_West Platform Access Study and Design

- 2.1 Study the relocation of west platform access further east where three car trains can be accommodated and various access point from Imperial Ave. along existing parking garage.
- 2.2 Prepare final design plan for the proposed access location and modify the IFB plans to reflect the approved change

#### TASK 3\_Bid Support (Issue For Bid)

- 3.1 Prebid phase- consultant modifies plans and specifications and cost for IFB plans per MTS comments and prepare IFB amendment as needed as directed by MTS per City of San Diego and or SDGE.
- 3.2 Bid Support- Consultant will prepare for and attend the pre-bid meeting and respond to RFI's from the construction contractor(s) during the bid process.

3.3 Prepare Conformed Plans and Specifications- Consultant will prepare conformed plans and specifications by incorporating any relevant construction contractor RFI's and bid addendum affective during the Bid Phase.

# ATTACHMENT B NEGOTIATED FEE PROPOSAL

## Work Order Estimate Summary

#### **JACOBS ALTERNATIVE**

Att. C, Al 19, 11/12/2020
MTS Doc. No. G1949.0-17
Work Order No. WOA1949-AE-31.04

Attachment: B

Work Order Title: Design Services to Double Track the Bayside Terminal -Amendment 4

**Provide Bid Support & DSDC** 

**Project No:** 

Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1	0100	PROJECT MANAGEMENT	\$2,951.40
2	0255	ENGINEERING	\$76,523.01

Totals = \$79,474.41

#### Table 2 - TASKS/WBS Summary (Costs & Hours)

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	ADMIN	PM & COORDINATION	20.00	\$2,951.40
2	ENGINEERING	WEST PLATFORM ACCESS STUDY & DESIGN PLANS	196.00	\$37,839.16
3	ENGINEERING	BID SUPPORT	234.00	\$38,683.85
4	ENGINEERING			
5	ENGINEERING			
6	ENGINEERING			
7	ENGINEERING			

Totals = 450.00 \$79,474.41

#### Table 3 - Consultant/Subconsultant Summary (Costs & Hours)

(If A	Applical Or	ble, Se ne)	lect			
DBE	DVBE	SBE	Other	Consultant	Labor Hrs	Total Costs
			Х	JACOBS	402.00	\$71,027.85
Х				Pacific Railway Enterprises	48.00	\$8,446.56

Totals = 450.00 \$79,474.41

#### **Work Order Estimate Summary**

#### **JACOBS**

JACOBS ENGINEERING GROUP, INC.

ODCs (See

Total Hours = 402 Total Costs = \$71,027.85

Design Services to Double Track the Bayside Terminal -Amendment 4

Work Order No.: WOA1949-AE-31.04

MTS Doc. No.:

Attachment:

G1949.0-17

Provide Bid Support & DSDC PIRBAZARI, KEYVAN LEE, CHRISTOPHER AXEL GONZALEZ ANTHONY ZELOYLE PATRICK NELSON KENAN ALTAY CYNTHIA DANAN BILL DENG **Total Hours** 

			Attachment)	Manager of Projects III	Civil Design VI	Project Engineering IV	Manager of Projects III	Electrical Engineering V	Management of Project III	Project Engineering II	Structural Engineering V	Project Coordinator - Design II	Technical Writer/Editor		
em	TASKS/WBS	TASKS/WBS Description		\$ 260.25	\$ 136.36	\$ 144.48	\$ 260.25	\$ 147.26	\$ 211.50	\$ 114.13	\$ 167.86	\$ 72.45	\$ 104.68		
1	ADMIN	PM & COORDINATION													
1.1	0100	PROJECT MANAGEMENT & COORDINATION (12 MOS, 4HRS/Mo)		8										8	\$2,082.00
1.2	0100	INVOICING/CONTRACT ADMINISTRATION(36 MOS, 6HR/MO)										12		12	\$869.40
		Subtotals (Hours) = Subtotals (Costs) =		\$ \$2,082.00								12 \$869.40		20 20	\$2,951.40 \$2,951.40
2	ENGINEERING	WEST PLATFORM ACCESS STUDY & DESIGN PLANS			1									- "	
2.1	0255	STUDY THE RELOCATION OF WEST PLATFORM ACCESS FURTHER EAST		2	12	3			30					47	\$8,935.26
2.2	0255	PREPARE FINAL DESIGN PLAN FOR THE PROPOSED ACCESS LOCATION		2	28	9			110					149	\$28,903.90
														E	
L.		Subtotals (Hours) =	N/A	4	40	12			140					196	\$37,839.16
		Subtotals (Costs) =		\$1,041.00	\$5,454.40	\$1,733.76			\$29,610.00					196	\$37,839.16

3	ENGINEERING	BID SUPPORT	3	30k										
3.1	0255	PRE-BID PHASE		5	12	15	3	11	3	7	4	11	71	\$10,761.71
3.2	0255	BID SUPPORT- ISSUE IFB	\$1,101.00	5	15	23	5	15	10	8	5	7	93	\$15,880.94
3.3	0255	ISSUE CONFORMED PLANS & SPECIFICATIONS		2	2	3	2	3	2	2	2	4	22	\$3,594.64
		Subtotals (Hours) =		12	29	41	10	29	15	17	11	22	186	\$30,237.29
		Subtotals (Costs) =	\$1,101.00	\$3,123.00	\$3,954.44	\$5,923.68	\$2,602.50	\$4,270.54	\$3,172.50	\$1,940.21	\$1,846.46	\$2,302.96	186	\$30,237.29
4	ENGINEERING	DESIGN SUPPORT DURING CONSTRUCTION												
4.1	0255	ATTEND WEEKLY CONSTR. PROGRESS MEETINGS (30 MTGS @ 3hrs/ea)												

4	ENGINEERING	DESIGN SUPPORT DURING CONSTRUCTION							
4.1	0255	ATTEND WEEKLY CONSTR. PROGRESS MEETINGS (30 MTGS @ 3hrs/ea)							
4.2	0255	REVIEW & APPROVE SUBMITTALS (110 SUBM @ 2.5HRS/EA)							
4.3	0255	RESPOND TO RFI'S (160 RFIS @ 3HR/EA)							
4.4	0255	FIELD OBSERVATIONS (3HR/MO FOR 18 MOS)							
4.5	0255	PREPARE DCN'S (10 CN @ 4 HR/EA)							
4.6	0255	PUNCHLIST & CLOSEOUT ACTIVITIES							
		Subtotals (Hours) =	N/A						
		Subtotals (Costs) =		L			I		

Totals (Summary) =
Total (Hours) =
Total (Costs) =
Percentage of Total (Hours) =
Percentage of Total (Costs) =

											[	402	\$71,027.85
N/A		24	69	53	10	29	155	17	11	12	22	402	•
	\$1,101.00	\$6,246.00	\$9,408.84	\$7,657.44	\$2,602.50	\$4,270.54	\$32,782.50	\$1,940.21	\$1,846.46	\$869.40	\$2,302.96		\$71,027.85
N/A		6%	17%	13%	2%	7%	39%	4%	3%	3%	5%	100%	
	2%	9%	13%	11%	4%	6%	46%	3%	3%	1%	3%		100%

Consultant/ Subconsultant: JACOBS ENGINEERING GROUP, INC.

Contract No: G1949.0-17
Task Order No. WOA1949-AE31.04
Attachment: B

Work Order Title: =Summary!E6

#### TASKS/WBS (1-5)

ODC				Task 1		1	Гask 2		Гask 3		Task 4	Task 5	
Item	Description	Unit	Unit Cost	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage - Addtl	miles	\$0.585					600	\$351.00				
2	Airline Tickets - Addtl	trip	\$600.000					1	\$600.00				
3	Hotel	ea	\$150.00					1	\$150.00				
4	Millenium Environmental												
5	Eurofins Test America												
6	Waste Soil-ODC	0											
7													
8	C Below												
9													
10													
				Subtotal =		Subtotal =		Subtotal =	\$1,101.00	Subtotal =		Subtotal =	

#### TASKS/WBS (6-10)

Description age -Add Addtl se Tickets -Add addtl	Quantity Quantity	ask 6 Total	Quantity Ta	sk 7 Total	Quantity Ta	sk 8 Total	Ta: Quantity	sk 9 Total	Ta Quantity	ask 10 Total	To Quantity	tals Total
age -Add Addtl ne Tickets -Add addtl	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
ne Tickets -Add addtl											11	
											600	\$351.00
I											1	\$600.00
											1	\$150.00
nium Environmental												
fins Test America												
te Soil-ODC												
elow												
	Subtotal -		Subtotal -		Subtotal -		Subtotal -		Subtotal -		Totale =	\$1,101.00
	low	Subtotal =										

#### Work Order Estimate Summary

Att. C, AI 19, 11/12/2020

Consultant/Subconsultant: Pacific Railway Enterprises, Inc. MTS Doc. No.: G1949.0-17 48 Total Hours = Work Order No.: WOA1949-AE-31.04 Work Order Title: Design Services to Double Track Bayside Terminal - Additional Scope & Fee Total Costs = \$8,446.56 :tachment: В Sr. Railroad Sr. Railroad Sr. Railroad Sr. Systems Signal Designer ODCs Systems Systems Systems Total Engineer Totals (See Technologist I Technologist III Technologist II Hours Attachment) TASKS/WBS TASKS/WBS Description 227.60 \$ 126.45 \$ 75.87 164.38 \$ 152.79 Item **Bid Support Services** Task 1 0255 Bid Support 16 \$3,135.84 1.1 8 8 Prepare Conformed Plans & Specs 32 \$5,310.72 12 12 8 20 20 48 \$8,446.56 Subtotals (Hours) = N/A 8 Subtotals (Costs) = \$606.96 48 \$8,446.56 \$4,552.00 \$3,287.60 2 Task 2 DesignSupport during Construction-DSDC 2.1 0255 Weekly Construction Meetings (Assume 14@ 2hrs/mtg) Review & Approve Submittals Respond to Request for Information (RFI) Field Prepare Design Punchlist & Closeout Activities Subtotals (Hours) = N/A Subtotals (Costs) = \$8,446.56 Totals (Summary) = Total (Hours) = N/A 20 20 \$606.96 Total (Costs) = \$4,552.00 \$3,287.60 \$8,446.56 Percentage of Total (Hours) = N/A 42% 42% 100% 17%

7%

39%

54%

Percentage of Total (Costs) =

100%

1255 Imperial Avenue, Suite 1000 San Diego, CA 92101 Tel 619.231.1466 Fax 619.234.3407

November 12, 2020

MTS Doc. No. G1949.0-17 Work Order No. WOA1949-AE-31.05

Jacobs Engineering Group, Inc. Julian Hoyle, Vice President 725 West Town & Country Road, Suite 300 Orange CA, 92868

Dear Mr. Hoyle:

Subject: AMENDMENT NO. 5 TO WORK ORDER WOA1949-AE-31, MTS DOC. NO. G1949.0-17

GENERAL ENGINEERING DESIGN SERVICES TO DOUBLE TRACK THE BAYSIDE

**TERMINAL** 

This letter shall serve as Amendment No. 5 to Work Order WOA1949-AE-31 to MTS Doc. No. G1949.0-17, for professional services under the General Engineering Consultant Agreement, as further described below.

#### SCOPE OF SERVICES

This amendment adds design support during construction (DSDC) services to the work order (Attachment A).

#### **SCHEDULE**

This amendment shall add an additional thirty (30) months to the work order. The schedule shall remain in effect through June 30, 2023.

#### **PAYMENT**

This amendment shall increase the current payment amount of \$806,691.44 by \$275,915.56 (Attachment B). Payment for DSDC services shall be based on actual costs. The revised Work Order amount shall not exceed \$1,082,607.00 without prior authorization from MTS.

Please sign below, and return the document to the Contracts Specialist at MTS. All other terms and conditions shall remain the same and in effect.

Sincerely,	Accepted:
Sharon Cooney Chief Executive Officer	Julian Hoyle Jacobs Engineering Group, Inc.
	Date:

Attachments: Attachment A, Scope of Services
Attachment B, Negotiated Fee Proposal

# ATTACHMENT A SCOPE OF SERVICES

#### SDMTS Bayside Double Track Project Additional Scope Of Work

#### INTRODUCTION

The 100% PSE have been submitted and the project is now entering into the bid and construction phase and any additional design changes that are generated from third parties and agency. MTS directed Jacobs to submit amendment 5 to cover two distinct tasks:

- 1. Project Management
- 2. Design Services During Construction (DSDC)

Under this Work Order Consultant will provide continuing project management, any changes and Design Services During Construction (DSDC).

#### **SCOPE OF SERVICES**

#### TASK 1 PROJECT MANAGEMENT AND COORDINATION

It is anticipated that project will be advertised by first of the year 2021 and awarded by spring and 24 months of construction time with end date summer of 2023.

- 1.1 Project Management & Coordination (12 months @ 4hrs/month)
- 1.2 Contract Administration (36 months @ 6hrs/month)

#### TASK 4 DESIGN SUPPORT DURING CONTRUCTION (DSDC) SERVICES (AS-NEEDED)

#### **4.1 Weekly Construction Meetings**

Consultant shall attend 30 weekly construction progress meetings (virtual) at the request of the MTS Project Manager. Appropriate representatives will attend when requested depending on progress and phase of construction. (30 meetings @ 3hrs/meeting)

#### 4.2 Review & Approve Submittals

Consultant will review and approve or take other appropriate action in respect to Contractor-prepared submittals (for those forwarded from the MTS Construction Management (CM) team) required by the specifications, including shop drawings, product catalog cut sheets, certificates of compliance, samples, and other data which the Construction contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

Consultant will have ten working days for review each submittal. Once the review is complete the submittal will receive a notification stamp indicating results of review including notes for additional action by the Construction contractor as may be deemed necessary. (110 Submittals @ 2.5hrs/each)

#### 4.3 Respond to Requests for Information (RFI)

Consultant will review and respond to Construction contractor RFIs forwarded from the MTS Construction Management (CM) team and issue necessary clarifications and interpretations of

the Contract Documents as appropriate to the orderly completion of the Construction contractor's work. Any orders authorizing variations from the Contract Documents will be made by the MTS CM. (160 RFIs @ 3hrs/each)

#### 4.4 Field Observations

At the request of MTS, the Consultant staff will perform site visits to assist in a response to RFI's, to gather data for developing Change Orders, or to perform other specific tasks such observation of Change in Condition, Construction contractor implementation for substitution, field verifications, pre-testing and in-service testing, etc. Maximum of 18 site visits. (1 visit/month for 18 months @ 3hrs/month)

#### 4.5 Prepare Design Revisions/Design Change Notices (DCN's)

Consultant will prepare revisions to design plans and technical specifications as directed. Modifications to the project plans and specifications may be required prior to and during the construction phase of the project. The Consultant will work with the MTS construction team to assess the purpose for implementing a potential change, to develop an appropriate solution, and develop corresponding revisions to the plans and specifications. Design revisions may be in response to action required by an RFI, CCO, an unforeseen site condition, value-engineering, etc. If requested by MTS, the Consultant will develop cost estimates to coincide with the proposed changes. Design revisions will be transmitted in PDF file format (10 DCNs @ 4hrs/each)

#### 4.6 Punchlist and Closeout Activities

As the project nears Substantial Completion, the Consultant will assist the CM team in preparing a punchlist of items to be addressed by the Construction contractor. Assistance with the punchlist will entail site walks as directed by the CM team.

# ATTACHMENT B NEGOTIATED FEE PROPOSAL

## Work Order Estimate Summary

#### **JACOBS ALTERNATIVE**

Att. D, Al 19, 11/12/2020 MTS Doc. No. G1949.0-17 Work Order No. WOA1949-AE-31.05

В

Attachment:

Work Order Title: Design Services to Double Track the Bayside Terminal -Amendment 5

Provide DSDC

Project No:

#### Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1	0100	PROJECT MANAGEMENT	\$25,189.80
2	0255	ENGINEERING	\$250,725.76

Totals = \$275,915.56

#### Table 2 - TASKS/WBS Summary (Costs & Hours)

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	ADMIN	PM & COORDINATION	244.00	\$25,189.80
2	ENGINEERING			
3	ENGINEERING			
4	ENGINEERING	DESIGN SUPPORT DURING CONSTRUCTION	1,599.00	\$250,725.76
5	ENGINEERING			
6	ENGINEERING			
7	ENGINEERING			

Totals = 1,843.00 \$275,915.56

#### Table 3 - Consultant/Subconsultant Summary (Costs & Hours)

(If A	Applical Or	ble, Se ne)	lect			
DBE	DVBE	SBE	Other	Consultant	Labor Hrs	Total Costs
			Х	JACOBS	1,241.00	\$182,142.54
Х				Pacific Railway Enterprises	602.00	\$93,773.02

Totals = 1,843.00 \$275,915.56

#### **Work Order Estimate** Summary

#### **JACOBS**

JACOBS ENGINEERING GROUP, INC.

Total Hours =	1,241
Total Costs =	\$182,142.54

Design Services to Double Track the Bayside Terminal -Amendment 4

MTS Doc. No.: Attachment:

Work Order No.: WOA1949-AE-31.05

G1949.0-17

Provide Bid Support & DSDC

			ODCs (See	PIRBAZARI, KEYVAN	LEE, CHRISTOPHER	AXEL GONZALEZ	ANTHONY ZELOYLE		MATT REIFER	XIAOFENG WANG	BILL DENG	KENAN ALTAY	CYNTHIA DANAN	Total Hours	Totals
			Attachment)	Manager of Projects II		Project Engineering IV	-	Electrical Engineering V	Project III	Project Engineering	" v	Project Coordinator - Design II	III		
T.	FASKS/WBS	TASKS/WBS Description		\$ 260.25	\$ 136.36	\$ 144.48	\$ 260.25	\$ 147.26	\$ 211.50	\$ 114.13	3 \$ 167.86	\$ 72.45	\$ 104.68		
ADM	MIN	PM & COORDINATION													
	0100	PROJECT MANAGEMENT & COORDINATION (12 MOS, 4HRS/Mo)		40										40	\$10,410
	0100	INVOICING/CONTRACT ADMINISTRATION(36 MOS, 6HR/MO)										204		204	\$14,779
		Subtotals (Ho Subtotals (Co		40 \$10,410.00								204 \$14,779.80		244 244	\$25,189 \$25,189
			,	***************************************						1	11		"		,,,
ENG	0255	WEST PLATFORM ACCESS STUDY & DESIGN PLANS STUDY THE RELOCATION OF WEST PLATFORM ACCESS FURTHER EAST			1					1					
	0255	PREPARE FINAL DESIGN PLAN FOR THE PROPOSED ACCESS LOCATION													
	0255	PREPARE FINAL DESIGN PLAN FOR THE PROPOSED ACCESS LOCATION						,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,							
		Subtotals (Ho													
		Subtotals (Co	sts) =												
ENG	SINEERING	BID SUPPORT		30k											
	0255	PRE-BID PHASE													
	0255	BID SUPPORT- ISSUE IFB													
	0255	ISSUE CONFORMED PLANS & SPECIFICATIONS													
		Subtotals (Ho													
		Subtotals (Co	sts) =							-					
ENG	SINEERING	DESIGN SUPPORT DURING CONSTRUCTION													
	0255	ATTEND WEEKLY CONSTR. PROGRESS MEETINGS (30 MTGS @ 3hrs/ea)		13	21	36			24				2	96	\$16,733
	0255	REVIEW & APPROVE SUBMITTALS (110 SUBM @ 2.5HRS/EA)		13	60	76	8	53	16	43	10			279	\$42,402
	0255	RESPOND TO RFI'S (160 RFIS @ 3HR/EA)		13	129	137	11	104	38	40	13			485	\$73,729
	0255	FIELD OBSERVATIONS (3HR/MO FOR 18 MOS)	\$2,670.0	0 6	16	19			3	12				56	\$11,162
	0255	PREPARE DCN'S (10 CN @ 4 HR/EA)		4	12	12						12		40	\$5,280
		PUNCHLIST & CLOSEOUT ACTIVITIES		4	8	10	9		6	4				41	\$7,644
	0255														
	0255														
	0255							_							
	0255	Subtotals (Ho		53	246	290	28	157	87	99	23	12	2	997	
	0255	Subtotals (Ho Subtotals (Co		53 \$13,793.25	246 \$33,544.56	290 \$41,899.20	28 \$7,287.00	157 \$23,119.82	87 \$18,400.50	99 \$11,298.87	23 \$3,860.78	12 \$869.40	2 \$209.36	997 997	\$156,952 \$156,952
	0255	Subtotals (Co												997	\$156,952
	0255	Subtotals (Co	sts) = \$2,670.00	\$13,793.25	\$33,544.56	\$41,899.20	\$7,287.00	\$23,119.82	\$18,400.50	\$11,298.87	\$3,860.78	\$869.40	\$209.36	1,241	\$156,952
	0255	Subtotals (Co Totals (Summary) = Total (Hours) =		\$13,793.25 93	\$33,544.56 246	\$41,899.20 290	\$7,287.00 28		\$18,400.50	\$11,298.87	\$3,860.78	\$869.40	\$209.36	997	\$156,952 \$182,142
	0255	Subtotals (Co Totals (Summary) = Total (Hours) = Total (Costs) =	sts) = \$2,670.00 N/A \$2,670.0	\$13,793.25 93 0 \$24,203.25	\$33,544.56 246 \$33,544.56	\$41,899.20 290 \$41,899.20	\$7,287.00 28 \$7,287.00	\$23,119.82 157 \$23,119.82	\$18,400.50 87 \$18,400.50	\$11,298.87 9 \$11,298.8	\$3,860.78 9 23 7 \$3,860.78	\$869.40 216 \$15,649.20	\$209.36 2 \$209.36	997 1,241 1241	
	0255	Subtotals (Co Totals (Summary) = Total (Hours) =	sts) = \$2,670.00 N/A	\$13,793.25 93 0 \$24,203.25	\$33,544.56 246 \$33,544.56	\$41,899.20 290 \$41,899.20	\$7,287.00 28 \$7,287.00	\$23,119.82 157	\$18,400.50 87 \$18,400.50	\$11,298.87 9 \$11,298.8	\$3,860.78 9 23 7 \$3,860.78 % 2%	\$869.40 216 \$15,649.20	\$209.36 2 \$209.36	1,241	\$156,955 \$182,145

Consultant/ Subconsultant: JACOBS ENGINEERING GROUP, INC.

Contract No: G1949.0-17

Task Order No. WOA1949-AE31.05

Attachment: B

Work Order Title: =Summary!E6

#### TASKS/WBS (1-5)

ODC				Т	ask 1	1	Task 2		Task 3		Task 4		ask 5
Item	Description	Unit	Unit Cost	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage - Addtl	miles	\$0.585							2,000	\$1,170.00		
2	Airline Tickets - Addtl	trip	\$600.000							2	\$1,200.00		
3	Hotel	ea	\$150.00							2	\$300.00		
4	Millenium Environmental												
5	Eurofins Test America												
6	Waste Soil-ODC	0											
7													
8	C Below									1   1   1   1   1   1			
9													
10													
				Subtotal =		Subtotal =		Subtotal =		Subtotal =	\$2,670.00	Subtotal =	

#### TASKS/WBS (6-10)

<b>Description</b> e -Add Addtl	Ta Quantity	ask 6 Total	Та	sk 7	Tas	ok 0		_I- A		1-40		1-1-
•	Quantity	Total		Task 7		Task 8		Task 9		Task 10		tals
e Add Addtl		iotai	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
e -Auu Auuli											2,000	\$1,170.00
Tickets -Add addtl											2	\$1,200.00
											2	\$300.00
um Environmental												
ns Test America												
Soil-ODC												
w												
	Subtotal -		Subtotal -		Subtotal -		Subtotal =		Subtotal =		Totale =	\$2,670.00
		Subtotal =										

#### Work Order Estimate Summary

Att. D, AI 19, 11/12/2020

Consultant/Subconsultant: Pacific Railway Enterprises, Inc. MTS Doc. No.: G1949.0-17 Total Hours = 602 Work Order No.: WOA1949-AE-31.04 Work Order Title: Design Services to Double Track Bayside Terminal - Additional Scope & Fee Total Costs = \$93,773.02 :tachment: В Sr. Railroad Sr. Railroad Sr. Railroad Sr. Systems Signal Designer ODCs Systems Systems Systems Total Engineer (See Totals Technologist I Technologist III Technologist II Hours Attachment) TASKS/WBS TASKS/WBS Description 227.60 \$ 126.45 \$ 75.87 164.38 \$ 152.79 Item **Bid Support Services** 3 Task 3 0255 Bid Support 3.1 Prepare Conformed Plans & Specs Subtotals (Hours) = N/A Subtotals (Costs) = Task 4 DesignSupport during Construction-DSDC 4.1 0255 Weekly Construction Meetings (Assume 14@ 2hrs/mtg) 20 20 40 \$7,839.60 Review & Approve Submittals 24 36 40 100 \$16,589,80 Respond to Request for Information (RFI) 24 30 40 94 \$15.831.10 Field 80 40 136 \$20,332.80 16 Prepare Design 24 24 24 72 \$12,442.32 Punchlist & Closeout Activities 160 \$20,737.40 20 40 40 60 Subtotals (Hours) = N/A 128 210 60 204 602 \$93,773.02 Subtotals (Costs) = \$29,132.80 \$26,554.50 \$4,552.20 \$33,533.52 602 \$93,773.02 602 \$93,773.02 Totals (Summary) = N/A Total (Hours) = 128 210 60 204 602 Total (Costs) = \$29,132.80 \$26,554.50 \$4,552.20 \$33,533.52 \$93,773.02 Percentage of Total (Hours) = N/A 34% 21% 35% 10% 100%

31%

28%

5%

36%

Percentage of Total (Costs) =

100%



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

### Agenda Item No. 20

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

November 12, 2020

Draft for Executive Committee Review Date: 11/05/2020

SUBJECT:

**DECLARATION OF SURPLUS PROPERTY SITE** 

#### **RECOMMENDATION:**

That the Board of Directors declare the property located at 9805 Prospect Avenue and 8547 Cuyamaca Street in Santee, California as "surplus land" for purposes of Government Code sections 54220, et seq.

#### **Budget Impact**

There is no direct budget impact from this agenda item.

#### **DISCUSSION:**

The Surplus Land Act was recently amended to expressly apply to transit agencies like MTS. Consequently, before MTS can take any action to negotiate with a potential buyer about a proposed real property sale, MTS is required to formally declare the property to be "surplus land" and then send notices of availability of the land to specified parties.

Today's proposed action relates to commercial property owned by MTS at 9805 Prospect Avenue and 8547 Cuyamaca Street in Santee, California (Prospect Square Strip Mall), at the southeast corner of Prospect Avenue and Cuyamaca Street. The property is 0.7 acres and has a 7,200 square foot, single story strip mall that was constructed in 1980. It currently has a 7-11 store as its anchor tenant, in addition to a takeout restaurant (Hilberto's Mexican Food), a barber shop, a martial arts studio, a nail salon, and a check cashing / cigar store. 8547 Cuyamaca Street is a vacant 0.5 acre parcel directly south and abutting the Prospect Square Strip Mall. This property provides access to the rear of the strip mall building and overflow parking. The Prospect Square Strip Mall property was purchased by MTS in 1992 as part of the Santee Extension Project, when the trolley was









placed in the Cuyamaca Street right-of-way. The property was needed to accommodate intersection widening that was impacted by the trolley line location in the street median.

There is no additional current or future transit use identified for the Prospect Square Strip Mall property. Therefore, this property is truly considered "surplus" and is only held by MTS for revenue generation. The property currently generates \$140,000 in annual lease revenue. Due to the age of the building, various capital improvements and repairs have been necessary over the last 5 years, including roof repair and replacement, heating and air condition repair and replacement, plumbing repair, electrical repair, and some landscape and hardscape maintenance.

Recently, the Prospect Square Strip Mall anchor tenant, 7-11, approached MTS about its interest in purchasing the property. The proposed purchase would facilitate major renovations and upgrades that 7-11 is interested in completing at this location. MTS is not in the business of being a commercial landlord and typically does not spend agency resources to upgrade and lease property to commercial tenants. Selling the property to 7-11 or another interested buyer would allow MTS to re-direct the sales price and staff property management resources to properties that are held by MTS for current or future transit use.

Under the Surplus Land Act, MTS is not permitted to engage in any negotiations with 7-11 for the sale of the Prospect Square Strip Mall property until the property has been declared to be "surplus" and MTS has issued notices to designated parties under Government Code section 54221. Today's action would declare the property "surplus". Following this designation, staff will send out the required notices. Negotiations with 7-11 would only occur if no other notices of interest to purchase the property are received following the Surplus Land Act notice process. In that event, staff will return to the Board for negotiating instructions.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

Attachment A – Site Map and Photo

## **Prospect Square**

